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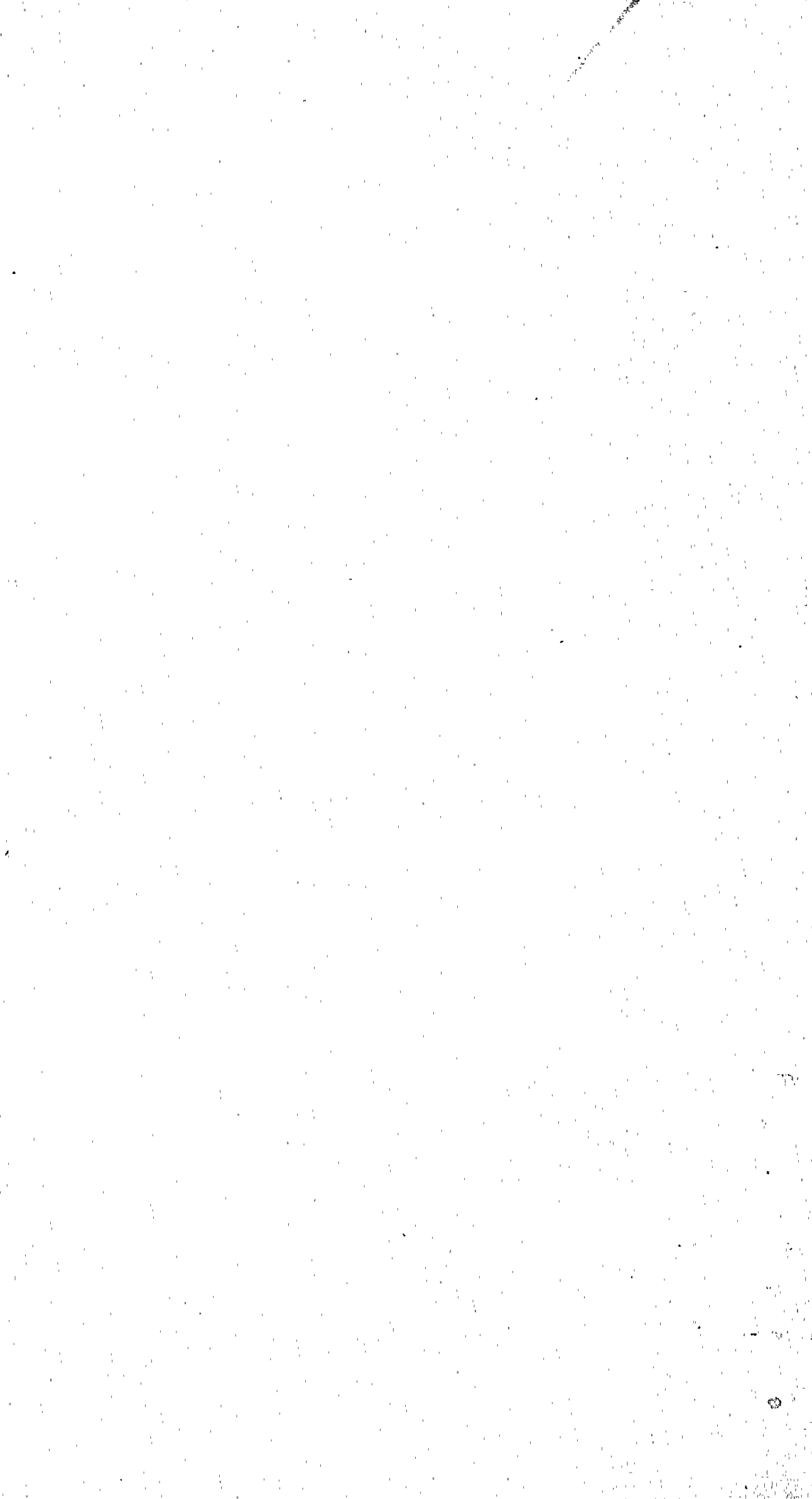
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**APPENDIX, No. 2,**

TO THE

**F O U R T H V O L U M E .**

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# APPENDIX TO THE FOURTH VOLUME

OF THE

# JOURNALS

OF THE

# LEGISLATIVE ASSEMBLY

OF THE

# PROVINCE OF CANADA.

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FROM THE 28<sup>TH</sup> DAY OF NOVEMBER, 1844, TO THE 29<sup>TH</sup> DAY OF MARCH, 1845,

BOTH DAYS INCLUSIVE,

AND IN THE EIGHTH YEAR OF THE REIGN OF OUR SOVEREIGN LADY

QUEEN VICTORIA.

---

BEING THE FIRST SESSION OF THE SECOND PROVINCIAL PARLIAMENT OF CANADA.

---

SESSION, 1844-5.

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*Printed by the Order of the Legislative Assembly.*

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Appendix (A. A.)

1845.

Appendix (A. A.)

1845.

REPORT

OF THE

BOARD OF WORKS,

MONTREAL, DECEMBER, 1844.

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SIR,

I have the honor hereby to discharge the duty imposed upon me by law, of furnishing for the information of His Excellency the Governor General, and the other Branches of the Legislature, a Report, upon the state of the various Public Works in the Province, which have been carried on under this Department, during the past year; In it, I have endeavoured to embody such general and detailed information respecting them severally, as will, I trust, afford a correct view of the present state of the Works, as well as of the progress, made since the date of the last Report I had the honor to furnish.

Report required by the Act.

Describes the state of the work and the progress made since last Report.

No new works having been ordered by the Parliament during the last Session, the duties of this Department have, from that period to the present, been very much confined to those involved in the superintendence of the Works previously sanctioned by the Legislature, to the checking of the Returns and measurements, arranging the payments, &c., and in reporting from day to day, for the information of His Excellency the Governor General in Council, upon the various matters, sent in reference, to this Office.

Ordinary duties of the Department since last Report.

In addition however, to these its ordinary duties, this Department was called upon to prepare suitable Buildings for the reception of the several Branches of the Legislature, for the accommodation of His Excellency the Governor General, and for the various Public Departments; the whole of which was rendered necessary by the transfer of the Seat of Government to this City.

Preparation of buildings for public purposes necessary from the transfer of the Seat of Government to Montreal.

The destruction of the Court House of this District by an incendiary, also imposed upon this Department the preparation of a Building for the holding of the several Courts, and for the accommodation of the Officers connected therewith.

Montreal District Court House destroyed by an incendiary.

The old Jail building prepared for the holding of the Courts.

All these extraordinary expenses I have endeavoured to restrict as much as possible, and the several amounts expended, will be given hereafter under the respective heads.

In my former Report, from its being the first submitted after a commencement had been made with the extensive Works, provided for by the Act 4 and 5 Victoria, chap. 28, it was incumbent on me to enter upon, and explain a variety of points of a general nature, and connected with them and their proposed management, to all of which it is obvious that on the present occasion, it is unnecessary for me to allude; but I feel it my duty to notice a few of those upon which no decision has as yet been come to, and upon

which, in my judgment, it is most desirable that some early Legislative enactment should take place.

Notwithstanding the many and unusual precautions which have been adopted, with the sanction of His Excellency the Governor General in Council, with a view to prevent and quell the spirit of riot and outrage, which had been evinced upon several of the Works where large bodies of labourers had congregated, it is well known and much to be lamented, that such precautions have not been effectual.

Failure of precautions taken to preserve the peace on the line of the works.

From an early period, I apprehended that nothing but the presence of a Military Party in the vicinity of each of the large Works, would be sufficient to keep the peace. The fact of its being known that a Military Party was on the spot to aid the Civil Power, would, I conceive, in itself be a guarantee for quiet and order.

Necessity for a military party when a large body of men are congregated.

The exertions of the Reverends Messrs. Falvy and McDonagh, and (since the commencement of the Works below Prescott) of the Reverend Mr. Clarke, and of Capt. Wetherall, with the Police under his command, have been unremitting and have no doubt tended to prevent the more frequent occurrence of outrage; but the determined and lawless spirit which unfortunately exists so extensively among the labourers, has too often set at naught the moral control of the former, and put at defiance the power at the disposal of the latter.

The moral influence of certain Roman Catholic Clergymen and the power of the police under Capt. Wetherall inefficual.

Experience has satisfied me of the correctness of the causes I assigned for the existence of this turbulent spirit, and which I enumerated in my former Report, as follows: "That the Riots have arisen simply from

Causes assigned in former report for this spirit of riot correct.

"the fact of a great number of labourers having congregated at particular points, amongst many of whom, previous to their being so assembled, bitter national or sectional feuds had existed. The number of men also who flocked over from the United States, on being thrown out of employment by the general suspension of the Public Works there, added considerably to the evil; more especially as from their previous habits, and irregular modes of life, (wandering from one work to another) they were little accustomed to legal restraint, and had but slight respect for the laws; and finally the circumstance of crowds having remained at the Works over and above the number which could be, with any advantage, employed thereon, tended much to a disposition for riot." I would now add an additional one, namely, the fact of a great quantity of fire arms being in the possession of the men; and I feel persuaded that until a registry of arms is made necessary by law, and rigorously enforced on the line

Additional cause now assigned, being the quantity of fire arms in the possession of the labourers.

Necessity for a registry of arms Act.

And for its being strictly enforced on the line of the extensive works.

Necessity for revising the rates of tolls on the Public Works generally.

And for general legal authority to exact them.

Steps taken to ascertain the probable present average travel on the roads and bridges.

The tolls should be let annually.

Lessees to give security and to pay their rent quarterly to the Receiver General.

Enactments required for the safe "use" of the works.

The Act authorizing the levying of tolls to fix the maximum leaving with the Executive Government the power of modifying them and of making bye-laws from time to time.

Acts now in force do not assimilate and require alteration.

of Public Works, with powers also confided to the proper authorities to search for and take up arms, when considered necessary, the Public Peace will continue to be jeopardized in the vicinity of extensive Works.

Another important point, of a general character, to which I feel it necessary to refer, is the necessity of providing by Legislative Enactment, for the establishment of a proportionately uniform Schedule of Tolls upon the Roads and Bridges generally, which have been constructed at the cost of the Province. Most of these Works are now in use, and I have no doubt will be productive of considerable revenue. The Toll Houses are erected, and it only remains to fix by law the Schedules, upon which those Tolls shall be collected, and the authority by which they shall be exacted. Upon some of them Tolls are now being levied; but the matter is very deserving of consideration, in order that a comprehensive provincial system, applicable to all cases may be adopted.

To afford data for the fixing of the Rates, the Officers superintending the several Works, have, by my direction, taken steps during the past season to ascertain the probable present average of the travel over them, the result of which is shown in the Appendix hereunto. A.

I am of opinion that the Rates being fixed, the several Gates, whether on Roads or Bridges should be annually put up to public competition, the lessees being required to give undeniable security, and to pay their rent quarterly into the Receiver General's Office, or such local agent as he may appoint. For present and proposed Rates of Toll on the various Public Works, see Appendix letter B., 1, 2, 3, 4, &c.

For the safety and proper protection of those Works, it appears to me to be necessary, among other enactments, that the proprietor of each vehicle should be bound, under a penalty, to have his name and address legibly painted on the sides thereof.

As circumstances may, from time to time arise, rendering alterations in the rates advisable, it would seem that the Act should only name the maximum of the Rates to be levied, leaving to the Executive Government the fixing of the Tolls under it, and the adoption of such Bye-laws for the management of the Works generally as may be found necessary.

With regard to the use of those Public Works, by section 2 of 4 and 5 Victoria, chapter 28, the powers of all Directors or Commissioners appointed by or under the authority of any of the Laws then in force for authorizing the construction or carrying on of any of the said Works, were superseded and transferred to the Board of Works.

The 4 and 5 Victoria, chapter 38, enacts, "That the Board of Works may make such regulations for the use of any Public Work of any kind, vested in the Board or under its control, as shall not be inconsistent with the law, or with the purposes of such Work, but such Regulations shall impose no fine, unless the power of imposing such fine shall be given to the Board of Works by some law relating to such Work."

By the seventeenth section of the same Act it is further enacted, that "All Public Works which are not or shall not hereafter be specially vested in other persons, bodies or officers, shall be and are hereby vested in the said Board of Works, and placed under its superintendence, management and control, excepting always, that the Tolls, Revenue or Income

derived from any Public Work, shall be and continue to be received and accounted for by the persons appointed or to be appointed for that purpose; but the amount of such Tolls, and the expenses of collecting them, and all such other information as the Board may require from time to time shall be reported and furnished to it by such persons on the requisition of the Secretary or Chairman."

The powers which it would appear were intended to be vested in the Board by the twelfth section of the 4th and 5th Victoria, chapter 38, above quoted, for the making of regulations for the careful and proper use of the said Works, are inoperative, as there is no penalty attached to the disregard of such regulations; and the provision of the seventeenth section of the same Act places the Board of Works in this anomalous position, that although by the Acts just quoted, all former Commissioners ceased, and their powers generally were transferred to the Board of Works; yet, as in the cases of the Welland and Lachine Canals, the collection of the Tolls was vested in the former respective Commissioners, but in the transfer of their powers to the Board of Works, that portion of them authorizing the receiving of Tolls was specially excepted; the entire management of these works is now under the Board of Works; still, for the legal receipt of Tolls, the form of keeping up a distinct Lachine Canal Board of Commissioners, and a distinct Welland Canal Board of Commissioners is necessary.

From the foregoing, independent of several other cogent reasons, it will be seen that a general revision of the Board of Works Act should take place, and if the Legislature should decide on placing the maintenance of all these Works upon it, provision should be made accordingly without loss of time.

Of those Roads which have been planked or gravelled, a portion has been effected under the provisions of the Acts 3 William 4, chapter 37, and 7 William 4, chapters 78, 79, 80, 81, 82, and the remainder under those of 4 and 5 Victoria, chapter 28; by the former, the Receiver General of the Province was authorized to raise by way of loan, the amounts voted for the respective districts, the interest on which was to be secured by the Tolls on the Roads, and not paid or chargeable against the general Revenue of the Province; but on the passing of the Union Act this authority ceased, and each of the Roads so commenced was left and has since remained in an unfinished state. In most instances, the unfinished portions were about the centre of the roads, consequently the benefits derivable from the parts that were made, and from the expenditure which had taken place, were very much restricted, and the Revenues much short of what they would have been, had the several roads been finished throughout. This was particularly the case with the Yonge Street Road, the Napanee Road, the Hamilton and Brantford Road, the Dundas and Waterloo Road, and the Johnstown District Road.

That portion of the Road from Hamilton to London comprehended in and appropriated for by 4 and 5 Victoria, chapter 28, is now completed. It was undertaken and recognized by the Legislature as being part of the Main Provincial Highway, and the several Bridges required over the various large rivers (the different branches of the Saint Maurice, the Batiscan, the Sainte Anne de la Perade and the Bayonne,) crossing the portion of this highway between Quebec and Montreal have been built. In several instances, the portions previously completed by the Districts, form parts of this same highway. See Appendix, letter C. It appears to me necessary therefore, prior to any general system of maintenance being fixed up-

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Rules for the proper use of the works inoperative, there being no power to impose fines.

Board of Works Act requires revision.

Necessity for the adoption of a general system of maintenance for the public works.

A portion of the macadamized roads made under former Commissioners.

With monies borrowed, the interest secured by the tolls of the roads, and by assessment on the respective districts.

Those roads left unfinished.

Thereby their utility and the revenue from them very much circumscribed.

Main Province road, portion of it between Hamilton and London.

St. Maurice bridge, Batiscan bridge, Ste. Anne la Perade bridge, Bayonne bridge, completed.

Necessary that the Legislature should do.



vide in what roads are to be assumed as Provincial roads.

Toll gates should at once be established on such generally.

Outline of general system for the maintenance of macadamized or gravelled roads.

Dépôts of materials.

Their number and capacity to be governed by circumstances.

Dépôts to be numbered and a registry of them to be kept.

Dépôts to be filled by contract.

Spreading of the metal to be done under working Overseers or by contract.

Contracts may be made for keeping the road in repair.

Periodical general inspection of the roads.

The officers to furnish reports and estimates.

Additional powers required to procure materials for the works.

Much expense in obtaining materials at present, even from land worthless for farming purposes.

System for the maintenance of the planked roads suggested.

on, that the Parliament should define what roads are to be assumed as "Provincial Roads," and should they embrace portions constructed by the districts, I presume the districts would be relieved from their charge, and Toll Gates generally established, the proceeds of which would be paid in directly to the Receiver General, and the expense of maintaining such main roads charged upon the general Revenue of the Province.

The system of maintenance I would consider most effectual upon the macadamized or gravelled Roads would be to have regular dépôts for materials at convenient distances, established along the lines of the Roads; the number and capacity of the dépôts to be governed by the quantity of materials required for the annual maintenance of the Roads. The dépôt on each Road should be regularly numbered and measured and a registry kept thereof; whereby much facility would be afforded in the subsequent superintendence. The filling of these dépôts to be let out by public advertisement from time to time as required, but care of course should be taken to regulate the periods for requiring the furnishing of the materials with regard to their cheap carriage, &c. The distribution of the metal upon the Roads, may either be under the direction of working overseers, or by small contracts, and in some cases when the Road is put into an effective state, it will be found advantageous to let out the keeping of it in repair in portions of, say, from 3 to 5 miles, the materials to be used being those laid up in the dépôts. It is important in my judgment, that for the purposes of repair, the material should be furnished by parties distinct from those subsequently to spread it. A periodical general inspection to be made of all the Roads by officers of the department under whose charge they may be placed, who will give the necessary instructions to the respective working overseers or contractors, as the case may be, and will report in full upon the state of the Roads, &c., and furnish estimates for any General Repair, building or repair of Bridges, &c., that he may consider necessary.

In the present state of the country, before property becomes more improved and subdivided, it is very desirable, in my opinion, that some provision should be made by Law, authorizing the obtaining from the adjoining lands, the materials required for the keeping in repair of these works. It does not appear to me unreasonable that from all wild lands, it should be lawful, under proper restrictions, to take all such stone or gravel as is required for such public purposes without any payment; and when it is necessary to procure those materials from improved land, I conceive the only compensation to be made should be for the damage done to the surface, at the rate per acre for which the land would be taken for farming purposes. The procurement of these materials in many cases from crags and other equally unprofitable portions of farms, has been attended with very heavy expense, although prior to their being required, the proprietors would have been happy to have got rid of them in any way. Such powers should not of course extend to the obtaining of stone or gravel from quarries or gravel pits actually opened and worked, and the property of individuals. In such cases, the value of the material should be arbitrated upon or agreed for.

The maintenance of the Plank Roads for the first few years will consist chiefly in attending strictly to their drainage, and in making good such parts where from subsidence in the formation under the plank, or other causes, the planks spring, or do not lie solid; where from attrition or decay, partial repair may be necessary, it can be effected, either under an overseer, or by letting out the repair of the Road, in lengths of from 5 to 10 miles.

Besides these Roads which have been gravelled or macadamized out of the Revenues of the Province and for which a system of maintenance has been suggested in the foregoing, there is another class of Roads, to which, in my opinion, that system would not be applicable. I refer particularly to the Gosford Road, which opens a direct communication between the Eastern Townships and Quebec; to the Port Sarnia Road, which is an extension of the main Province Line from London to the foot of Lake Huron, and which, from the distance saved by it will no doubt in a little time become the thoroughfare of a considerable portion of the Western travel, and finally the London and Chatham and Amherstburg Road being a direct continuation of the main Provincial Highway from London by Chatham, (where the travelling by it meets the steamboats) to Sandwich, opposite Detroit; thus forming a continuous High-post-road from the Western extremity of the Province to Quebec.

The Roads I have just enumerated are, or will be shortly completed, so far as relates to drainage, formation and grading; but the surface is formed of the natural soil which on most of the Lines being of a rich vegetable nature will take a considerable time to consolidate, during which they will require constant attention, otherwise they will become impassable. It is generally considered that the imposition of tolls on Roads so incomplete would not be just; their maintenance therefore must be otherwise provided for. In many cases, they pass through a great extent of wild or unoccupied land, and their maintenance cannot be imposed on the scanty population adjoining. The Legislature must therefore in its wisdom determine on a system for their maintenance.

The maintenance of the Bridges I conceive should be directly by the Department, and from their being closely attended to, and due care taken of them, their duration will be found far to exceed that of the Bridges generally heretofore constructed.

The system of maintenance for the Harbours, should, in my opinion, be the same as that suggested for the Bridges.

The maintenance of the works of the Canals will, I trust, from the very permanent and durable nature of their construction, be attended with but little expense. A steady practical Overseer upon each, reporting weekly to the department under whose charge the Works may be placed, and with sufficient experience to meet any emergency or accident that may occur, will, with the periodical inspection of the Officers of the Department, in my judgment, be sufficient. In connection with this part of the subject, I think it necessary to state, that a general system of proper Registration and Measurement of Vessels appears to me highly desirable and necessary for the prevention of fraud. How far such regulations could be made to bear on all Vessels, whether foreign or provincial, passing through our Canals, is for the Law Officers of the Crown to say.

The foregoing are my views generally upon the "maintenance" of the Provincial Roads, Bridges, Harbours and Canals.

With respect to the maintenance of another very important class of Works, the Light-Houses, Buoys, &c., from Montreal to Lake Huron, I am persuaded it would be very much for the benefit of the Province and tend much to economy were a suitable Steam Vessel provided; by means of which the supplies of every description could be served out annually to the various Light-Houses, and the cost of the necessary annual repairs, whether of the Buildings or of the Lamps, &c.,

Maintenance of Bridges.

Maintenance of Harbours.

Maintenance of Canals.

A general registration and measurement of Vessels much required.

Maintenance of Light-houses, Buoys, &c., from Montreal to Lake Huron.

To have a tender by means of which the supplies would be

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saved out cheaply, repairs effected, &c.

would be effected at a very reduced expense, compared with the past. At present, when Lamps get out of repair, which, from their very imperfect construction, constantly occurs, they are laid by for the remainder of the season, and the efficiency of the light of course proportionately lessened, or, if sent to be repaired, the cost of forwarding them and having them returned is as much as the value of new Lamps. These, and other matters of detail, will be more fully treated of under the head of Light-Houses. As such a Vessel would be required for these purposes during but a small portion of the Spring and Fall of each year, her services could, I conceive, be very profitably made available during the greater part of the season towards the prevention of the extensive system of smuggling now admitted to exist, as well as for other public purposes.

WELLAND CANAL.

The various portions of this most important work have been advanced with unexampled rapidity during the past year.

The exertions of Mr. Power, the principal Engineer, and of Messrs. Thomas Keefer, Page, Pritchard and Slater, his Assistants, have been as untiring as they were laborious; and I regret that the health of, I believe, every one on the establishment has been affected, consequently, to a greater or less degree at different periods during the season.

In their joint efforts to gain a point of most vital importance, that of having the Works throughout in such a state of forwardness before the close of the season, as would ensure the opening of the entire of the Canal to the Trade next spring upon the enlarged scale, they have been most effectually aided by the indefatigable and praiseworthy exertions of the Contractors; to the co-operation of these gentlemen, cordially given, although in several instances under very great discouragements, it is entirely owing that the great point just mentioned has been accomplished, the value of which will be at once evident, when it is considered, that from returns carefully collected, the gross amount of sailing craft tonnage on the Lakes above the Welland Canal may be taken at about 26,400 Tons, of which very little over 7,000 Tons have ever been able to navigate the Canal, but on the opening of it in spring next, owing to the large dimensions of the new Locks, all the sailing Vessels, with three or four exceptions, can pass freely through; and three large Steam Propellers, already built, whose aggregate tonnage amounts to upwards of 1900 tons, can commence their regular trips as Freight and Passenger Vessels, for which they were constructed, in anticipation of the completion of the Works.

The advantages and great increase of the Revenue to be safely calculated therefrom, especially in the early spring navigation before the Buffalo route is open, are apparent.

Besides the discouragement, (namely, inadequacy of price and certain and increasing loss,) to which I have alluded, and in consideration of which I consider the Contractors in several instances are the more entitled to credit and praise for the energy with which they have prosecuted, and the highly satisfactory and workmanlike manner in which they have put their work out of hands; I feel bound to add, that they have had throughout to contend with unprecedented difficulties.

Immediately after entering into their Contracts, the Tariff was imposed by the Legislature, which, by affecting the price of Provisions, especially in that sec-

Difficulties encountered by the Contractors.

Praiseworthy exertions of the Contractors under great discouragement.

Great advantages of enlarged dimensions of the Canal and of their being available on the opening of the Canal in spring next.

tion of the Province, was a source of much and unanticipated loss to them. Being in the House of Assembly at the time, I contended for their being exempted from its operation, as was, I believe, the case with those having contracts under the Commissariat, but the House decided otherwise. The sudden and great rise in the rate of wages, which upon this work took place, thirty per cent at least more than on the others, was a source of great loss to those Contractors, whose prices, even at the ordinary wages, were not adequate; the consequence is, that several of them, besides losing all the Capital of which they were masters on commencing the work, have been compelled to borrow largely from the Banks and elsewhere, and will be utterly ruined unless their cases meet with the favourable consideration of the Legislature, to which I am respectfully of opinion they have very strong and substantial claims.

I am greatly averse to the making of after allowances to Contractors beyond their contract price, upon any plea of unexpected difficulties, increase of wages &c., such a course, in my judgment, tends to drive out of competition honorable Contractors, whose intention was to execute the work for the amount of their Tender. At the same time, cases may occur, and this is one, in which claims for compensation may be made and in justice acceded to, without infringing upon those principles. After the Contractors had made arrangements suitable for insuring the completion of the amount of work they had engaged for within the term of their respective contracts, a very large increase was made thereto, it having been decided, with the consent of His Excellency the Governor General in Council upon the memorials and representations of several persons extensively engaged in the forwarding Trade, to add considerably to the dimensions of the Locks, every inducement was therefore, held out to urge the Contractors to complete the works upon the increased size within the same time as they had contracted to finish them on the original scale, this they have done, but not without loss to themselves.

The benefits the Province derives therefrom are: First, the having altogether got rid of the necessity of repairing and keeping up 27 of the old Locks, which would have been attended with the expenditure of many thousands of pounds—in fact, such is their dilapidated state, that the possibility of their being maintained at all for another season, at any expense, was very doubtful; Secondly, the increased Revenue, which will be had next year, not only from the spring business, but from that of the whole season, in consequence of the Canal being thrown open to the Lake vessels generally.

As the amount which will be saved in repairs would about clear from debt the Contractors referred to, and as by this debt such considerable public benefit has been obtained, I trust His Excellency the Governor General and the Legislature will be disposed to grant the required relief.

The Steamboat entrance Lock at Broad Creek, which is at once an entrance Lock to the Welland and Grand River navigation, being now completed, and the Feeder to the Canal enlarged and deepened, the trade for the next year will be from Lake Ontario to the junction and thence by the Feeder to Lake Erie, entering the Lake by the Broad Creek Lock. This arrangement is made in order that the portion of the Canal from the junction to Lake Erie at Port Colborne may be emptied, and the several works of the deepening and enlarging of that portion, building the guard-lock, &c., affected without interruption to the trade.

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The Tariff.

Great rise of wages on the Welland Canal.

Contractors' losses.

Objections to making "after allowances"

But in some cases justifiable.

Great increase of work beyond amount of original contract.

Increased work performed within the time originally stipulated.

Benefits to the Province therefrom.

Expense and risk of maintaining old Locks got rid of.

Increased revenue from the work at once obtained.

Contractors' claims entitled to favorable consideration.

Broad Creek entrance.

Port Colborne entrance will be closed for the next season, to permit of its being enlarged.

New works available in spring next.

Old Lock at Allenburg to be altered for temporary purposes.

Proposition to make this Lock a Steam-boat Lock.

Advantages proposed thereby.

Steam Excavator.

The Deep Cut.

Lake Erie made the summit level of the Canal.

Local as well as general advantages there.

Upon the completion and hanging of the gates, the new works of masonry, available next spring will be the Broad Creek Lock, and twenty-three Locks between St. Catherines and Thorold; to open the line to the full sized vessels, the Lock at Allenburg and the Aqueduct over the Chippewa not being built, it is necessary to alter the old Lock at Allenburg and to repair the present wooden Aqueduct. All the masonry unfinished, can be completed next year; the cause of delay in building the Lock at Allenburg has been a desire to afford an opportunity for an appeal to the Legislature, by many persons who are anxious that that Lock should be a steamboat Lock. Among many other advantages they anticipate from it, would be that steamboats from either Lake could approach to within about five miles of each other, and that a short line of rail-road being laid for that distance, the rapid transit of passengers and a certain class of merchandize would be greatly facilitated; the extra cost of the enlarged Lock would be about £5000.

The progress made in the earth-work last winter and subsequently has been very satisfactory, and the steam excavator in operation in the deep cut is admirably adapted to its work. This portion of the Canal now presents a very workmanlike appearance; it is opened to its full breadth, the slopes increased and neatly dressed off, and the obtaining of the depth through it, suited to the Lake Erie level, is by means of the excavator proceeding steadily and without any apprehension of slides occurring.

The vast importance of making Lake Erie the summit and supply, needs no comment; independent of the advantages to the Canal, others affecting the interests of the adjoining country are now occupying public attention in that quarter; among which is prominent the construction of a water course to the Town of Niagara for hydraulic purposes.

The benefits derivable from such a command of water as might be taken, without injury to the Canal (say of a body equivalent to work ten run of stones) would be very great, especially as from the level, at which it would be brought to the Town, it might be made use of, probably, three times over.

The amount of Revenue from this work has continued to increase annually, but no just estimate of the great increase that may reasonably be expected, can be made until the advantages of the Canal, complete in all its parts, are experienced. This, I trust, I may be able to announce in the next annual Report.

The gross quantity of work done may be stated at—

Masonry.....	110,000 cubic yards.
Rock excavation.....	70,000 do.
Earthwork.....	1,300,000 do.
Oak timber.....	20,400 cubic feet.
Pine timber.....	534,000 do.
Plank.....	1,436,000 superficial feet.

From the daily growing importance of the trade through this Canal and of Port Colborne, it appears to me highly desirable that the establishments there connected with the collection of Tolls and of Customs, should be put upon a more efficient footing. It is not necessary, however, that I should enter into the subject more fully, as it will, no doubt, be comprehended in the general arrangement (so much required) for the collection and revising the scale of Duties, &c., now under the consideration of the Finance Department.

There is another point connected with this work, which seems to me extremely deserving of attention,

I mean the defining distinctly of the rights and privileges of the several Lessees of Hydraulic Power along the line of the Canal.

As the Country from which the supply was derived when the surplus water was disposed of, became cleared, and as the trade on the Canal improved, the amount of surplus would have been daily diminishing, but it will now by the adoption of Lake Erie as the summit level, be steady and limited only by the rate of its passing down being regulated, so as to present no obstacle to the trade.

The amounts and description of property passed through this Canal during the year, may be seen on reference to the Appendix (Letter D).

ST. LAWRENCE NAVIGATION.

The portions of the River Saint Lawrence from Lake Ontario downwards to Montreal, that most required improvements, and for which appropriations have been made, are—

- The Galoppes Rapids.
- Point Iroquois do.
- Rapide Plat do.
- Farrens Point do.
- The Long Sault do.
- The Coteau do.
- The Cedars do.
- The Cascades do.

And the enlargement of the Lachine Canal, by means of which the Lachine rapids are avoided.

The works upon each of the foregoing are now in progress, and may be expected to be completed next year.

THE GALOPPES RAPIDS.

These Rapids are situate at about six miles below Prescott. The current in the River is very strong, varying from six to ten miles per hour. The first class steam passage vessels can overcome these Rapids, as well as those at Point Iroquois, Rapid Plat and Farrens Point in the natural state of the River, but to enable the trade vessels generally to ascend the Galoppes, improvements are in progress, which consist of one Guard Lock; one Lock with a lift of between seven and eight feet, and a lateral cut two miles in length. The works are all under contract and satisfactory progress generally has been made during the season, impeded however by the turbulent and riotous spirit of the laborers, which has unfortunately been the case upon all the other Canals also.

The gross amount of work done on the Galoppes section may be stated at about—

312,500 cubic yards of earthwork.	
17,300 do. of stones in protecting embankments.	Work done.
103,000 cubic feet of timber in work.	
34,000 do. do. delivered.	
81,500 superficial feet of plank,	
exclusive of a large quantity of other materials prepared for the Locks.	

POINT IROQUOIS.

These Rapids occur at about twelve miles below Point Iroquois, to enable the trade vessels to ascend them, the works in progress are those of a Lock and lateral cut, the lift of the former about six feet, and the length of the latter about three miles. The progress made

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has not been to the extent it should have been, but the entire can be completed next year. The quantity of rock to be excavated is greater than the trial pits indicated. The gross amount of work done on this section may be stated as about—

Work done. 153,000 cubic yards of earthwork.  
300 do. rock excavation.  
1,700 do. do. in protection of foot of embankments.  
24,300 cubic feet of timber.  
45,000 superficial feet of plank,  
exclusive of considerable preparation in other materials for the Lock.

THE RAPIDE PLAT.

Rapide Plat. These obstructions to the ascent of trade vessels are about nineteen miles below Prescott. The improvements here consist of one guard Lock, one lift Lock of about eleven and a half feet rise, and a lateral cut of about four miles in length. The progress may be stated at about—

Work done. 365,600 cubic yards of earthwork.  
12,100 do. of stones in protection of embankment.  
159,000 cubic feet of timber do. do.  
63,000 do. do. delivered.  
12,000 superficial feet of plank,  
and considerable preparation made in other materials generally.

FARRENS POINT RAPIDS

Farrens Point. Are about thirty-three miles below Prescott. The improvements here consist of one Lock of four feet lift, and a lateral cut of about one mile in length. They have progressed very satisfactorily, and the amount of work done may be stated at—

Work done. 133,000 cubic yards of earthwork.  
1,867 do. stones in protecting banks.  
168,000 cubic feet of timber in work.  
12,000 do. do. delivered.  
82,000 superficial feet of plank,  
and very extensive preparation in other materials for the work is made.

LONG SAULT RAPIDS.

Long Sault. To avoid these serious, indeed they may more properly be styled insurmountable obstacles to the trade, the Cornwall Canal was commenced and to a great extent constructed under the Commissioners appointed previous to the establishment of the Board of Works. Under the control of the latter it has been completed.

Cornwall Canal.

In my last Report, I stated the extent to which expenditure upon the repairs, and strengthening of the embankments had been necessary in order to insure the uninterrupted use of the Canal. I am glad to be able to state that the season has passed over without any stoppage in the navigation having taken place, and I trust with due attention, and a continued, but very much reduced outlay in strengthening a few parts of the banks which require it, that no further breaches will occur. In the very low water, some obstruction was experienced at the head of the Canal from a part of the old Coffer Dam which was not sufficiently removed, this will be attended to, so that no inconvenience shall again be caused by it.

The consideration and audit of various claims for land damages on the line of this Canal has occupied the attention of the late Commissioners, with whom

this settlement was left by the Act, and those gentlemen having forwarded a schedule of the several claims (very much curtailed by them) to the Provincial Secretary a considerable time since, it is very desirable that no further delay should take place in making provision for their liquidation. Outstanding claims.  
Their settlement desirable.

The completion of the works of this Canal, upon its control being vested in this department was estimated at £57,670 currency. These works together with some amendments to them found to be indispensable, but not anticipated were accomplished for £57,110, but after the Canal was filled and in use for a little time, the breaches which took place, and the indications of giving way which presented themselves in many parts of the old banks, the causes of which, in my judgment, I enumerated in my last Report, rendered further expenditure unavoidable. Cost of completion of the works.  
Further expenditure.

This expenditure amounting to £9,925 16 4 was taken from the special appropriation for the Saint Lawrence navigation, but must next year be repaid, when the funds for the payment of the land and sundry contingent expenses generally, are required.

BEAUHARNOIS CANAL.

The object of this Canal is to open a communication from Lake Saint Francis to lake Saint Louis, avoiding all the Rapids of the Coteau, the Cedars and the Cascades, which occur in the portion of the Saint Lawrence between those Lakes. Beauharnois Canal.

The various works have progressed most satisfactorily, and with unexampled rapidity, and but for the loss of time, consequent upon the riots which occurred during the season, but little if any work would now remain undone. As it is however, the Canal is in a very forward state, and may be expected with confidence to be opened to the trade by the latter end of June next, upon which the mail and passage boats, can ply regularly between Lake Ontario and Lachine. The works of this Canal comprehend— Rapid progress of the works.  
Would have been now completed but for the Riots.

- 13 Sections of earthwork.
  - 9 Locks.
  - 10 Culverts.
  - 9 Turning Bridges.
  - 2 Entrances with Piers, &c.,
- exclusive of minor details.

Of the thirteen sections of earthwork, nine are completed, and the other four very nearly so. The masonry of six Locks is perfected, and that of the others, may be said to be nearly so, inasmuch as the materials are on the spot and six weeks will be sufficient to finish them in. Eight of the principal Culverts are finished, and very little of the masonry of the two others remains to be done. The Gates and machinery of four of the Locks are in their places, and those for the others are in readiness to be put together and hung. Three of the Bridges are framed and ready to be placed in their berths, the others are so far advanced as to insure their early completion. Work done.

LAKE ST. FRANCIS ENTRANCE.

Since my last Report, considerable progress has been made in the dredging of the points of the shoal, which by their projections made the natural deep-water channel a circuitous one. Entrance to the Beauharnois Canal from Lake St. Francis now direct and deep.

The channel is now of a breadth and depth proportioned to the canal, and suited to the wants of the Trade. It can hereafter be widened to any further extent that may be considered necessary; it is marked Can be widened to any extent.

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Pier for Light-house at Grosse Point.

No connected Rock in the Channel, the Shoal being holders embedded in clay.

Current near the entrance, not within 2 miles an hour of that of several other parts of the navigation and can be checked altogether.

Entrance to the Canal from Lake St. Louis, an excellent one.

Open a fortnight after the River was closed on the north side.

Work done.

out distinctly by piers sunk on each side of it. The gap which the waters had made through the neck of land at Grosse Point, has been effectually stopped, and a pier constructed at that point, which besides being required for the site of the Light-house, will be found very convenient for taking in wood at, and for other purposes generally. The removal of the portions of the shoal, necessary to give a straight channel, has now proved undeniably the incorrectness of those who stated in evidence before the Committee of the House of Assembly, that being formed of connected Rock or Quarry, it could not be removed. Since the channel has been deepened, the objection to it by those disposed to cavil, is chiefly that the current there is too strong, and will prove inconvenient. The answer to which is, that the current is not within two miles an hour equal to that of several parts of the same navigation above, and where no improvements have ever been contemplated, or considered requisite; and there is every facility at moderate cost, to stop the channel altogether below the entrance, by which the current would be almost destroyed, and a convenient and capacious basin, created at the mouth of the canal. In the present state of the navigation and Trade generally, such improvement is not called for.

The entrance to the Canal from Lake St. Louis is fully formed, but requires some dressing off to complete it. One presenting more advantages and facilities of ingress and egress could not be had; fifteen Barges with valuable cargoes left it yesterday (11th Decr.) in tow of a Steamboat, whilst the ice at the proposed entrance to the canal on the north side of the river has been fixed and strong for the last fourteen days. The gross quantity of work done on the Canal may be stated at:—

Earthwork.....	1,500,000	Cubic Yards.
Rock.....	48,000	do.
Masonry.....	53,000	do.
Stone in Piers, &c....	39,000	
Timber.....	198,000	Cubic Feet.
Oak Plank.....	126,000	Superficial Feet.
Pine do .....	500,000	do.

During the last Session of Parliament, "a new Channel" was discovered through the Cedars Rapids with a considerable depth of water. The subject was mentioned in the House, and it was stated almost with certainty and generally believed, that no obstruction therefore existed to the passage of vessels drawing from 8 to 9 feet of water down all the rapids to Montreal. However, I am informed by Mr. Mills, on the authority of Mr. Bethune, the proprietor of the Steamboat St. George, that early in September last (since which time the river has continued to fall) in endeavouring to pass that Boat drawing six feet of water, and under the immediate guidance of Mr. H. Roebuck, the Pilot, she struck so heavily in several parts of the Coteau and Cascades Rapids as to make it necessary to run her into the entrance of the Beauharnois Canal, to prevent her from sinking, from which after having received the necessary temporary repairs, she was sent to Quebec for a general overhauling.

THE LACHINE CANAL.

The several Works of the enlargement of this Canal are all under contract, and are progressing satisfactorily with the exception of those at the Lachine end, where there has been much injudicious management on the part of the Contractors. From the arrangements likely to be immediately entered into, however, with the securities, I am in hopes that by proper management and great exertion, that portion of the work may still be forced on so as not to present any obsta-

Lachine Canal.

Progress satisfactory except at Lachine end.

cle to the general opening of the Canal in the spring of 1846.

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So intimately connected are these new works of enlargement with those of the original Canal, that no little pains and foresight have been necessary to prevent much annoyance to the trade during their progress, that some inconvenience should be experienced it was impossible to avoid. Every exertion however, has been made to lessen it, and to meet the wishes and convenience of the Forwarders as much as possible, and I have reason to believe that our endeavours are duly appreciated.

Much trouble in preventing works of enlargement from causing interruption to the trade.

During the present winter, a great portion of the old banks will be removed, the Canal throughout widened and deepened, and a very extensive delivery of materials for the several works of masonry will take place, and as the Lock Pits generally are excavated, I see no reason to apprehend that the entire of the masonry will not be completed next autumn. The floors and foundations of three of the Locks are laid.

Work to be done this winter.

A change has been authorized by His Excellency the Governor General in Council, upon the representation of the Board of Trade of Montreal and the mercantile interest generally (in which I fully concurred) of a very important nature, and from which benefits will be obtained much more than commensurate with the additional expense caused by the change. The alterations alluded to, are the laying the foundations and cills of the last Lock at the Montreal terminus and the deepening of the lower Basin, so as to admit of the largest class of Atlantic Vessels, which frequent the Port, to enter and load or discharge in the Basin. The Basin will also afford safe wintering, of which this Port is now entirely devoid. These great advantages will be obtained by an extra expenditure of about £16,000; whereas, were preparations not now made to effect them, not only would four times that sum be required to accomplish them at any subsequent period, but the Trade of the Country would have to be deprived of the use of the Canal for at least one year.

Basin and Locks at the Montreal end, laid at such a level as will, render them available to the Atlantic Vessels.

Wintering will also be obtained.

The foundations and cills of the second Lock are also to be laid at a similar relative depth, so that when the increase of trade requires it, the entire of the Upper Basin, as well as the Graving Docks and Slips to be connected therewith can also be made available to the same class of Vessels. It would be highly desirable that authority be given for the construction of one of these Docks and one Slip.

Upper Basin can be deepened hereafter.

The portions of land which the increase of trade and enlargement of the Canal, made it necessary to take from the several adjoining proprietors along the line, as well as some additional ground, the property of the Seminary, in the immediate vicinity of the Montreal bassins, have been acquired on reasonable terms. Upon the completion of the works, several parts of the property so obtained, can be sold or leased for purposes connected with the Canal, the value of which, added to that of the hydraulic power which can be created, and will be disposable without injury to the navigation, may in my judgment be safely estimated at £100,000 and fairly set off against the cost of the work. The quantity of work done, may be stated at about—

The land necessary for the enlargement of the Canal, &c., obtained on reasonable terms.

Very considerable hydraulic power will be obtained at the Montreal end, and with the lots which can be disposed of will produce a very large amount.

733,476	cubic yards of Earthwork,
49,311	do. Rock Excavation,
3,606	do. Masonry,
8,50	cubic feet of oak timber in work,
224,992	do. Pine do.
159,958	superficial feet of plank,
108,118	cubic feet of timber delivered,

Work done.

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besides extensive preparations for the masonry. For the receipts &c., on this canal this year, see appendix letter E.

LAKE ST. PETER.

Lake St. Peter.

The progress made during the last season towards the effecting of a direct channel through this lake, with an increased depth of water has been highly satisfactory, and far greater than was expected. The operations of next year, I feel confident will set at rest the vexed question as to the possibility of effecting this improvement. Being fully aware of the doubts which were entertained respecting it, and looking upon it to be one of those works, the success of which can be satisfactorily determined only by experiment, I took the precaution long before the work was commenced of sending a full statement of my views upon the subject, formed after having given it the deepest consideration, in my power to Capt. Bayfield, whose science and intimate knowledge of the lake, with its shoals, channels, currents, &c., justly entitle his opinion to be received with the greatest confidence and respect. I am happy to have it in my power to state, that that officer, duly impressed, with the great magnitude, importance and difficulty of the work, and without advancing any opinion for or against the practicability of the undertaking further than "that there is quite sufficient ground of hope to justify the interesting experiment," fully agrees with me as to the course that should be taken. He was pleased to say, "I agree so nearly with the views which you have communicated to me in your letter, that there remains little more to do than to express my concurrence therein." I was also desirous of obtaining the opinions of Capt. Douglas, of the Unicorn, which are thus recorded by himself. "I was with the Gulnare and under the command of Capt. Bayfield, R. N., when the survey of the lake was in progress and subsequently in command of a steamer (the Canada) for nine years, and was always of opinion that the present contemplated cut (the direct one) was the only one that would give a satisfactory result, and I have now no hesitation in recording my unchanged sentiments on that subject." The interest taken by Capt. Bayfield in the undertaking, led him to communicate with Capt. Beaufort, the Government hydrographer, on the subject, by which the benefit of that gentleman's opinion has also been obtained. Capt. Beaufort states that while reading Capt. Bayfield's letter, "a civil Engineer of considerable eminence, J. M. Rendel Esq.," entered, and that they discussed the affair "with all the earnestness due to an operation, so generous and praiseworthy in the conception, and so big with future advantages in its issue,"—the result of their deliberation he states to be, that the straight channel should be adopted, the shoal at the head of it dredged, and the channel generally deepened by the use of Rakes, and that by means of "Groins", formed of Piles, interlaced with large Brush, with the excavated stuff deposited around them, the waters of the several "alien channels", should be turned into the direct course, as much as possible. Among other practical and pertinent observations, Capt. Beaufort states that the "Rake has been tried with very happy effects," as well in the forming as in the successful preservation of channels.

In proportion as I had to contend with pre-conceived Ideas and Mis-statements, was I gratified at finding my opinion supported by such high authority as the foregoing, and as it is necessary that the plan of operations adopted should be fully stated, I take the liberty of here giving two or three extracts from a communication I lately had the honor to make to Capt. Bayfield on the subject, which explain at large the principles on which the selection of the channel and the course of proceedings were governed.

Progress very satisfactory.

Doubts entertained respecting the success of this work.

Precaution taken to have the opinion of Captain Bayfield, prior to the work being commenced.

That officer approves of the course adopted.

Captain Douglas also concurs in the course adopted.

The course adopted meets with the Approval of Captain Beaufort, R. N. also of J. M. Rendel, Esq. C. E.

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"For my part I was perfectly satisfied after much thought, that whatever is to be accomplished, must be in the straight channel and that the obtaining of a moderately increased depth of water, and of a direct course instead of the present very crooked one, were advantages certain to be derived from, and sufficient to justify the experiment. I have not been so presumptuous as to predict to what an extent, an increase of depth can be obtained, and I have taken good care that the outfit (which constitutes three-fourths of the expenditure up to the present time) is such as to be applicable to the improvement of the several portions of the upper Navigation, and of the Harbours on the Lakes which so much require it. From the very nature and magnitude of the Work, practical Men would be cautious and slow in coming to a decision, but in such cases, where, as I conceive, experiment in conjunction with theory and science must be resorted to, before any final and satisfactory conclusion can be arrived at, were they deterred from having recourse to it by unfavorable predictions, always plentiful on such occasions and as often emanating from very ill-informed sources, many of our noblest existing Works would never have had being." Again—"I have ever been an Advocate for following and acting in concert with "Dame Nature," especially in water operations, it was not therefore without a great deal of consideration that I took the direct south channel. I need scarcely repeat to you the reasons for so doing the power of diverting such a Mass of Water down it, its being capable of being made perfectly straight, the risk of collision being thereby much lessened, the only obstructions in it being at the head where we can bring the force of the St. Lawrence directly to bear on them—the great facility of our working in it, compared with the present circuitous channel used by the Trade, in which our Vessels, leading chains, mooring cables, buoys, anchors, attendant lighters, and tenders would be constantly in the way of and getting foul of the Vessels passing at all hours."

"The result of our operations this year are so satisfactory, and so far beyond what I had calculated on, that I do not hesitate to express to you my conviction that success is certain and will be speedy. I send herewith a section shewing the state of the work at the commencement and termination of the past season. It is formed from soundings taken most carefully by Captain Vaughan, our Superintendent of the work, in conjunction with Captain Raeside, the Harbour Master and Chief Officer of the Trinity Board of this city. Of the experience and capability of both these gentlemen, you are, I believe, fully aware. The soundings were taken on the 19th of the present month, on a calm day, and with a pole marked into feet and inches.

"Our machinery, at the commencement of the season was deficient in several respects, so much so, that from the many unavoidable interruptions, I consider we in reality worked not much more than half the season; yet the results, I am sure you will consider far greater than you could have calculated upon. By taking the most moderate measurement of the quantity of stuff which has disappeared, and comparing it with that which the united loads of the number of barges discharged daily during the season, (and of which a regular log was kept,) would give, it is certain that the quantity carried off by the current is equal at least to that absolutely lifted. The current has obviously and seriously been increased; on commencing, a man could scull across the channel easily with one hand, it now requires stiff pulling to get across it without drifting much. The original buoys we put down to mark our local, and which

Principal expenditure heretofore in outfit applicable generally to others much required on the upper navigation.

Advantages from adopting the direct channel.

Result of this year's operations very satisfactory.

Much loss of time from necessary repairs and defect in machinery.

The quantity of stuff carried off by the current aided by the rake equal at least to that raised. Current thro' the new cut much increased.

The principle of Dams or Groins adopted, similar to that recommended by Capt. Beaufort and Mr. Ren- del.

"floated well up, are now kept under water from the strength of the current. Not only had the dams and groins, suggested in Captain Beaufort's letter, and referred to in that I had the pleasure of receiving previously from you, been decided upon, but the mode of their construction: I had directed that the piles should be cut away at low water or a foot under it, so that the river on the "break up" would float the ice over them, and I had instructed Captain Vaughan to have "wattled in" among these piles, trees with their branches. The stuff excavated has also been deposited according to Captain Beaufort's ideas, namely, in stopping up the mouths of the alien channels; the result of which, the greatly increased current in the direct channel fully shews, and to the effects of a rake which I have had briskly at work, I attribute very much the disappearance of so great a mass of stuff beyond that actually taken up. So far as I can form an opinion, the nature of the stuff is of a fortunate consistency, sufficiently tenacious not to threaten silting up, and yet capable of being raked up and carried off by the current.

Anticipated benefits from the ice being grounded over and on each side of the channel, thereby producing "undercutting."

"You are aware that the ice on the great surface of the lake becomes grounded on the shoals. I expect much to be effected by this operation also, as the passage of a large portion of the waters of this vast river, instead of being diverted as heretofore into several small and crooked channels, will take place down the new straight one, and I calculate therefore, that considerable undercutting will take place. This I have observed invariably occurs in the second class rivers of this Province, wherever the bottom is not rock. The main groin, to throw the united volume directly down the new channel, we cannot complete until the channel is available to the trade.

When channel is obtained, a pier to be at each end with lights.

"When the channel is created, my idea is to construct at each end an isolated substantial Pier, with a Light-house on each; these, together with the straightness of its course will enable it to be used at all times, and I have no doubt the constant passage of the steam vessels will much aid the stream, in the keeping clear and deepening of the channel.

Outfit.

"Our outfit consists of two Steam Dredges, with two engines, and one chain of buckets to each, working in the centre of the boats, also two steam-tug vessels; one of these is employed constantly at the towing of the scows, in which the other also assists, but when not so employed she works the rake. I am inclined to believe that we may be compelled to get a third, for if the Dredges work as well next season, as they did towards the conclusion of the past one, the services of the two tug-boats would be required at the scows. We have but one rake, but I will have another made this winter, there being many days during the season, when from the roughness of the Lake, the Dredges cannot work, but the Rakes could be used to great advantage; the discharging scows, fuel and attendant Lighters, compose the remainder of our squadron.

Why it is confidently calculated on that the channel will keep clear when once opened.

"That this channel when once opened throughout and with the greatly increased volume of water passing through it, will keep open, I have no doubt. The trees and other debris now annually brought down by the Yamaska and Saint Francis Rivers, are not carried out far comparatively into the Lake, but are deposited parallel with the south shore, and that the effects of these rivers will not be to obstruct or silt up the channel, I am of opinion is evident from the fact that they have not for the last thirty years, to which period my information extends, affected it in any sensible manner, although it has for that time laboured under the disadvantage of being stopped at

"the upstream end, and had therefore no "scour" through it."

I trust I will be excused for the length of these extracts from my communication to Captain Bayfield, but public attention being much drawn to this work, I felt it to be incumbent on me fully to explain all the details connected with it; this I could not do more simply than in the foregoing.

The whole amount of the appropriation for this work is £65,000, the sum expended £32,776 9 3, of which £27,291 has been the cost of the outfit of every description, applicable to any other work, leaving but £5,534 actually chargeable to this work. This balance will be sufficient to provide fuel, meet repairs, and maintain the full establishment at work for two years more, long before the expiration of which, satisfactory evidence will be afforded of what can be done.

I beg leave to draw attention to the chart of the Lake and section of the channel, which will be found in the appendix, (letters F. and G.)

RIVER RICHELIEU.

The works of the Lock and Dam near Saint Ours, River Richelieu, for the improvement of this river, thence to the entrance to the Chambly Canal are all let, and are by the terms of the contract to be completed by the close of next season. From the respectability and experience of the Contractors, full confidence may be entertained that no exertion will be spared on their part to insure the accomplishment of this desirable object. The work done may be stated at

- 4,552 cubic yards of earthwork,
- 6,904 do feet of oak delivered,
- 1,778 do do pine timber delivered,
- 114,639 superficial feet of pine plank in work,
- 27,530 do do pine do.
- 476 cubic yards of stone prepared,
- 15,483 do feet of hemlock delivered.

RIVER OTTAWA.

The works connected with this River, for which an appropriation was made, were of two classes; one, the various Bridges over the several Branches of the Ottawa near Bytown, with the causeways &c., connected therewith; the other, the construction of slides on the Ottawa and on the Madawaska, one of its principal tributaries.

Works of two classes. First, the several Bridges near Bytown. Second, the construction of Slides.

The former are all fully completed, and in use.

They consist of

- One Bridge 150 ft. in length, in spans of 24 ft. each.
- Do. 159 do. one span of 111 feet.
- Do. 76 do. in one span.
- One wire suspension Bridge, 242 feet between the points of suspension, length of chains 487 feet each.
- One Arch of Masonry 44 feet span.
- do. do. 57 do.
- do. do. 55 do.

Bridges completed.

The entire of the foregoing with the causeways, toll-houses &c., are now open to the public. In the Appendix (Letter B.) will be found a schedule of Tolls to be levied at this Bridge, which I had the honor to submit for the consideration of the Executive Government some time back; and in bringing the subject before it, I recommended that the system of collection at this

Mode of collection of Tolls at the Bridges suggested for the first year.

A mechanic to be the Collector capable also of attending to the Bridge.

Bridge should for one year be an exception to that proposed for the Bridges generally. From the peculiar nature of the work, I conceive, it will require for the first year the careful and daily attention of a skillful mechanic, to observe the effects of the climate on it, and to regulate the tension of the main and suspension chains &c., accordingly. I propose therefore, that a trust-worthy person of that class, should be appointed collector for the first year, after which the Tolls may be put up to competition, as in the case of all the other Bridges.

The suspension Bridge being the first of its description undertaken in the Province, necessarily engaged during the past season a good deal of the attention of this Department, especially of Mr. Keefer, the Engineer to the Board, to whom the details of the work generally were entrusted. That they could not have been in safer hands, the judgment, science and mechanical skill, evinced in every part of the work fully prove; and in justice to that Gentleman I cannot allow this opportunity to pass without thus publicly expressing my acknowledgments of his valuable services and cordial co-operation, in this, as well as in all the other important works, which have been or are being carried on under this Department: I entertain no doubt, but that his career will be alike creditable to the Province of which he is a native, and to the Upper Canada College, of which he was a distinguished pupil.

The slides partly available last season.

Altho' imperfect, the waters having risen before they could be completed.

Will be fully ready for the Trade next season.

The works of the second class embraced within the appropriation for the Ottawa, namely, the slides, were prior to the running of the timber last spring, so near completion, as to be partially available to the trade, although imperfect at the time in many respects. The height of water in them was not properly regulated, and the floods had risen before the aprons at the foot of the slides could be constructed. Some reefs of rock also in the beds of the rivers were not removed, owing to all of which much inconvenience was experienced in running the cribs. I attach no blame, however to Mr. Nagle, the Superintendent, who deserves, I conceive, on the contrary, every credit for the rapidity and the manner in which these very important works were constructed under more than ordinary difficulties. Whatever imperfections have been discovered in the slides will be rectified, and the removal of the several shoals, jutting rocks, &c., and other unfinished work will be effected, so that the full benefit of these works may be had next spring.

Many circumstances tended to render their construction more expensive than was contemplated. The difficulty of procuring a sufficiency of labourers, owing to the remoteness and isolated position of the works, the expense of forwarding the supplies of provisions, as well as of materials, tools, powder, &c.; the extraordinary hardness of the rock after getting down a little into it, and the great number of reefs and detached rocks, which, although not calculated for, upon the waters being very low, it was necessary to remove.

These works will produce an ample Revenue.

And their construction has encouraged individual enterprise.

Highly desirable that the control of the Ottawa throughout should be in the hands of the Government.

The same observations apply to the works on the Madawaska, but upon the whole the strictest economy, consistent with the substantial and permanent construction of the works, has been observed, and a much greater extent of indispensable improvement in the channel of the River in many parts effected than was provided for. Independent of the great facilities which will be afforded to the trade by these works, there is no doubt whatever of the outlay being amply remunerative, and the construction of those on the Madawaska has already encouraged Messrs. Egan, Gilmour, and other spirited individuals, to undertake improvements to a considerable extent on the upper parts of that River. I am still of opinion, as stated in my former Report, that the entire control of the Ottawa should be in the

hands of Government. If it were the case, I conceive additional facilities could be afforded to the trade, and its interests advanced, at the same time that the Revenue of the Province could be much increased therefrom: the purchasing of (and some amendment to) the slide at the Portage du Fort and of the residue of the term of the late G. Buchanan's slide at the Chats, and the construction of a good slide in the timber channel at Bytown, would effectually secure this great object.

The rates and Tolls could be thoroughly apportioned, and the Lumber Interests advanced. Slides at the Portage du Fort and at the Chats to be obtained.

At present lumberers, in running their timber down, must, in some cases, pass it through the public slides, and in others, through the slides, the property of individuals; the Government therefore have not the power of reducing, equalizing or proportioning the rates of slidage, which could be done, did the opportunity exist of running the timber through by means of slides under their control; and the expenditure on the public slides materially tends to increase the Revenue from those belonging to individuals, whilst from the position of the latter, no such advantage is reciprocated. For proposed rates of Tolls on slides, see Appendix (Letter B.)

An excellent portage road has been made at the Calumet Falls in conjunction with the slides there, and also at the Deux-Joachim; an improvement of a similar nature between the Chaudière and the Chats Lake is also very much required, and would be easy of execution. The portage, there, is at present very inconvenient; a dam should be thrown across one of the branches of the Mississippi which would render it navigable for a considerable distance down, and thus shorten the Portage road to the Lake, near Fitzroy Harbour, considerably. Were this road then made moderately good, and a small wharf constructed at each end, it would much facilitate and of course cheapen the forwarding of the supplies. The same object would still further be secured were the present very bad Portage road from the suspension bridge to the Lake at Aylmer also improved. The traffic on this road is very great, and a moderate toll on it would amply cover the cost of its improvement and maintenance and pay the interest on the outlay.

Calumet Portage Road.

Deux-Joachim

Improvement of the portage between the Chaudière and Chats Lakes very much required.

The improvement of the portage from the Chat Lake near Aylmer to the Union Bridge very much required, and if effected would amply pay.

As immediately connected with the subject of the improvements of these Portage roads with the view to cheapen the transport of the supplies required in the lumber trade, is that of opening a new and direct communication between Lake Ontario and the extensive Timber Districts on the Madawaska, Pittowawa, &c., respecting the utility and the proper line for which so much difference of opinion exists. In addition to the above-mentioned object, as I understand it, this communication is proposed for the opening, and tending to the settlement of large tracts of lands situated North and North West of Kingston, between it and the Lake des Allumettes.

The Country immediately in the rear of Kingston, although broken and very much intersected by several Lakes and barren ridges, is reported to contain various patches of good land, and after some 30 or 35 miles, it is said to be well suited for settlement, thence to the Allumettes; I can only speak from my own knowledge of the Northern section, a large portion of which is fine hard-wood land.

The ridge of unproductive Country back of Kingston appears to me to divide (as to supply) the whole timber Country South of the Allumettes into two, but not equal parts; the Eastern being much the greater, and for which the Brockville and Prescott Country, Perth, the Towns on the Rideau and Bytown are, in my opinion, the natural dépôts and sources of supply, especially Bytown, which from its position and water communication must ever be the principal channel,



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through which will pass the great mass of the supplies needed along the whole line of the Ottawa and its tributaries; but as the lumbering on some of the branches of the Madawaska is extending a good deal Westward, a communication connecting the productive Country North of the Bay of Quinté with it (the Western section) would, I believe, be of advantage in several respects.

Such a line should, in my opinion, start either from the head or foot of Des Allumettes, as may on examination be found most advisable; and at the Southern end it may, when surveyed, be found expedient to run one branch through Madoc, Huntingdon, or some of these Townships to the Bay of Quinté, and another through Sheffield, &c., to the head of the Camden road, which intersects the Kingston and Napanee road about 14 miles West of Kingston.

The foregoing I do not state with confidence, not being at all acquainted with the Country to be explored, especially along the Southern portion.

Upon applications from several Members of the Legislative Assembly from the Ottawa section of the Province, during the last Session of Parliament, an examination of the road on the North side of the Ottawa, from Hull down to Grenville, was ordered, and also a similar examination of the road from L'Original to Bytown, on the South side. The Report of Mr. Walton, the officer who was sent on this service, is given in the Appendix (Letters H. and I.)

Surveys of the Roads on the North and South sides of the Ottawa below Bytown.

Applications have been made also to the Executive Government by Messrs. Pemberton Brothers, and other interested parties, for a Crown Land Survey of the Gatineau timber District, "with a view towards the defining of the limits to be granted with sufficient accuracy to prevent disputes and thereby to put an end to the monopoly which has existed in that section for a long term of years," and setting forth "the immense advantage, both to the Revenue and to the Commercial interests of the Province, that would arise from improving the River by the erection of slides, similar to those lately made on the Madawaska, Grand Calumet, &c."

Applications for the sliding of the Gatineau River.

It is a question deserving the consideration of the Legislature, whether it might not be advantageous to "slide" the principal obstructions on those lumbering Rivers, when the result of such surveys should satisfactorily establish the fact of there being a sufficient quantity of marketable timber, within a reasonable distance, to insure the outlay upon such works being repaid within a moderate time, with interest thereon, by the imposition of light Tolls on the timber descending. Such expenditure should be strictly confined to those obstructions, which are of too serious a nature to permit their removal being undertaken by individuals. On all the Rivers improvements of a similar description, but of lesser cost and extent, must be effected by the conjoint exertions of those interested in getting down the lumber cheaply to Market.

BURLINGTON BAY CANAL.

Burlington Bay Canal.

In the Appendix (Letter K.) will be found a plan of this Canal, shewing the progress which has been made with the new Works, and also their position contrasted with that of the old Work. On referring to this plan it will be seen that almost the entire of the north-east and north-west new Piers are sunk, the slip for the Ferry constructed, and considerable progress made in the dredging and removal of the old north-east and north-west Piers, a work of very great difficulty, especially as from the narrowness of the old Channel, the constant passing of the Steam and other Vessels

very much interrupted the operation of the Dredges, which it was repeatedly necessary, in the midst of the work, to unmoor and move out of the way. A glance at the Plan will shew the impossibility of this Work proceeding without some inconvenience being felt by the Trade, but no exertions have been spared to lessen these inconveniences, as much as possible.

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Several times, since the commencement of the work, shoals have been created in the channel, from sand and shingle being washed into it through the breaches in the old Piers; these impediments have been removed as often as they occurred.

Considerable progress has been made with the outer and exposed parts of the south-east Pier, and the piles in the old work, projecting into the channel, have been extracted; the formation of the remainder of the south Pier is comparatively light work, and will proceed rapidly, as there will be but little trouble in preparing the foundation for it. Two Dredge Vessels are on the spot, and from the extensive preparation of materials of every description, I consider the work to be in a very satisfactory state, and I see no reason to doubt its being fully available to the Trade, within the time stated in the Contract, namely, 1st May, 1845, although some dredging and other work may then still be required.

Description of the progress made.

No reason to doubt the works being completed by 1st. May 1845.

The quantity of work done up to the 1st December may be stated at—

Quantity of work performed.

17,350	lined feet	Framed Timber	in superstructure,
144,274	do	do	sunk in Cribs,
45,009	do	do	not sunk,
171,933	do	do	delivered but not framed,
4,518	Cords	of Stones	in Piers and Cribs,
1,118	do		delivered but not placed,
120	Tons	of Wrought Iron	used in the work,
76	do	do	delivered,
10,010	Cubic yards	of Excavation	for North Pier,
38,635	do	of Dredging,	
46	Cribs	taken up,	
391	Piles	taken up,	
130	Piles	driven,	
49	Squares	of Planking.	

The Revenue from the Port of Hamilton, to which this Canal is the entrance, has been steadily increasing for the last five years. The Tolls received at the Burlington Bay Canal—

In 1842 were.....	£1720	11	10	Increase of the Revenue of Hamilton.
In 1843.....	1986	9	4	
1844 (Estimated at).....	2600	0	0	
The Customs at the Port were,				
In 1842.....	7044	8	8	
" 1843.....	12190	6	9	
" 1844.....	16342	3	3	

When the Canal is completed the Port and Harbour of Hamilton will be second to none on Lake Ontario, and the extensive and highly productive country of which it is the natural outlet, its excellent position as regards the trade and communication with the portion of the Province west of it, the main lines of improved Roads leading from it, and the construction of the Dover Road, by which a new and extensive section of country is now for the first time opened to it, must naturally tend to the prosperity and rapid increase of the Town of Hamilton, and of course to a corresponding increase of the Revenue from this work.

Sources of the increase to the Revenue of the Port of Hamilton.

IMPROVEMENTS OF THE RIVER TRENT, AND OF THE INLAND WATERS OF THE NEWCASTLE DISTRICT.

The works under this head, as originally contemplated and authorized by the Acts 3d Will. IV. cap. 32, 6 Will. IV. cap. 35, and 7 Will. IV. cap. 53.

River Trent and Newcastle District improvements.

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Grounds on  
which the  
works were  
undertaken.

embraced generally the improvement of the River Trent throughout, from the Bay of Quinté on Lake Ontario to Rice Lake, and the improvement of the several Rivers and Lakes continuously, thence by Lake Simcoe and the River Severn to Gloster Bay, a portion of Lake Huron.

These improvements were recommended and undertaken by the Legislature of the then Province of Upper Canada, chiefly upon two grounds: First, that they would effect a facile and uninterrupted line of inland navigation from Lake Ontario to Lakes Huron and Michigan. That it would become the channel for the trade of the "Great West." That it would be very much shorter than that of the River and Lakes of the St. Lawrence. That it would not be liable to interruption in time of war, and, as stated, was absolutely necessary for the opening and settlement of the various Townships bordering on it. Secondly, to encourage and afford facilities to the extensive trade in staves and lumber, reasonably to be anticipated from the large and well timbered tracts, which would be opened to the market by the removal of the obstructions in the river.

Report on these  
works furnish-  
ed by order of  
Lord Syden-  
ham.

Prior to my appointment to the office I have the honor to hold, and previous to the establishment of the Board of Works, I was requested by Lord Sydenham to furnish him with my views generally upon the several public works of the Province whether in progress or projected. Upon the general report which I accordingly furnished, were based the memoranda, which that nobleman subsequently laid before the House of Assembly, and upon them was founded the Act making provision for the construction of certain works therein enumerated.

Opinion ex-  
pressed in ori-  
ginal report.

In that report I felt it my duty to express an unfavorable opinion generally, upon the contemplated works of the Newcastle District, as then laid before the public. I stated in substance, nearly, as follows: Even assuming the navigation to have the depth of water proposed, namely, 5 feet (but this I felt persuaded would not be) the class of vessels navigating it would not be suited to the large western Lakes Huron and Michigan; that consequently transshipment would be necessary at its entrance on Gloster Bay. That the navigation would be much impeded by the floods, currents, &c., in the river, through which it was carried, and would also be seriously obstructed by the ice forming earlier and continuing later in the several small inland lakes, through which it passed, than was the case in the more southern waters of the St. Lawrence. That from the great amount of lockage (upwards of 820 feet) see Appendix (Letter U.) and its very circuitous course, it could never in my opinion become the channel of the "Trade of the Great West." That this being the case, the local wants of the country did not make necessary nor demand the immense outlay which the undertaking would require, estimated at about £620,000, but to which I stated £300,000 should be added. This addition I have since ascertained would not be sufficient.

Class of Navi-  
gation recom-  
mended.

Finally, I suggested that a very much reduced class of improvement might be undertaken, to meet the wants of that section of country, which from its great extent and capabilities for production and improvement, is highly deserving of attention. The works suggested were, the formation of some good cross roads, leading from the Ports on Lake Ontario into the back township; The construction of some slides to facilitate the running down of timber, and for which memorials had been previously presented to His Excellency the Governor General, and the completion of some detached locks and dams, commenced under the Commissioners, and which were then in different stages of forwardness. The cost of such works to amount to about £50,000.

These suggestions it would appear were approved of and acted on by the House of Assembly, as the appropriation Act provided for them; under the authority of which those works have since been carried on.

Suggestions  
contained in  
my original re-  
port, approved  
of by the Le-  
gislation.

The lock and dam at Scugog have been completed, by which a navigation of sixty miles in length, from Cameron and Bobcageau Falls to Rice Lake, is effected, and a road thence to Lake Ontario at Windsor Harbour is being constructed, nineteen miles in length.

Lock and Dam  
at Scugog.

Although this lock and dam have been finished since the last summer, it has not been considered advisable to lower the water to the level at which it is permanently to be kept, until the cold weather has fully set in.

Lowering of  
the water of  
Purdy's Dam  
to its perma-  
nent level post-  
poned.

So far back as the year 1834 great dissatisfaction and excitement existed in the neighbourhood of this lake in consequence of the level to which it was raised by a dam at the outlet of it by Mr. Purdy, to whom were granted by the Government certain rights connected therewith. In 1835 Mr. Baird, Civil Engineer, made, by order of the then Lieut. Governor Sir John Colborne, a very minute and laborious examination and report upon the subject (see No. 13 in Appendix to Journals of the House of Assembly, vol. 1. 1836.) The substance of his Report was that in its natural state, the lake might more properly be called a marsh, through a great portion of which a canoe could with difficulty be paddled, and that the Miasma from it was very destructive. That the level to which the waters were raised by Mr. Purdy's dam, was serviceable, so far as the limits of the original marsh, to the health of the adjoining country, but from its height, by flooding into a great number of small creeks, and over a vast quantity of land, low but previously dry, that it was a nuisance of a most serious character. That the total removal of the dam, however, would not only destroy the navigation, but by again reducing the lake to a state of marsh, would render the country most unhealthy. That this extreme height of Mr. Purdy's dam, (13 to 14 feet) was wholly unnecessary, whether for the purposes of milling or for the improvement of the navigation. He recommended therefore, that the lock and dam should be built below Purdy's dam, which caused the mischief, and that the latter should then be removed. He fixed upon the level of the new dam to be between six and seven feet below that of the old one, and on this principle accordingly the works have been constructed, and the old dam will now be removed.

Action which  
has been taken  
with respect to  
Purdy's Dam.

The lock and dam at Whitlas's Rapids, as well as those at Crook's Rapids, have been completed; by means of them a navigation of about 50 miles in length (embracing Rice Lake) from Peterborough, the District Town to near Heely's Falls, is created, and by it in conjunction with an excellent road from Rice Lake to Port Hope, 9½ miles in length, the several townships bordering on Rice Lake and the Otonabee River are opened to Lake Ontario.

Lock and Dam  
at Whitlas's.Lock and Dam  
at Crook's Ra-  
pids.Navigation  
gained by these  
works.

On the completion of this navigation a Steam-boat was built and placed on it, by which, no doubt the inhabitants of the adjoining country will be much accommodated.

The lock and dam at Chisholm's Rapids, the most of which had been built under the former Commissioners, have also been finished; by them the river is rendered navigable for vessels drawing four feet water from the widow Harris's to Percy's Landing, a distance of about 20 miles, but at present there is no appearance of any vessel being placed upon it.

Lock and Dam  
at Chisholm's.Distance ren-  
dered naviga-  
ble by these  
works.

I have considered it necessary to go into the foregoing general repetition upon the works connected

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Cause of the suspension of the works as originally contemplated.

with the partial navigation of this District, as being proceeded with, being aware that much dissatisfaction was felt and still exists throughout that section of the Province at the suspension of the works of the general navigation; and many, especially of those who advocate the necessity for the uninterrupted navigation, are averse to the proceeding with the works of the Slides, and represent them as not likely to pay the interest upon the outlay. Upon me individually, is thrown by them, very generally, the odium of having stopped the works, but it will be seen, by what I have above stated, that I merely gave my opinion thereon when required to do so, and that in fact by the Legislature was their suspension determined.

The works connected with this navigation, which are completed, are detached and scattered over the whole distance between the Bay of Quinté and the Town of Peterborough, a length by water of about ninety-five miles, and immediately bordered by fourteen Townships, at the back of which there are six or eight more that may also be said to be intimately interested in the navigation.

Obstructions presented between the Bay of Quinté and Peterboro.

The portion of these ninety-five miles rendered navigable by the works, is about seventy miles. There being two stretches of the River remaining unimproved, one of about nine miles and the other fourteen miles in length, the navigation is not continuous, nor is it connected with Lake Ontario, and of course so long as it remains in this state, it can never be of very great importance to the surrounding District. If the removal of these two interruptions to a continuous navigation from Peterboro' to Lake Ontario could be effected at any moderate cost, it would be deserving the consideration of the Legislature whether its accomplishment might not be desirable.

Estimated cost, according to the original plans and estimates, for the removal of these obstructions.

A new route proposed, a survey of which is recommended.

According to the original plan and estimate, the construction of thirty-five Locks and other works involving a gross expenditure of about £211,250 would be required to remove these obstructions; but as many of the advocates for these improvements assert that these plans were not maturely and sufficiently considered, and that cheaper, safer and more advisable routes might in some cases be taken, instead of following in the bed of the River, as intended, it is for the Legislature to determine whether in order to set the question fully at rest, it might not be well to order a Survey, &c., under the direction of this Department of the two portions referred to. Such a course would I believe be satisfactory to the inhabitants of the large district of country, bordering on those waters,

Sundry additional work rendered necessary and executed.

Sundry extra work, such as building of Bridges, &c. was unavoidable in this section. The dams having thrown up the water so as to render the parts of the River, formerly fordable, no longer so, and much additions to the works done by the Commissioners was indispensable to secure and make them permanent.

Claims against the late Commissioners.

A good deal of pains has been taken to collect and examine into the various claims against the Commissioners for damages, &c.: Some of them have been paid by order of the Executive Government, and the amounts of others still pending are in some instances ascertained and agreed on, others not so. In the Appendix will be found a Schedule (Letter L.) of those claims which have been settled, also a Schedule (Letter M.) shewing the claims unsettled, also, a Schedule (Letter N.) shewing the quantity of Lumber run down the Trent as near as could be ascertained by our Overseer, an extract from whose Report is also given in the Appendix (Letter O.)

In addition to the foregoing works which may be termed the navigation of the Newcastle District, other

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works have been executed or are in progress, and may be divided into two classes, one, those connected with the improvement of the River, so far as the running of Lumber is concerned; the other, the construction of Bridges and of Roads leading directly from Ports on Lake Ontario, to the heads of the navigation formed by the works already described.

In the first class may be included the Slides and Slides. Dams which have been or are being constructed at Helly's Falls, the Middle Falls, Ranney's Falls, Chisholm's Rapids, Widow Harris' Rapids, Prison Island Rapids, and the removal of some detached rocks in the river.

In the second class are included the Rice Lake and Scugog Roads.

The general formation of the Road from Rice Lake to the town limits of Port Hope is completed, and about half the road is gravelled; the finishing of it must now lie over until spring. This road having been undertaken as a portage road connecting the navigation of Rice Lake and part of the River Otonabee with Lake Ontario, it appears to me desirable that it should be carried down to the harbour. A mail stage is now established on this road, which runs in connection with the steamboat on Rice Lake.

The survey of the branch from this road to Cobourg, in which the inhabitants of that town and its vicinity take so warm an interest, has been a long time made, and on the application of the parties referred to, an Order in Council was issued authorizing the Board of Works to make the Branch, provided there should be a surplus remaining of the estimate to cover the cost of it. I was led to believe at the time that there would have been funds, and expressed myself so, more than once; but although much pressed to commence it, I did not consider myself authorized to do so, until it should be ascertained *beyond all doubt* that the means would be forth coming. This, I am sorry to say is not the case, as from unavoidable and unforeseen expenses upon the internal works, no sum was left applicable to it.

The Engineer to the Board, upon his last general inspection thus reports on this subject:—

"I am decidedly of opinion that this road is not required and will not pay. It would moreover seem to draw away in part the travel from the Port Hope Road, and throw upon the public the onus of supporting two rival roads with the funds to be derived from only one of them. It would be a much better undertaking for the Province to macadamize the road between Cobourg and Port Hope, and the former would derive just as much benefit as from the Branch Road. In fact Cobourg, Port Hope and the public at large would be gainers by it."

The Scugog Road about nineteen miles in length, when completed will form a facile Portage Road from Windsor Harbour on Lake Ontario to the head of the Scugog navigation sixty miles long, extending through the Townships of Reach, Cartwright, Manvers, Mariposa, Ops, Fenelon, Verulam, &c., and when subsequently extended northerly to the Bridge across the narrows of Lake Simcoe, it will form a very direct and facile outlet for the produce of a very extensive and highly improvable section of country.

The works of this Road consist of the proper draining, forming and grading of it throughout, and the planking of some detached parts where the nature of the soil renders it necessary. The grading of all the section is much advanced, and a large portion of the

Rice Lake, and Lake Scugog Roads, Rice Lake Road.

Branch from the Rice Lake Road to Cobourg.

Cause of the non-construction of the branch road.

Engineer's opinion of the contemplated branch road.

Scugog Road.

Description of the works on the Scugog Road.

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plank delivered on those parts where it is required. For more detailed information respecting this Road, as well as upon all the works of the Newcastle District generally, the last Report of Mr. Lyons, the Officer in charge, is inserted in the Appendix (Letter P.)

Additional works required.

The following is a statement of the works which appear to be much required in this section, and which is submitted for the consideration of the Legislature.

A Bridge at Crooks' Rapids is indispensable.

Since the waters have been raised by the Dams, the parts of the River on the line of the Roads in some cases, where formerly fordable, are now not so and require Bridges. A new Bridge at Crooks' Rapids is also indispensable to keep up the connection of the country; the site of the old one should be abandoned and the new Bridge placed at the Lock.

A boom at Whitlas is necessary.

At Whitlas, a Boom is necessary for the safety of Vessels using the Lock.

A slide at Burleigh Chute is required.

A Slide is much required at Burleigh Chute, above Peterborough. (See Overseer's Report in Appendix Letter O.)

A Bridge and slide at Buckhorn are wanted.

At Buckhorn Dam the Bridge originally contemplated, and for which preparations were made, is much required, as well as a slide in the Dam.

The Lock at Bobcaygean requires to be re-constructed, and a Bridge is wanted.

The Lock at Bobcaygean, upon which much money was expended under the former Commissioners, was very badly built, and is now in such a state as would require to be wholly rebuilt. By this Lock a navigation of sixty miles is opened through Chamong, Buckhorn, Pigeon and Sturgeon Lakes, connecting with the Scugog navigation. A Bridge is also much required at Bobcaygean, and finally the River below the Scugog Lake requires an expenditure in removing the fallen timber.

Cost of the additional works required.

The foregoing, together with the extension of the Rice Lake Road down to the Harbour, would require an expenditure of about £12,000.

LIGHT-HOUSES, HARBOURS AND ROADS LEADING THERETO.

Light Houses, Harbours &c.

Under this head are embraced a variety of works, for a long time loudly called for and in importance, second to none in the Province, whether as regards the benefits to be derived from their construction by the agricultural and commercial interests generally, or their necessity for the safety and protection of life and property.

Much will be accomplished by the expenditure of the appropriation set apart for this class of works; but much, equally indispensable, will also remain to be done.

Lake Erie.

Upon Lake Erie, except in a few cases, nature offers but very little encouragement or assistance towards the construction of the Harbours necessary for the Trade of the Country; they are confined to the Rondeau, Long Point and Port Maitland.

Lake Ontario.

Lake Ontario is much more favoured in this respect, having her Burlington Bay, Toronto Bay, Presqu'isle, Kingston Bay, and the beautiful and extensive Bay of Quinté, the entire coast of which presents the greatest facilities for the construction, at a trifling expense, of such Wharves or shipping places as may be called for.

Harbours on Lake Erie.

Upon Lake Erie the works completed or in progress, consist of—

The Rondeau Harbour.

The Rondeau.—At about sixty-five miles below the head of the Lake, a Cape projects, enclosing within it a natural Basin of about 6000 acres in extent,

with a depth of water of from ten to eleven feet. The communication between this Basin and the Lake is across a sandbank of about forty yards in breadth, and not more than a few feet over the level of the water. This communication varies in breadth and depth a good deal from time to time, according as the wind prevails, which, when blowing heavily, carries with it the shingle along the shore, and frequently all but stops up the entrance to the Basin; sometimes the waters effect other gaps across the Bank, and in fact a constant alteration in this Bank and Channel is occurring. The object of the proposed works is,—First, to secure the Beach from any further breaches being made across it;—Secondly, to open the Channel, and confine it by a Pier on each side of it;—Thirdly, to construct Groins along the shore to catch the shingle, and prevent it from forming a bar across the Channel, and finally to construct a small landing Wharf at the termination of the Road now being made, to connect this Harbour with the settled country in the rear of it. This Harbour will be about seven miles from the main Road through the Province, and fourteen miles from Chatham the County Town, which is the centre of a very fertile and productive country, the produce of which, at present, during the season of navigation, is shipped at Chatham, and after descending the navigation of the River Thames (frequently interrupted,) then through the intricacies of Lake St. Clair and down the Detroit River to Lake Erie; when it arrives opposite the Rondeau Harbour, and has been transported a distance of about one hundred and fifty miles, it is within fourteen miles of the place at which it was shipped!

The violent storm with which this Lake was visited in October last, operated a good deal upon the Beach, and has shewn the necessity of securing it more extensively, and of running the Piers further out than was originally proposed. The cost of the works will therefore exceed the sum originally estimated. When fully completed, it will be a Harbour of great importance, not only for the trade of that section of the country, but also as an Asylum, it being the only place that can be run for in very hard weather, between Pelée Island and Long Point, distant from the former about fifty miles and from the latter one hundred. The sudden manner in which dangerous squalls on this Lake arise, is proverbial.

The next work in rotation is Port Stanley Harbour, where a great deal has been done, which was available to the trade during the past season.

As the old works of this Harbour, which is about midway up Lake Erie, with a very extensive, old settled back country, were in ruin and unavailable, and the little shipment that took place was consequently obliged to be made by means of small boats, going to the Vessels lying out in the Lake, at great risk; it is not to be wondered at that the Trade was almost annihilated.—Ship-owners would not charter their Vessels to it, and the Passenger Trade, on the Canada side, was given up. The re-construction, therefore, of this Harbour, was of vital importance to that whole section of country, and the beneficial results of it are already apparent. (See Engineer's Report and accompanying Documents, Appendix Letter Q.) The Piers must, however, be carried further out.

This Harbour is formed in the same manner that most of the other artificial Harbours on the Lakes generally are, unfortunately, but of necessity obliged to be constructed. Its position is at the mouth of a Creek, discharging into the Lake where the shore is not indented, and no shelter is afforded from any wind except that off land. The coast of the Lake above and below it, for a great distance, is a high clay bank, annually washing with the waters, which, of course, when agitated, carry

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Advantages of the Rondeau Harbour.

Cost of the works will exceed the estimate.

Importance of the reconstruction of this Harbour.

Description of the formation of Port Stanley and other Harbours generally.

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with them in the direction of the prevailing wind much shingle and deposit. In their natural state the mouths of such Creeks are obstructed by Bars, varying in height and position almost weekly. Sometimes they are wholly stopped across, and remain so until a freshet in the stream forces a channel through the impediments. The course universally adopted is to construct a Pier on each side, and in the natural direction of the course of the Creek, the breadth between the Piers being proportioned (or should be so as much as possible) to the capacity of the stream, and its power to keep the space between the Piers scoured out. When these Piers are extended to a certain depth into the Lake the mouth is found, by experience hitherto, not to choke or be filled up; but the shingle makes rapidly on the windward side of the Piers, and of course it must eventually reach the entrance.

This description is applicable to almost every artificial Harbour on the Lakes. In reality they do not deserve the name of Harbours, being much more truly but landing Wharves. Still their construction is of necessity resorted to, to meet the present wants of the country, the finances of which do not yet admit of the great expenditure, which the formation of Harbours, properly so called, and within reasonable distances of each other, would require.

Report of the  
Commanding  
Naval Officer  
on the ports of  
Lake Erie.

In a report upon the Harbours of Lake Erie, the Commanding Naval Officer in Canada, in the year 1841, stated—

“Very little need be said as to the necessity of forming Ports on this great extent of coast, exposed as it is to the boisterous sea, which rises with every breeze of wind that blows either up or down, or towards the shore of the Lake.” Again—

Rondeau Har-  
bour.

“The Rondeau is by nature formed for one of the best Harbours on Lake Erie, and situated at that part where a good Harbour is much required.”

Of the Grand River or Port Maitland, he states—

Port Maitland.

“Very much has been said of the Grand River as a Harbour, and no doubt it will make the finest and most capacious on Lake Erie, except the Rondeau. The Rondeau and Grand River once made good Harbours, together with the excellent anchorages about Long Point, Lake Erie will then be, for all general purposes of navigation, what it should be. The other Ports are equally necessary for the shipment and landing of Cargoes, grown or consumed in the country they are contiguous to.” And finally, he reports—

“That in the then state of the Harbours, he was obliged to withdraw *Her Majesty's Steam Vessels* down the River Niagara near to the Falls, a place by no means secure, and certainly not a proper rendezvous, in the event of the prospect of a rupture with the United States.”

A moiety of  
the cost of  
these Harbours  
should be  
borne by the  
Nation at  
large.

Under these circumstances, it would appear but reasonable that as the works now in progress are, by the Commodore commanding, admitted to be indispensable to enable *Her Majesty's Vessels* to keep the Lakes, at least a moiety of the expenditure should be borne by the Nation at large; otherwise their extent must be confined to the wants of the Trade, and will not be suitable for the reception of Vessels required for the protection of the Province.

PORT BURWELL HARBOUR.

Port Burwell.

The position of this Harbour is similar nearly in all respects to that of Port Stanley, but the works of it, in their present state are much more useless and unavail-

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able than those of Port Stanley were, prior to the commencement of the new works. There a large part of the old work was adopted in the reconstruction of the Harbour, and during the operations served as shelter; but at Port Burwell the entrance is blocked up, the old piers are so placed as not to be available, and in fact all that has hitherto been expended is so much lost.

The Engineer to the Board, in reporting lately on this place, states—

“Port Burwell is the most exposed part on the lake, for it has to withstand the South-west winds for a sweep of 180 miles. The state of the works erected here by the Port Burwell Harbour Company, bears ample testimony to the forces in operation. I would not therefore recommend expending a farthing upon this harbour, unless the sum appropriated is sufficient to construct the work in the most substantial manner, and a less sum than £20,000 would not, in my opinion, be adequate to it.”

Report of the  
Engineer on  
Port Burwell  
Harbour.

Of the amount appropriated for Harbours generally on the lakes, the expenditure of a moderate sum on this Harbour was proposed; the work to be undertaken when the Dredge and Piling vessels in use elsewhere, could be sent to it, but the more intimate acquaintance with the expense and difficulties to be encountered in forming these Harbours, acquired in carrying on the works at Port Stanley, rendered the proceeding with those at Port Burwell imprudent and unadvisable, as Mr. Keefer justly states, until funds fully adequate for the undertaking are provided.

Reason for the  
work of this  
Harbour not  
having been  
undertaken.

The establishment of a Harbour here most unquestionably would be of very great importance to the section of country adjoining it, which is well settled, improved and productive, and the amendment of the road leading to it would proportionably confer a boon on that part of the country.

The means made applicable to this class of works being very restricted, it has been endeavoured to expend them in such a manner as would divide the Canada coast of Lake Erie into as near as might be, equal sections, giving a harbour to each. This is very nearly the case, as reference to the map will shew. From Fort Erie, at the east end of the Lake, to Port Maitland, being the mouth of the Grand River, is a distance of between 40 and 50 miles; from thence to Port Dover, and the other shipping places under the shelter of Long Point, about the same distance; thence to Port Stanley, about 40 miles; thence to the Rondeau, about 45 miles; thence to Point Pelée, 45 miles; thence to the west end of the Lake, at Amherstburg, about 40 miles. The District of which Port Burwell would be the outlet, if the Harbour were constructed, lying between Port Stanley and Port Rowan, or Turkey Point, distant from each other as previously stated, about 40 miles, will, for the present, send its produce to one or other of these places, except the small portion of it, which in very fine weather will, under all disadvantages, be shipped off Port Burwell. Woodstock, the county town, and situated in the northern part of the District, is about the same distance from the head of the Grand River navigation at Brantford, as it is from Lake Erie at Port Burwell.

Division of the  
Lake Erie  
Coast.

The works of Port Dover Harbour, at the Head of Port Dover Road, are under contract, and I trust will progress satisfactorily. Under this head, Mr. Keefer reports—

Port Dover  
Harbour.

“There appears no change of consequence in the old works, or in the depth of water between the piers. The shelter afforded this harbour by Long Point, gives it a great advantage over many of these

Appendix (A. A.) 1845. "harbours in this respect. Whenever properly completed therefore, it may be expected to remain secure in any weather."

The works of the other harbours in progress on this Lake, are those of Port Maitland and Port Colborne, both of which are terminations of the Welland Canal, and are in a great measure connected with that work.

Improvement effected at the entrance of the Chippawa River. At the entrance of the Chippawa River a trifling improvement has been made at the request of the proprietors of the steamer touching there.

HARBOURS ON LAKE ONTARIO.

Lake Ontario. The works completed or in progress on this Lake, are, Port Dalhousie, being the termination of the Welland Canal. Its works are connected with those of that Canal; when completed and carried out to the outer bar, which is not a shifting one, and can be deepened, it will be easy of access, will have an upper floating basin of five hundred acres in extent, with from twelve to sixteen feet water, and will be in every respect a suitable terminus to this noble work.

BURLINGTON BAY CANAL.

Burlington Bay Canal. Des Jardins Canal. This work has already been reported upon. Besides being the entrance to the Port of Hamilton, it is also similarly situated to that of Dundas; and, the object of referring to it here, is, to draw attention to the state of the Des Jardins Canal, from the head of Burlington Bay to Dundas. The attention of Parliament has frequently been drawn to the very inefficient state of this work, upon which a good deal of public money was formerly expended; and the commercial and manufacturing interests of that town and neighbourhood, have repeatedly memorialized the Executive Government, setting forth the disadvantages they laboured under in consequence, and praying that its improvement, which they state to be facile and inexpensive, might be effected. On the other hand, many are of opinion, that from the nature of the marsh through which it passes, the Canal cannot be rendered permanently navigable, unless at great expense. My personal knowledge of the locality and details, is not such as to enable me to form an opinion upon it. The imports and exports to and from Dundas (see Appendix Letter R.) would no doubt be materially increased, if the navigation were improved, and even in their present state, they appear to me, sufficiently important, to recommend to the consideration of Government, the propriety of my being authorized to have a survey, report and estimate made of it, under this Department.

Opinions as to the practicality of the undertaking.

A survey recommended.

Ports between Hamilton and Toronto. Credit Harbour. Oakville Pier. Between Burlington Bay and Toronto are four or five small pier harbours of the nature already described; in two of which, Oakville and the Credit, the Government is more immediately interested in consequence of public money being invested in them. They require no particular observation, except that the usefulness of the latter Port and the revenue from it, are very much lessened from the want of a proper road from Cookville, &c. to the Harbour; the cost of which would be about £3,000. Some necessary repairs have been done at the Oakville Pier.

Toronto Bay. At the inlet to the Toronto Bay, the sand is evidently making much, and I am of opinion, that at no remote period some work must be encountered to fix and preserve such an entrance as the rapidly increasing trade of that important city will require. Some trifling repairs have been made at the Queen's wharf, near the extremity of which are a few stones in the channel that should be removed.

The next work is at Windsor Harbour where a Windsor Harbour. very extensive Breakwater has been constructed, and two Piers built. Within this Breakwater is enclosed a capacious Basin of about 120 acres in extent, and into which two considerable streams discharge. The Piers are on each side of the natural entrance, and the Breakwater by preventing the stream from spreading over the whole extent of beach, as formerly, and by confining it within the Piers, has created a current that will be very serviceable in keeping the entrance clear. No indication whatever to deposit in the channel, is evinced, although the beach is making rapidly in front of the Breakwater. When the Piers are run out about 200 feet further, and some dredging done, this will be found to be an excellent Harbour for steam and sailing craft. It is not considered advisable to dredge much until the Piers appear to have settled well down.

When speaking of the Harbours of Lake Erie, the description which I gave, and the observations I made upon the artificial Harbours created by Piers on a straight coast, with much shingle in motion along it, apply strongly to the Harbours of Port Hope and Port Hope. Cobourg, but especially to the latter.

At this Harbour (Cobourg) a great deal of expenditure has taken place, not provided for by the Appropriation Act, but authorized by the Executive, as indispensable, to prevent the utter demolition of the work which had been previously executed, and towards which a considerable loan of public money had been made, and, as being also absolutely necessary to keep up the communication of the country. The payment of the interest, upon, and the re-payment of the money thus advanced have been made a first charge upon the revenue of the Port, and is thereby well secured.

The work has been done in a substantial and permanent manner, and has withstood the very violent storms of the past season, without injury. From a letter received from Mr. Bethune (the extensive steamboat proprietor) I quote the following:—

"At Cobourg, if the Harbour was once dredged out, and the small stream turned to the West of the West Pier, I have no doubt it would be one of the best upon the Lake (with Capt. Sutherland's Piers) and that it would not fill up; so far there appears as much water as when the Piers were finished."

The Piers alluded to were proposed by Capt. Sutherland to be constructed outside of, but unconnected with the present Piers; but I am very dubious that their construction would prove beneficial as that gentleman supposes.

PRESQU'ISLE HARBOUR.

Nothing has been done here, but a very moderate outlay is required, and would be productive of great benefits; part to be expended in the construction of a landing wharf near Brighton, the remainder in a manner that will be denoted hereafter under the head of Light-houses.

For general navigation purposes, the great want on the Canada side of Lake Ontario, between Long Point (or Point Peter) and Toronto Harbour, a distance of 126 miles, is that there is no Harbour of Refuge, into which a vessel can with safety run, in a gale of wind. This coast is to the Canada Trade a lee shore for much the greater portion of the season. The Harbours of Port Hope and Cobourg, however useful they may be as shipping places, are only such, and hold out no inducement to a vessel making for them with the wind blowing heavily in any quarter between the South-east

Harbour of Refuge required between Long Point and Toronto.

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round by South, to the South-west, and but little safety to vessels, lying in them with the wind blowing hard from the Southward. In this respect, from the extent of the inner basin at Windsor, the Harbour there, when completed, will be much superior.

Between the Ports of Cobourg and Port Hope, a distance of about seven miles, the reef called Gull Island is situated, on which a light-house is erected. It is about a mile and a half from the shore, distant from the former four miles, and from Port Hope about three miles. This reef is of great extent, with but very little water on it, not exceeding two or three feet for a considerable length. It is crescent shaped, with its horns towards the shore, between which and the reef, there is, as I am informed, good water and anchorage. If this description is a true one, the construction of a Breakwater on it would be simple and attended with but little expense; and if effected would create a valuable Harbour of Refuge about midway up the Lake, and would serve as an outer harbour, or safe offing for the Ports of Cobourg and Port Hope.

Gull Island reef.

A breakwater recommended.

Roads leading to Harbours.

ROADS LEADING TO HARBOURS.

Rondeau Road.

Of the Roads leading to Harbours, the works of that leading to the Rondeau are in progress, and will be completed next season.

Port Stanley Road.

The Road leading to Port Stanley is finished, and for the Revenue to be expected from it, see the superintending Engineer's Report, (Appendix Letter A.)

Port Dover Road.

The Road from Port Dover to Hamilton is nearly completed, but this will be treated of under a distinct head.

Rice Lake and Lake Scugog Roads.

The progress made with the Road from Windsor Harbour, as well as with that from Port Hope, forming a communication between Lake Ontario and the internal navigation, has already been described.

Light-Houses &c.

LIGHT-HOUSES, BUOYS, &c.—LAKE ERIE.

Under this head is stated what has been done, and also is recapitulated a number of further details of the same nature, which are indispensable for the safe navigation of the Lakes, and for many of which repeated petitions have been presented by Mariners and other parties connected with the shipping interests. Upon this subject Capt. Sandom reported in 1841—

Capt. Sandom's report on the Light-Houses on Lake Erie.

"I deem it a duty to bring to His Excellency's notice, that a general dissatisfaction pervades all the maritime classes who navigate the Lakes, as well as those interested in the shipping interest of the Country, in consequence of being forced to pay a special Tax for Lights, when there are none where they are most required, and those which do exist are so badly kept up as to be worse than useless, tending from their imperfect state to lead the Mariner into danger rather than to preserve him from it. I allude particularly to the Light upon Point Pelée Island, and could not help drawing the comparison between the British and American shores. On the latter, I found good Lights and Beacons at all parts, and excellent Ports, well lighted, without any Tax being imposed upon the navigation, while the British navigator pays a Tax expressly for that which he has not."

Much has been effected during the short time which has elapsed since the control of these works has been placed on the Board of Works.

On Lake Erie, a Light-house has been built at Long Point, shewing a first class Light; the importance of a Light in this position, is as great as that of any other in the Province.

Long Point Light-House.

A floating Light, upon a suitable substantial Vessel, has been placed off Turkey Point for the benefit of the navigation of "the cut" near it.

Floating Light off Turkey Point.

The Light at Port Stanley has been improved, but until the Harbour is completed, it cannot be placed on a permanent footing.

Light at Port Stanley.

The Works now required are,—On Lake Huron, a Light-house at Goderich. On Lake St. Clair, a Light-house on the River Sydenham, and a leading Light at the mouth of the Thames. On Lake Erie, are required a House for the Keeper of the Light at Pelée Island. A good and well moored Buoy at the extremity of Point au Pelée shoal; this would be of great importance, and, from the distance to which this shoal runs out, it is absolutely necessary that the Light on Point Pelée Island should be of such a description as to be perfectly distinguishable from any other. A Buoy at the extremity of the shoal, which runs about a mile East of Long Point Light-house, would be of great service to vessels making for the anchorage of Spithead, with a heavy sea down the Lake, and at the anchorage of Spithead, three Buoys are much required to define it.

Light-Houses required on Lakes Huron, St. Clair, and Erie.

A buoy recommended for the extremity of Pt. Pelée shoal, and of that at Long Point.

A first class Light on Mohawk Island is now indispensable, from its proximity to Port Maitland at the mouth of the Grand River, which, next spring, will be the outlet to the whole trade up the Welland Canal. It would also be of infinite advantage to vessels plying between Port Colborne, Port Maitland, &c., and Port Dover, or any of the Ports on that part of the Lake, as it may be said to lie in their direct course, and a very long and dangerous reef extends from the Island, upon which a vast deal of property has been lost. Such a Light, with the Pier Light at Port Maitland, would add greatly to the safety of navigating that part of the Lake. The Light at Mohawk Island should be a revolving one; the lesser annual consumption of oil, &c. in revolving Lights, compensates for the greater first cost, which may be set down at between £80 and £100. A Beacon on this shoal also would be desirable.

A first class Light required at Mohawk Island.

The Light to be a revolving one.

When Port Colborne is completed, the Light there must be much improved.

On Lake Ontario.—The Light at Point Peter (or Long Point) has been converted into a revolving one, to distinguish it from those at the Ducks and Presqu'isle.

Light at Point Peter changed into a revolving one.

The chief details required on this Lake are, a Keeper's House for the person in charge of the Light at Toronto Harbour.

Works required at the Light-Houses on Lake Ontario.

Some expenditure upon the Gull Island Light-house, to render it more habitable for the Keeper.

Gull Island Light-House.

A House and second class Light upon the Scotchbonnet Island, near Nicholson Island, there is a shoal running to a long distance, to the South of it, upon which the breakers shew themselves in heavy weather; the establishment of this Light would add much to the safety of the navigation of that part of the Lake. It should be colored.

A Light-House required upon Scotchbonnet Island.

At Presqu'isle, a small colored Light on the end of Salt Point is very much required to enable vessels to take that Harbour in dark nights; and a Buoy on the North East end of the Bar outside, together with a

A small colored Light required at Salt Point.

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small landing wharf within the Harbour, are absolutely necessary.

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2 buoys recommended at Snake Island, and a small colored Light on the Kingston shoal.

The placing of a couple of Buoys at Snake Island and the establishing of a small colored Light on the shoal in front of the Market buildings, would be of great advantage to the vessels entering the Harbour of Kingston.

When the Canals of the St. Lawrence are completed, sundry improvements will be required in the lighting and buoing of the River, between Kingston and Lake St. Francis.

Lancaster Light.

On Lake St. Francis a Light-house has been built by the Board of Works, for the guidance of the Packets touching at Lancaster with the Mails, at the entrance to the Gut, or channel leading to that Port.

A Light required near Crabbe Island.

The establishment of a Light near Crabbe Island, and the mooring of five or six Buoys, so placed as to indicate the shoals, as well as the bend in the direct deep channel down this Lake, should be authorised so as to be ready by the opening of the Beauharnois Canal. It is possible that the point which creates the Bar alluded to may be easily dredged off, but this Light would still be required.

Although the short turn in this Channel, has been perfectly known for many years to almost every Mariner on the Lake, no necessity whatever existed hitherto for dredging off the point which causes the bend, inasmuch as over it, in its natural state, the water was more than sufficient for every boat loaded to the depth to which they were confined by having to take the Rapids down; but as on the completion of the Beauharnois Canal a larger class of craft will no doubt be adopted, the necessity for these improvements is now urgent.

A Light required on the pier at Grosse Point.

On the Pier at Grosse Point, a Light must be erected, which, with the Light at Lancaster Channel, that proposed at or near Crabbe Island and the Pier Light at the head of the Beauharnois Canal, will, together with the Buoys, make the navigation of this Lake certain and safe.

Lake St. Louis.

*Lake St. Louis.*—On this Lake, between the head of the Lachine Canal and the termination of the Beauharnois Canal, besides a Pier Light at each, a good light on the Point of Isle Perrault is required. If, in addition to these, a Channel is obtained across the Bar off Isle St. Bernard, (Nun's Island,) and marked with a coloured Light, either on a Vessel or Caisson, as may be found most expedient, and some Buoys laid down, this part of the navigation will be rendered comparatively certain and safe at all times. To render the portion of it at St. Ann's equally so, all that is necessary is the work reported about twelve months back, and for which, prior to the prorogation of Parliament, an appropriation was about to be asked. The work consisted of the erection of a small light on a part of the point nearly opposite Point de la Baie Dolphy, from which, by excavating a Channel across the Shoal at Point de Brussy, the course would be up to the Lock on the Isle Perrault side, thus avoiding all the rocks and intricacy of the Channel on the north side. The removal of the projecting Rocks in the Channel above the Lock, to which I had the honour of drawing the attention of the Executive long since, is also very much required.

Superintendence &c. of Light-Houses.

Before I leave the subject of Lights, I think it necessary again to draw His Excellency's notice to the mode suggested in an early part of this Report, for the supply, superintendence and repairs of the Light-Houses, Buoys, &c.

Until the present year, in which their control has been transferred to this Department, the manner of supplying Oil was this,—A Merchant being agreed with as to price, permission was given him to import it free of the heavy duty which is imposed on Oil. The Oil was delivered at the Light-Houses by him; no efficient check, nor indeed any, was had as to the exact amount so delivered. In most of the Houses the Oil was kept in the barrels, and much loss incurred thereby. The Oil this year was furnished to the Board of Works by contract, delivered at Kingston; a Vessel was chartered and given in charge to Capt. McIntyre for the purpose of his serving out the supplies, and at the same time making a general inspection of every thing connected with the Lights, and effecting as much improvement or reform as possible. Having provided new tin Butts of uniform size, gauged and marked so that the several keepers could, at a glance, ascertain the stock on hand, Capt. McIntyre found, immediately on discharging some of the barrels, that the quantity in each was far short of what it was rated at; finally it was ascertained that there was a deficiency of two hundred and fifty-six gallons. In other instances, where Tin Butts had been formerly provided, it was found they also did not contain the quantity supposed. In one instance, a vessel rated at one hundred and twenty-five gallons was found to hold but eighty-three. On board the Vessel were Mechanics, by whom a great deal of the necessary repairs was effected, promptly and cheaply; and after the supplies were all served, it was found that, independent of the saving in repairs, a saving was effected by the course taken of upwards of £500.

The Lamps and Reflectors formerly were of a very bad description, and no two Houses being supplied with Lamps, Reflectors, Glasses, &c. &c., of the same pattern, a vast deal of trouble and loss is incurred. Very many of these Lamps are now past use and undeserving of repair, and upwards of seventy new ones are required; I would therefore take occasion respectfully to recommend strongly, that authority be given to provide the necessary Lamps, a list of which, as well as of other matters, is given in the Appendix (Letter S.) That these Lamps should be of the best kind; that they, as well as all the fittings, reflectors, glasses, heaters, wicks, &c., should be of the same patterns and description, and that a few Lamps and Reflectors, (say a dozen) extra, should be provided, so as to be ready, in case of accidents, at all times.

No outfit, however perfect, nor system of arrangement, however well conceived, will be available, if the Keepers do not do their duty faithfully and strictly. To ensure this so great desideratum, (when the amount of life and property depending on it is considered,) I would strongly recommend that in future Light-House Keepers should be appointed exclusively from the naval class, who are more fully aware of the necessity for the strictest possible attention; it should also be perfectly understood that any neglect on their part, when detected, would be visited with immediate dismissal. No main Light-House should, I conceive, be permitted to be kept by Deputy. In the case of that at Point Pelée Island, of which Capt. Sandom complains, and with which, to the present day, the greatest dissatisfaction is felt, a reasonable sum is allowed by Parliament as salary for a Keeper; this person lives not on the Island, but on the main land, several miles away, and the duty is done (most inefficiently) by a man hired at a small sum, having a farm on the Island, about three miles from the Light-House. It was lately reported to me by the Captains of three Vessels, that having been obliged, by stress of weather, to run for this Island; they made it with great difficulty, owing to the miserable state of the light, with which they were so much struck that they went on shore and forced their way into the

Method heretofore taken of supplying oil &c.

Method adopted by the Board of Works.

Saving effected this year.

Authority to provide lamps asked for.

Light-House keepers to be appointed from naval men exclusively—No deputy should be allowed.

Point Pelée Light-House Keeper instanced.



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Light-House, when they found some of the Lamps out, and those that were burning filthy and untrimmed, and it was evident that after being lighted the evening before the House was shut up and no further care taken of it.

Loss consequent on neglect of Keepers.

Neglect of this kind, besides the calamities of which it might be the cause, is attended with very great expense; the Burners and Reflectors being very speedily destroyed.

A great deal has been done by Capt. McIntyre, during his tour of Inspection, in the repair of the Lamps, in arranging them better, improving their ventilation, refitting of Lightning Rods, &c., and a number of other details not necessary to enumerate here.

General repairs required.

The whole of the Lanterns require to be painted inside and outside; Wood-work generally also to be painted; all this should be done every year; the stone Towers would require pointing; but in the Appendix (Letter S.) will be found a statement and approximating estimate of the works of this nature required next season.

ROADS AND BRIDGES.

I will first proceed to shew what has been done upon the line of the main provincial highway throughout from Sandwich to Sarnia, its termination on the western frontier of the Province, to Quebec a distance of about 800 miles: showing also as I proceed seriatim, from west to east, the principal bridges which have been built on it, and the bridges or other works which are most required, so that the determination of the Legislature may be expressed thereon.

SARNIA AND LONDON ROAD.

Sarnia Road.

The works of this road contemplated and provided for by the appropriation Act are completed, the road being well cleared, drained, graded, and bridged. About seven miles of this road being through a light unfixed sand, are very heavy and much complained of. Petitions have been forwarded to the Executive Government for the planking of this road, and for that of this portion particularly; they represent that the intercourse with the Town and Harbour is such that a moderate toll upon the road would pay for its maintenance and interest on the outlay which would be about £2,500. At the other termination also, from the Town of London to where it crosses the main Goderich road, a distance of four miles, on which a large bridge is built over the Thames, no tolls can, in the present state of the road, be collected either on it or the bridge, but if these four miles were planked or gravelled, a moderate toll could be laid on which would certainly and amply pay for the maintenance of the bridge and road, and the interest on the outlay thereon.

Planking of certain parts prayed for.

Advantage to be derived from planking 4 miles from London.

SANDWICH AND CHATHAM ROAD.

Sandwich and Chatham Road.

This road terminates the main provincial road at the Town of Sandwich, the Capital of the District, and on the frontier opposite to Detroit.

At about 12 miles from Sandwich, a branch of 16 miles in length leads to the Town and Barracks of Amherstburg.

Will be completed next year.

The works of this road with its branch are all under contract and are progressing satisfactorily and will be completed early next year. It passes almost entirely over the table land of that part of the country, which prior to the commencement of the necessary drainage for the road, was so flat and wet that the lands in the

line of it, although good and taken up, lay waste; their drainage being beyond the means of the individuals, who are now, however, rapidly settling upon and improving their lots.

Appendix (A. A.)

1845.

This termination of the main road would be complete if the road from Sandwich to Amherstburg were improved, and bridged, the cost of which would not be much.

Improvement in the Road from Sandwich to Amherstburg required.

CHATHAM AND LONDON ROAD.

The works of this road may be said to be completed, so far as was contemplated by the Act of Appropriation; it is well cleared, drained, graded and bridged throughout. As in the case of the Sarnia road, numerous petitions have been presented, urging the planking of it, necessary, as they state, from the deep and rich nature of the soil through which it principally passes, and without which it is said the road will in a very little time, be impassable. I have already, elsewhere, represented the necessity for the Legislature's determining from what funds the foregoing roads, (upon which, in their present state, I presume, tolls cannot be collected) are to be maintained.

Chatham and London Road.

Planking prayed for.

A bridge, 650 feet in length, in the line of this road over the Thames, at Delaware, is completed in a manner very creditable to the Overseer and to the Contractor. For proposed tolls on this bridge see Appendix (Letter B.) The bridge at Chatham is in a very decayed state, and part of it is carried away. Surveyors have been made of the adjoining portions of the river, to ascertain whether, when a new bridge comes to be built, it should be upon the old site or elsewhere - but the information as yet received is not sufficiently full to enable me to venture an opinion with confidence as to whether the site should be changed or not. The cost of a substantial bridge here with a draw-arch would be about £2,000.

Bridge over Thames at Delaware.

Chatham Bridge.

BRANTFORD TO LONDON.

The works of this road are completed, several bridges built, the toll-houses erected and nothing but the fixing of the rates and the authority to exact them by the Legislature is necessary to the collection of the tolls. The probable present average rate of travel and of the probable revenue is shewn in Appendix (Letter A.) This road is 57½ miles long, 38 miles of which are planked and 19 macadamized; the former is blinded by about an inch of fine sand, the latter by the screenings from the gravel pits. A good deal of material is deposited along this portion for its repair.

Brantford Road.

BRANTFORD AND HAMILTON ROAD.

The entire line of this road, with the exception of about ten miles at the end has long since been completed by Commissioners under the authority of the Act.

Brantford and Hamilton Road.

This road is of vast importance not only to that section through which it passes, but also to the whole of the Province, to the westward of it. Its value, and the revenue from it, are however, seriously diminished, in consequence of the part left unimproved.

This part, called the Grand River Swamp, is probably the very worst portion of road in the Province. The improvements, when decided on, would be partly over the old road and partly a deviation from it. The survey has been made by the staff employed on the London roads, and the estimate, amounts to £10,000.

Cost of the improvement of the Grand River Swamp Road.

The following is a statement of the receipts on this road for the last two years—

1843.....	£1,460	19
1844.....	£1,749	12 4

Appendix (A. A.)

HAMILTON TO TORONTO.

1845.  
Road from Hamilton to Toronto.

On this part nothing has been done by the Board of Works, but a portion of it, about 16 miles, were macadamized under Commissioners by the Act 3 Will. 4, chapter 37, and upon it, tolls are now being levied, of which the following is a schedule of the amounts collected—

In 1842.....	£1,458 17 10
“ 1843.....	1,961 14 6
“ 1844.....	2,144 11 7

Repairs required on the unimproved portion.

Between Hamilton and the termination of the portion just described, the road crosses some extremely bad and dangerous ravines, which much require amendment, but no authority has been given for the making of any survey or estimate.

TORONTO TO KINGSTON.

Toronto to Kingston.

The only improvements which have taken place on this part of the road are those undertaken by Commissioners under the Act 3 Will. 4, chapter 37.

From Toronto, for about 18 miles, the road has been in part planked, and in part gravelled. Some bridges have been built, and some hills lowered. The tolls levied were in

1842.....	£1,918 15 5
1843.....	1,624 16 0
1844.....	1,486 19 3

Kingston and Napanee Road.

Again, at the other extremity, under Commissioners similarly authorised, the road between Napanee and Kingston, has been macadamized. The tolls levied on this road, were in

1842.....	£1,529 19 7
1843.....	1,707 3 10
1844.....	1,453 13 4

Rouge Hill.

Among the improvements required between Toronto and Kingston, the foremost is that of the “Rouge Hill,” which may be fairly said to present an absolute barrier to the communication of that section of country. Passengers by the mail are frequently obliged to walk, up and down it, to their knees in mud, and it is at very considerable risk (especially in frosty weather) that the empty stage can be got past it. The estimate for the necessary improvement of it, and of the bad places in its vicinity is £6,500.

Cost of improvement.

Bridge over the Moira at Belleville and over Salmon River at Shannonville.

At Belleville, the bridge over the Moira on this line, is in an impassable state. Some time back by order in Council, I had a plan and estimate prepared; the estimate amounts to £1,500. East of Belleville also at Shannonville a bridge is required over the Salmon river.

Kingston to Montreal.

KINGSTON TO MONTREAL.

Cascades Road completed.

The parts of this portion of the road which are improved are from the line between the former Provinces of Upper and Lower Canada to the Cascades Landing, the greater part of which, in the state of the navigation of the Saint Lawrence hitherto, was a portage road of considerable importance. The works of its drainage, forming and grading and the planking of that portion between the Coteau and the Cascades, are completed, and it only remains for the Legislature to fix and authorize the levying of tolls upon it. At the

Montreal end, about 9 miles have been macadamized under the Commissioners appointed by an order of the Special Council.

Appendix (A. A.)

1845.

The part most deserving of improvement is that between the Cascades and Saint Anns. Near to the former is a deep ravine, with a precipitous hill on each side of it; and the Bridge over it is in a very decayed and dangerous state. A few pounds have lately been expended in propping it up for the present, but it is entirely beyond repair, and cannot be considered safe after the winter. The portion of the road over the upper end of Isle Perrault is also very deserving of attention. It is the direct road between Canada East and West, on the close of the navigation and prior to the opening of it. It is in a very rough unformed state, and a very moderate sum would render it what it should be, as well as improve the Pass over the Ravine above alluded to.

Improvement required between Cascades and Saint Anns.

Road over the upper end of Isle Perrault requires repairs.

MONTREAL TO QUEBEC.

Montreal to Quebec.

At the Montreal end, the Road has been partly macadamized and partly planked to near the Bout-de-l'Isle, by Commissioners acting under the authority of the order of the Special Council just quoted.

The large and expensive Bridges over the Bayonne River, over the three branches of the Saint Maurice, over the Batiscan, and over the Sainte Anne de la Perade, are completed. What remains to be done, and is most deserving of notice, is,

Bridge over the Bayonne River.

The building of the three Bridges at the Bout-de-l'Isle, two of them over branches of the Ottawa, and the other over l'Assomption River. The reason why these Bridges have not been built is explained in my last report. The cost of constructing them upon the principle of their being carried by stone piers and abutments, and of having the main-bridge over the raft channel, (of 300 feet span,) a chain arch will be about £24,277 0 0, of which £9,777 0 0 is already provided and available, requiring, therefore, an additional sum of but £14,500 to effect the improvement.

Bout-de-l'Isle Bridges.

The Bridge at Jacques Cartier is also in a very dangerous state, and a new one is loudly called for, which should be built at about 300 yards more down stream than the present one, in order to avoid the precipitous and sliding hills which form the approach to it.

Bridge over Jacques Cartier.

The very steep approach to the Cap Rouge Bridge from Quebec, is also deserving of attention.

Cap Rouge Bridge.

The various works still required on this main line of Road, and which are enumerated in the foregoing, are not submitted with the expectation, that the Legislature would in the present state of the Finances of the Province, undertake the outlay consequent upon their general construction, but with the view of their selecting (if so disposed) those which may, in their estimation, be most necessary; and also with the desire of having them considered in connection with the very many projects, which will, no doubt, be brought under its notice during the present session.

Having thus concluded my Report upon the works of the Main Provincial Road from Quebec to Detroit, I shall now proceed to report upon the Main North Road from Toronto to Lake Huron, at Penetanguishene, connected with which in the appropriation, is the Coldwater Portage Road and Narrows Bridge. The two latter works have been finished. The former has been necessarily allowed to lie over for the decision of the Legislature, as the course proposed by the late Ministry to be taken with it, involved a necessity

Main North Road from Toronto to Lake Huron.

Appendix (A. A.) 1845.

Proposition for charge of the appropriation.

Port Dover Road. Caledonia Bridge.

Estimate exceeded.

for a change in the appropriation. The proposition to be submitted by them to the House for the completion of this highway, was to finish, from the part completed by the Commissioners to the Holland Landing, (in a manner corresponding with that of the remainder of this line to Toronto,) and from the landing to Barrie and Penetanguishene, to effect all that is absolutely necessary in drainage and formation, and the lowering of some hills. This was considered a better course than to leave the northern portion of the Yonge-street Road undone, and could be effected together with some improvements much required in the Holland River, to enable the steam-vessels to get up to the town plot; and also some dredging required at and above the Narrows Bridge, by an addition to the appropriation of but £6,500.

PORT DOVER ROAD.

The large bridge on the Grand River, at Caledonia, on the line of this road, is finished: the main frame of it has been cased in, capped, and white-washed, which will add considerably to the durability of the Bridge.

This road, although nearly finished, and quite available from Port Dover to the top of the mountain, the limits of the town of Hamilton, must, nevertheless, be considered as very imperfect. The descent of the mountain, in its present state, is such, as to form an insurmountable barrier to the traffic which would otherwise be established on this road, and of course must affect most injuriously the revenue to be derived from it; in fact until it is extended to the shipping place on Burlington Bay, the object for which it was undertaken, namely to be a direct Portage Road, from Lake to Lake, will not be accomplished. I wish, however, to be understood to mean only the making of the Road, from the top of the mountain to the town proper, and from it to the Landing, not including the streets. The sum necessary to complete the Road and build Toll-houses, is.....£ 6,500 0 0 The total amount expended has been. 36,731 5 10 Over expended..... 3,397 9 2

Out of this, the cost of the Caledonia Bridge, £3000, should be deducted, it not being included in the Dover Road originally.

From the foregoing statement it appears that the appropriation has fallen short of completing the road from Port Dover to the Town limits of Hamilton, by the sum of £3,397 9 2, notwithstanding that the strictest economy has been observed throughout; the superintendence having cost but a fraction over two per cent. I feel it due to myself and my department to mention here, that this appropriation was not based on any estimate furnished from this office; but in so stating, however, I do not mean to say that there will not be a few cases in which our estimates will fall short. Those cases will be confined to the smaller appropriations, and the over expenditure in these will be satisfactorily accounted for hereafter, and I have every confidence that the gross amount of the cost of all the works estimated for, under the several heads, will be covered by the aggregate amount of the appropriation made for them. I feel certain, moreover, when the extent and magnitude of the works are borne in mind, and the difficulties taken into consideration, which had, from the very beginning, to be encountered, owing to the riots and the delay consequent thereon, it will be admitted that the duties involved in their management and direction, have been well and truly discharged.

The effects of the construction of this road upon the improvement of the country, are already very apparent,

and are thus described by Mr. Shaw, the Superintendent:—

Appendix (A. A.) 1845.

Advantages of the Road.

“The Burlington Bay Canal being the only outlet from Burlington Bay to Lake Ontario, it necessarily follows that all the Roads leading to Hamilton, contribute more or less directly to its support; and in this respect the Dover Road will not be wanting, if we may judge from the rapid change in the features of the country, since its commencement. Prior to it, two small fields in the midst of the forest, half-way between Dover and Caledonia, a distance of 24 miles, were the only clearances that existed. The woods are now beginning to disappear, large fields are, in several places, fenced in, and crops of wheat are making their appearance in the heart of, what was twelve months ago, a trackless wilderness.”

For the probable amount of traffic on this Road, see Appendix, (Letter A.)

PORT STANLEY ROAD.

Upon this Road the Engineer reports,—“It is completed, and the inhabitants are deriving a great benefit from it, Toll free. When the Tolls are levied the Road will pay well and renew itself from the income when it is worn out. The blinding with sand answers admirably and makes this a most delightful Road. Some slides have taken place, and partial settlements in the newly formed embankments, which will be rectified before the close of the season. The Toll-houses are all built, and every thing is ready for the levying of Tolls.”

Port Stanley Road.

It may be well that I should here allude to a proposed work in this section of Country, which has several times been brought under the notice of Government. I mean the improvement of Otter Creek so as to render it navigable for Barges. The surveys and Reports which I have seen, describing the nature of this Creek and the facilities or otherwise of making it navigable, are so indefinite and so wholly unsatisfactory as to levels, &c., that I cannot presume to give any opinion in detail upon it; but I very much doubt that in dry seasons it would be found sufficient to supply any class of navigation. I passed across the bed of this Creek in the summer of 1843, and there was not then a single drop of water going down it: at all events, until sufficient means are furnished to construct the Harbour at Port Burwell, the consideration of the improvement of “the Otter” must be premature.

DUNNVILLE BRIDGE.

The duration of this Bridge, as reported by the Engineer, cannot be reckoned on for more than two years from this date; the stringers and all the principal framing of the Bridge being decayed, almost to the heart.

Dunnville Bridge.

THE KENNEBEC ROAD.

Many portions of this important High-road from Quebec to the State of Maine, &c., are in a very bad, almost impassable state. The part of it through the United States Territory has undergone much repair and is now in good order, which renders the repair of the Canada section the more necessary. The erection of a Bridge over the Etchemin is also highly desirable, whether as regards the convenience of those travelling by the Road on the South side of the St. Lawrence, or by the Gosford Road; or for the extension of the Kennebec Road, directly down to the Ferry, at New Liverpool.

Kennebec Road. Bridge required over the Etchemin.

Appendix  
(A. A.)

## THE GOSFORD ROAD.

1845.  
Gosford Road.

This Road is now fully opened and becoming daily a line of increased travel and importance; but unless some system for its maintenance and repair is devised, it will soon become impassable in several parts.

Although no other works immediately connected with the Eastern Townships, but those of the road I have just spoken of, have been authorised by the Legislature and constructed under this Department, the public attention which has lately been drawn to this section of Country, makes it necessary that I should refer to some of the projects which have, from time to time, been brought forward with a view of facilitating the intercourse with it, opening the communications through it, and thereby giving an impetus to its improvement and the development of its productive capabilities and resources.

Projects of improvement connected with Eastern Townships.

Among these projects may be mentioned generally, the building of some Bridges over its principal Rivers, the St. Francis, &c.; the improvement of the River Yamaska, with a view towards making it navigable; the construction of a Canal from Missisquoi Bay across to the River Richelieu, below the Isle-aux-Noix; the extension of the Planked Road from Chambly *via* St. Mary's, St. Cesaire, to Granby; the planking of the Road from near Stanbury upper mills, where the Road from St. Armand East intersects the Stanstead stage Road, on the nearest and most favorable course to Jones' Bridge on the Richelieu.

The works proposed mostly of a local nature.

From the nature of the navigations proposed, however useful they might be in their *immediate* vicinity, I cannot consider them as works likely to affect advantageously the interests of the Townships *generally* to any great extent; nor do I believe that the Revenue from them would be proportionate to their cost. The proposed improvement of the Road from Jones' Bridge on the Richelieu, mentioned above, would, I conceive, answer all the proposed purposes of the Missisquoi Canal, and would afford generally more advantages to that (the South-western) section of the Townships; still the benefits to be derived from it would be, comparatively, but very local.

Railway thro' the Eastern Townships to the Frontier.

It appears to me the greatest boon that could be conferred on the Townships, and from which the greatest amount of general Provincial good could be derived, would be the opening by railway of a main-highway from Montreal, the capital of the Province, as much through the centre of the Townships as its proper direction and the formation of the Country will allow, to the American frontier, there to fall in with such line of railway as may be adopted through to Boston.

Until the practicability of some such a work, its precise line, cost, &c., are ascertained, and the disposition of the Legislature, as to how far it would further this main work, is declared, I would not recommend the expending of money upon the several smaller and local works; for if the main trunk should be decided on, the nature and direction of all the minor works should be regulated by it.

## THE KEMPT AND GASPÉ ROAD.

Kempt and Gaspé Road.

The works on these Roads, for which the appropriation of £16,866 12s. 2d., currency, was made, have been all completed in a manner very satisfactory to this Board, and creditable to Mr. Russell, the Superintendent, who has displayed much judgment and skill in their management throughout.

I cannot better give a statement of what has been done on these Roads, and what is still required to meet

the wants of that section of the Country than by transcribing Mr. Russell's last Report of the 23rd November ultimo, in which are also contained some suggestions for the maintenance of the Road, very deserving of attention.

Appendix  
(A. A.)

1845.

"The works on which the appropriation of £15,000, sterling, has been expended, are—

Division of the work embraced in the appropriation.

"First.—The improvement of the Kempt Road 97 $\frac{1}{2}$  miles in length, commencing at Point au Snellez near Metis, on the South shore of the St. Lawrence, 204 miles below Quebec, and terminating at Cross Point on the Restigouche. Kempt Road.

"Second.—The opening and making of the Grand Nouvelle Road along the Restigouche, from the Kempt Road to Grand Nouvelle on the Baie des Chaleurs, 29 $\frac{1}{2}$  miles. Grand Nouvelle Road.

"Third.—Detached small works on the Baie des Chaleurs Road, between Grand Nouvelle and Port Daniel, viz., the making 1 $\frac{1}{2}$  miles of Road at Cascadia and 1 $\frac{1}{2}$  miles at Bonaventure. The building of Little Port Daniel Bridge; the rebuilding of McNeil's Bridge and the repairing of East Nouvelle Bridge. Works on the Bay of Chaleurs Road.

"Fourth.—The making of a Road from Port Daniel to Grand River, 25 $\frac{1}{2}$  miles in length. Road from Port Daniel to Grand River.

"Fifth.—The building of three Bridges between Grand River and Percé. Bridges between Grand River and Percé.

"The Kempt Road was formerly, with great difficulty, passable in the driest weather with carts very lightly loaded, for twenty-four miles at the north end. Eight miles of it also at the south end was passable for a cart; the remainder of it could be travelled on horseback, excepting twelve and a quarter miles where there was *no Road*, and a foot Passenger only could travel. Kempt Road.

"Though the money available for this Road was less than the half of what was calculated to complete it, by carefully distributing it in larger proportions on the worst places which are now the most perfect, and opening eighteen miles of new Road, it has been rendered *thoroughly passable* for wheel Carriages, and all the Rivers bridged in the most substantial manner.

"Of the Bridges built, that over the River Matapedia is two hundred and three feet long and twenty-one feet high; the one on the River Camsapscal is two hundred feet long and nineteen feet high; one on the River St. Pierre one hundred and thirty feet long and thirteen feet high; one on the River Assametquagan two hundred and seventy-four feet long and fourteen and a half high; and there is another, one hundred and fifteen feet long and nineteen feet high; besides which, there are thirty-four lower Bridges of from sixty to two hundred feet long. Bridges.

"Though this has been made much better than was contemplated for the means, still there are many parts of it where improvement would be highly advantageous, in forming it more thoroughly, and in making some alterations in the site to reduce ascents. To make this Road thoroughly good, of its present scale of dimensions, a further expenditure of £1224 6s. would be required. And also, as the sum of £750 was spent on the Road work of this line, more than was contemplated in the reduced estimate, for my guidance, the building of a Bridge over the River Metis (a) was necessarily omitted, which will pro-

(a.) Should a Road to Matanne be opened, this Bridge will be doubly useful, as it is essential to both Roads.

Appendix (A. A.)

Appendix (A. A.)

1845.

1845.

Grants of land recommended to settlers.

Road from Indian Mission to Grand Nouvelle.

Bridges.

Expenditure.

Cost per mile.

" bably require a further sum of £450; the total to complete this Road would be £1674 6s.

" The total expenditure out of the appropriation of £15,000 for this Road is £5514 18s. 0½d.

" As there are seventy-eight miles of this Road between the settlements where there are only two inhabitants, not only should the utmost encouragement be given to induce the settlement of it by giving Land in free Grants of Fifty Acres, (as is elsewhere done on other Roads where it is very much less required,) but it will be advisable to give £20 a year to induce some one to reside near the Assametquagan, Bridge, and as much for a settler near the Matapedia. Without this being done, there will be loss of life occasionally, should travelling increase much on this Road in winter, and the sum of £400 at least will be required every eight or ten years to remove the Bushes and wind-falls, if it be not done by settlers. Another urgent reason for such measures being immediately adopted, is, that this line, which is now thoroughly open to Halifax, (and is six miles shorter than the other mail route by Fredericton and St. John's,) is now and always will be the only safe route for the passage of Troops during war with the United States; but unless it be settled and kept beaten in winter, it will not be serviceable when required.

" The Road from the Indian Mission to Grand Nouvelle is twenty-nine and a quarter miles long. The opening of it has connected the Road along the Baie des Chaleurs with the Kempt Road. Previously there was no Road along the Canada side for the Mail or Travellers to Quebec; it was necessary to cross over into New Brunswick, and to re-cross again into Canada, which was not practicable at certain seasons, without difficulty and danger.

" This Road, which had to be made for twenty-eight miles, twenty-two and a half of which was through standing wood, has been thoroughly completed. It is crowned twenty-two feet in width, and substantial Bridges have been built over the Rivers and smaller Streams.

" Besides the Bridge over the River Grand Nouvelle, two hundred and eighty-two feet long and eighteen feet high, and that on the River Scamenac one hundred and thirty feet long and thirteen feet high; there is one of one hundred and sixty feet long and eleven feet high; another of one hundred and sixty feet long and eight feet high; and thirteen others from sixty to one hundred feet in length.

" The total expenditure for this Road is £3893 17s. 6½d., besides the sum of £10 given to assist in opening a Road from it to Dalhousie Ferry.

" This Road admits of very rapid travelling; since it has been opened, the distance from New Richmond to Cross Point, fifty-seven miles, has been occasionally performed with the same Horse and Carriage in one day.

" The rate of cost per mile (including local supervision) of this Road, without including the cost of the larger Bridges or of the surveying of the Line, is £105 13s. 11½d. Including the larger Bridges, Surveys and all Charges, it is £138 14s. 2½d., though Provisions and Labour are fifty per cent. higher here than in any other parts of the Province generally. Of this Road four miles more had to be made than was provided for in the original estimate, which, at an average cost of £109 13s. a mile, (being in

" woods,) gives additional work to the value of £436 5s.

" The detached works performed between Nouvelle and Port Daniel, are the making of 1¼ miles of Road near Cascapedia, chiefly through Indian Lands, cost £84 17s.

" The making of 1¼ miles of Road near Bonaventure, which was impassable, cost £117 10s. 6d.

" The building of a Bridge over the Little Port Daniel River, one hundred and sixty feet long and eighteen feet high, cost £127 1s. 6d.

" The repairing of East Nouvelle Bridge, three hundred and fifty-two feet long and twenty-four feet high, £39 1s.

" The rebuilding of McNeil's Bridge, one hundred and fifty feet long and thirty feet high, cost £64 4s. The total being £452 19s. 7d. or £13 7s. 5d. under the estimate, though the repair of the East Nouvelle Bridge was not provided for in it; and a more substantial and costly Bridge was built at Little Port Daniel than was provided for, making additional work to the value of £133 1s. 6d.

" The next work in succession is the Road from Port Daniel to Grand River, twenty-eight and a half miles in length.

" This Road connects the Counties of Gaspé and Bonaventure. Before it was opened, the County of Gaspé with a population of 6,000 souls had no Road to any other inhabited Country.

" The ground over which this Road passes presents every obstacle and source of expense in a very great degree, much of it being very rocky, swampy and uneven. It has been made as good a Road as can be without being macadamized, owing partly to the hard materials of which it is made. The width of crowning is twenty-two feet, and the Bridges are all built in the neatest and most substantial manner. The principal are—

" The Little Pabos Bridge	400 ft. long & 14½ ft. high	Bridges.
" Days Brook	234 "	13½ "
" L'Ance or Canard	124 "	13½ "
" L'Ance or Chaloupe	102 "	12½ "
" Fahres Brook	132 "	9 "
" Outlet	112 "	7½ "

" with six others from sixty to one hundred and ten feet in length.

" Of the 28½ miles of this road 19 were made through standing wood, and although the ground was so very difficult, the cost for road work, including small bridges, and the cost of local supervision, (omitting cost of survey) is £124 5 11 a mile; or, including the large bridges and survey (with fruitless explorations in the interior for a better line) the cost per mile is £176 2 9. The total cost of this road, including the local supervision of bridges near it, is £5079 19 0½.

" The works between Grand River and Percé, are—

" The building of a very substantial bridge at Broche a meuson 183 feet long and 18 high, and the making of road at each end to the extent of 36 chains, with heavy side cutting and rock excavation 7 feet deep, cost £186 1 6. This stream was formerly a great obstacle, being fordable only at low water.

Works between Nouvelle and Port Daniel

Road from Port Daniel to Grand River.

Effects of the improvement.

Bridges.

Cost per mile.

Works between Grand River and Percé.

Appendix (A. A.)

1845.

Bridge over Little River.

" The building of a bridge over Little River, which was also a great obstacle ; the passage in high floods being often dangerous and impracticable and the ice not to be depended upon in winter. The bridge is 113 feet long and 13½ feet high, and there was a quarter of a mile of road made to give access to it, the cost is £109 3 0.

Bridge over l'Ance-à-Beaufils.

" The building of a bridge over l'Ance-à-Beaufils stream 514 feet long and 14 in greatest height from the bottom, £169 10.

Total cost.

" The total cost of these works is £464 11 9, making a total expenditure on these several works of £15,416 5 11½.

" To which add—

" Value of iron work on hand for Metis bridge. 37 3 0

" Expenses of explorations for Gaspé Bassin and Matanne road..... 49 0 9

" Legal expenses, &c... 10 3 5

96 7 2

£15,512 13 1½

" Add also—

" Amount of my salary charged for surperintendence from 1st May 1842 to 31st May 1844 730 11 0

" Less, part of it covered by discount received from merchants on supplies furnished at my risk..... 206 2 11

524 8 1

£16,037 1 2½

" Add other charges—

" Postage on remittances of money from Quebec. 78 3 6½

" Do of Letters and Accounts..... 50 13 10

" Printing..... 38 16 0

" Stationery ..... 22 14 7½

" Office rent..... 21 0 0

" Expenses of auctions.. 34 19 7

" Travelling expenses from 1st May 1842 to 1st November 1844..... 332 6 8

599 16 5

" Less, proceeds of camp equipage sold..... 5 18 0

593 18 5

" Total charge against the appropriation on account of expenditure by me..... £16,630 19 7½

Explanation of charges.

" Several of the charges above are large owing to circumstances peculiar to the service ; postage on

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money, explains itself ; printing and stationery is a large item owing to the work having been taken in upwards of 300 small contracts ; the consumption of fuel and candles was increased by the necessity of working much during the night in a cold building ; my travelling charges were also great, owing to the works occupying an extent of 250 miles in a country where travelling and all other things are expensive.

" The result of the foregoing expenditure is that by the opening through and improvements of the Kempt road 97¾ miles in length and the making of 60 miles of new road along the Baie des Chaleurs, in separate places, the communication is open in summer for carriages from Quebec by the Kempt Road to Halifax and also to Percé ; though some parts of the Kempt Road from being hilly and uneven do not admit of so rapid travelling as on more level ground, and sections more perfectly made ; and there are some parts of the previously existing roads in the settlements that require improvements, viz, 4 miles of rough road near Percé, and an unmade piece near Port Daniel, and some parts at Black Cape.

Advantages of the improvement.

Repairs still required.

" There are also some decayed bridges on the Baie des Chaleurs road ; the most dangerous are, Kenmore bridge above Grand Cascapedia, which, with a repair of £30 would last seven years, and the bridge over Caplin River which would cost £69 to renew it. It will soon obstruct the communication, being too large for the inhabitants to build.

Certain Bridges requiring repairs.

" The obstacles between Quebec and Percé are, in the order of succession, as follows—

Obstacles between Quebec and Percé.

" The River Rimouski, which would require a bridge of 645 feet in length ; probable cost £1422 18 1. It is fordable at low water.

" The River Metis requiring a bridge of 360 feet in length ; probable cost £450.

" The River Grand Cascapedia a Ferry of 2040 feet ; it is not fordable at low water : a bridge a little above the Ferry would cost about £1800.

" The River Little Cascapedia, a Ferry of 2100 feet ; fordable at one third tide : a bridge on it would cost £1700, on loaded trestles.

" The River Grand Bonaventure, a Ferry of 2400 feet ; fordable above at low tide : a bridge above the Ford would cost £1500.

" The Great Port Daniel River, a Ferry of 200 feet ; fordable outward at low tide : a bridge within the mouth 500 feet in length, would cost £700, or less, if on trestles.

" The River Grand Pabos, a Ferry of 736 feet, deep with a strong current out and in, not fordable.

" Grand River 330 feet wide at village not fordable, would require a bridge 440 feet long ; cost £550 on loaded trestles, with a grillage under, fixed with piles to the bottom.

" The objects, to which a further expenditure might be advantageously devoted, are, in the order of their importance, or eligibility on account of expense, compared with their utility, as follows—

Objects recommended for further expenditure.

" 1. The making of a road from Percé to Gaspé Bassin and Indian Cone, cost on smallest scale 52½ miles.... £5649 14 7

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" 2. The construction of a road from Metis to Matanne 22½ miles.....	2611	2	9
" 3. Do. of a road from Little River Restigouche, to the mouth of the Matapedia by the Flat lands—half of it to be made, 6½ miles.....	631	10	9
" 4. The building of a bridge over the River Metis.....	450	0	0
" 5. Do. River Rimouski.....	1443	10	1
" 6. Repair of Kenmore bridge.....	30	0	0
" 7. Rebuilding Caplin bridge.....	69	0	0
" 8. Building a bridge on Great Bonaventure.....	1376	8	2
" 9. Port Daniel do .....	700	0	0
" 10. Bridge over Grand River.....	550	0	0
" 11. Repair of road near Percé.....	362	13	10
" 12. Building a bridge over Little Cascapedia.....	1700	0	0
" 13. Do. Great Cascapedia.....	1800	0	0

the land is good and granted. From the Matanne settlement, in which is a population of about five hundred souls, there is no Road; and beyond the Matanne settlement are some new Townships with excellent Roads.

GROSSE ISLE.

I know of no work in the Province more required than the construction of a substantial Pier at which emigrant vessels can, on their arrival at the Quarantine Station, lie alongside.

The majority of the immigrants who are usually obliged to be landed here, are the old and infirm, or helpless females, or young children; and owing to the exposed and rocky nature of the shore, and there being no convenience whatever for landing, they are sometimes landed at the risk of life, but are always subject to be drenched when the Sea is at all rough. A substantial Pier, capable of withstanding the run of the ice and the effects of storms, built in a depth to allow the vessels to lie alongside at low water, having a convenient mode of landing at any time of the tide, and in connection with the shore, which could be withdrawn during the winter, I estimate would cost £2750 currency.

CHAMBLY CANAL.

The trade through this Canal for the past year has been but very little; a Schedule thereof is given in the Appendix (Letter T).

This is attributed by those connected with the trade, first, to some of the rates being too high; and secondly, and chiefly, to the defective state of the navigation below the Canal, now in course of being improved by the works at Saint Ours.

Prior to the rates being fixed on, the Board of Trade of Quebec were consulted on the subject, and the tariff furnished by them, was adopted, except in a few items, which were fixed at lower rates, than those suggested by them. The tariff however should be revised when the subject of tolls upon public works generally is taken into consideration.

To remove some deposits and cover the cost of sundry small repairs, prior to the opening of the navigation, the sum of about £250 will be required. Letter V. (see Appendix) is a Schedule of the outstanding claims against this work.

GRAND RIVER NAVIGATION.

This navigation is so intimately connected with the Welland Canal, that it may fairly be considered forming part of it. The Bridge over the Grand River at Cayuga, about sixteen miles above Dunnville, (the head of the present Feeder to the Welland Canal) is considered the line of division between the Welland Canal and the Grand River navigation. On this portion of the River a certain expenditure has been incurred, in connection with the works of the Welland Canal, in forming a tow-path, in deepening sundry parts, and in excavating sundry projecting points which impeded the navigation.

From Cayuga to Brantford, (44 miles,) the works have been undertaken by a chartered company, under the title of the "Grand River Navigation Company."

The total stock originally subscribed for, amounts to £47,412 0 0, of which £38,256 belong to the Six Nations Indians.

"The first items are very important compared with the last.

"Trusting that the foregoing list of work will be considered merely as a comparison and not as a presumptuous suggestion,

"I remain &c.,

(Signed) "A. J. RUSSELL,  
"Superintendent."

In a subsequent Report, Mr. Russell, in speaking of the Rimouski and Bonaventure Bridges, states that both would be of inferior utility to the Roads classed before them in the above Schedule, and even less so in proportion to their cost, than a Bridge over the Metis, which could be built at one-third of the expense of either.

From the foregoing, it will be seen that the extension of the Gaspé Road from Percé Point to Gaspé Basin, where the chief settlement of the District is, would be of great importance.

METIS ROAD.

By this denomination is meant a Road from the mouth of the River Metis (which is at the beginning of the Kempt Road,) along the South shore of the Saint Lawrence to the River Matanne, a distance of twenty-nine and a quarter miles, a survey and examination of which have been made by direction of the Executive.

From Metis to where the settlement called Little Metis joins the Township of McNider, (seven and a half miles) a Road has already been made; to make a Road thence to the River Matanne, twenty-one and a half miles, with the necessary Bridges, &c. would cost £2666 2 9, with the exception of a small portion between the River Tartigouche and the Little Blanche,

Metis Bridge.

Metis Road.

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Up to the period of Mr. Barrett's In- spection, the sum expended was.....	£49,139	0	0
By Mr. Barrett's Report, to finish the portion in progress near Brantford, would require.....	13,568	9	0
To pay damages connected with this part of the work .....	3,546	0	0
Amount required by Mr. Barrett's estimate to remove sundry shoals and effect certain improvements, so as to insure 3' 6" navigable depth of water—to rebuild lock at Indiana, and for other works indispensable to put the navigation in an efficient state..	13,948	13	0
	<hr/>		
	£80,202	2	0
	<hr/>		

As the attention of the Executive has of late been repeatedly drawn to this work, with the view of recommending to the Legislature the taking of it up, as a Provincial one, I think it advisable to give Mr. Barrett's detailed Report on it. See Appendix (Letter W.)

From this Report it will be seen in what an inefficient manner these works have been constructed, and the very defective state the navigation is now in; one of the Locks requiring to be rebuilt immediately; the walls of several of the others already overhanging, &c. &c.

Mr. Barrett's estimate for the Brant- ford portion of the work, including damages is.....	£24,013	0	0
Mr. Jackson's original estimate for this work, (including damages) was.	20,424	1	4
	<hr/>		
After an expenditure of.....	6,899	0	0
The estimate for its completion was.	12,626	0	0
Add damages awarded.....	3,546	0	0
	<hr/>		
	£23,071	0	0
	<hr/>		

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PUBLIC BUILDINGS.

Arrangements have lately been made under the sanction of His Excellency the Governor General in Council, by which the charge and maintenance of the several Legislative and other Buildings at Quebec, (not including the Gaol and Court House) are assumed by the Mayor and Corporation of that City; and all the cost of assessments, insurance, annual repairs, &c., is to be borne by them. The Buildings of course to be resumed by the Government at any time they may be required for public purposes.

The same arrangement has also been made with the Corporation of Toronto, and will, in both cases, be productive of much economy. Heretofore the Province has had to pay the cost of the several contractors, of fuel for the airing of the Buildings, and of their insurance, assessments, &c.

With respect to another class of Public Buildings, the Gaols and Court Houses, it is much to be regretted that generally their plans do not afford the requisites which such Buildings should possess, particularly the Gaols, and especially those of the Eastern part of the Province.

Their construction also, has been so very imperfect, that large sums annually are unavoidably expended in repairs; and it is not possible, at any expenditure, to amend some of the present Buildings, so that they shall afford the power of classification, ventilation, &c. &c., which the interests of society and due regard to the health of the prisoners imperatively require.

I have the honor to be,

Sir,

Your most obedient Servant,

HAMILTON H. KILLALY,  
*President Board of Works.*

To the Honorable  
the Provincial Secretary.



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## S T A T E M E N T

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SHewing the Monies expended upon each of the Public Works, since the date of the Accounts which accompanied the Report presented to for the last Session of the Legislature, up to the termination of the half year ending on the first day of July, 1844; shewing also, the total amounts expended upon each Work up to that period.

WORKS.	Expended up to 1st September, 1843.			Expended from 1st September, 1843, to 1st July, 1844.			Total Expenditure from the com- mencement of the Work up to the 1st July, 1844.		
	£	s.	d.	£	s.	d.	£	s.	d.
Welland Canal.....	129562	12	0	109433	2	10	238995	14	10
<i>St. Lawrence Canals, viz:</i>									
Prescott to Dickenson's Landing.....	243	4	0	13247	15	4	13490	19	4
Cornwall (to the time of opening the Canal in June, 1843)....	57110	4	2	..	..	..	57110	4	2
Cornwall (to repair Breaks in the Banks since the above period).....	5102	18	9	4822	17	7	9925	16	4
Beauharnois.....	68856	13	0	93425	6	5	162281	19	5
Machine.....	16109	12	11	29300	18	3	45410	11	2
Expenditure on Dredge, Outfit, &c. applicable to the forego- ing in common.....	1134	7	0	3328	9	3	4462	16	3
Lake St. Peter.....	18503	14	2	14289	15	1	32893	19	3
Burlington Bay Canal.....	4124	8	10	14415	2	4	18539	11	2
Hamilton and Dover Road.....	14014	8	2	16030	8	3	30044	16	5
<i>Newcastle District, viz:</i>									
Scugog Lock and Dam.....	3206	9	0	3438	19	1	6645	8	1
Whitlas Lock and Dam.....	5897	3	7	204	4	4	6101	7	11
Crooks Lock and Dam.....	4970	17	9	2878	11	9	7849	9	6
Heely's Falls.....	792	2	11	7399	2	2	8191	5	1
Middle Falls.....	..	..	..	219	2	8	219	2	8
Banney's Falls.....	..	..	..	228	6	8	228	6	8
Clisholm's Rapids.....	3608	16	2	3990	17	10	7599	14	0
Harris' Rapids.....	121	5	0	1470	4	6	1591	9	6
Removing sundry Impediments in the River.....	170	17	6	14	19	6	185	17	0
Port Hope and Rice Lake Road.....	805	1	7	634	14	9	1439	16	4
Hobcaygean, Buckhorn and Crooks Rapids.....	..	..	..	12	0	0	12	0	0
✓ Applicable to the foregoing Works generally.....	2534	3	1	4139	18	1	6674	1	2
<i>Harbours and Light Houses and Roads leading thereto.</i>									
Windsor Harbor.....	5057	4	2	10298	14	1	15355	18	3
Cobourg Harbor.....	9716	16	10	664	9	5	10381	6	3
Port Dover.....	367	7	0	2754	3	4	3121	10	4
Long Point Light House and Light Ship.....	1317	17	1	845	11	4	2163	8	5
Burwell Harbor and Road.....	136	10	0	..	..	..	136	10	0
Scugog Road.....	..	..	..	1202	6	3	1202	6	3
Port Stanley.....	12351	14	4	3890	16	6	16242	10	10
Rondeau Harbor, Road and Light House.....	..	..	..	60	4	2	60	4	2
Port Stanley Road.....	12329	2	1	12055	11	4	24385	13	5
Expenditure on outfit, &c., applicable to the foregoing in com- mon.....	176	16	7	2151	17	0	2328	13	7
River Ottawa.....	6867	0	11	28736	12	7	35603	13	6
Bay of Chaleurs Road.....	9889	4	0	5887	12	11	15726	16	11
Gosford Road.....	9814	11	1	936	19	9	10801	10	10
Main North Toronto Road.....	179	1	3	507	18	1	686	19	4
Bridges between Montreal and Quebec.....	13900	0	0	6960	19	11	20860	19	11
Cascades Road.....	6056	1	4	7231	18	2	13287	19	6
London and Sarnia Road.....	11855	10	5	7981	15	6	19837	5	11
London and Brantford Road.....	12550	13	10	23632	4	7	36182	18	5
London and Chatham, Sandwich and Amherstburgh Road..	3376	6	9	9412	13	4	12789	0	1
River Richelieu.....	50	0	9	42	3	3	92	4	0

Certified to be a true Abstract of the Accounts of the Board of Works.

THOMAS A. BEGLY,

Sec. Board Works.

HAMILTON H. KILLALY,

President Board Works.

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APPENDIX  
TO  
**R E P O R T .**

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## LIST OF DOCUMENTS

CONTAINED IN THE

## APPENDIX TO THE FOREGOING REPORT.

- Letter **A.**—Schedule shewing the probable present amount of Travel on certain Roads.
- “ **B.**—Schedule shewing the present, and the proposed Rates of Tolls on Public Works.
- “ **C.**—Schedule shewing the several portions of Roads made under former Commissioners, and now proposed to be assumed by the Government, as forming part of the main Provincial Road.
- “ **D.**—Schedule shewing the amount and description of property passed through the Welland Canal, in the years 1843 and 1844.
- “ **E.**—Schedule shewing the receipts on the Lachine Canal, 1844.
- “ **F.**—Chart of Lake Saint Peter.
- “ **G.**—Section of the direct Channel through Lake Saint Peter.
- “ **H.**—Report of Mr. Walton on the Road from Hull to Grenville.
- “ **I.**—Report of Mr. Walton on the Road from Bytown to L'Original.
- “ **K.**—Plan of the Burlington Bay Canal, shewing the position of the old and new Works.
- “ **L.**—Schedule of claims against the late Commissioners for the improvement of the River Trent.
- “ **M.**—Schedule of claims against the late Commissioners for the improvement of the River Trent and inland waters of the Newcastle District, unsettled.
- “ **N.**—Schedule of the Lumber run down the River Trent 1844, with an estimate of that which will pass in 1845.
- “ **O.**—Extract from Report of Mr. Wilson, Overseer of the Works of the Trent, &c.
- “ **P.**—Report of Mr. Lyons, the Superintendent of the Works of the Trent and Newcastle District.
- “ **Q.**—Report of Mr. Gzowski on Port Stanley, &c.
- “ **R.**—Schedule of the Imports and Exports of the Port of Dundas 1843 and 1844.
- “ **S.**—General Schedule of Works and materials enumerated in the accompanying Report as being required.
- “ **T.**—Schedule shewing the amount and description of Property passed through the Chambly Canal, 1844.
- “ **U.**—Schedule shewing the Lockage Levels, &c. on the Route from Three-Rivers to Lake Huron, by the River Saint Lawrence, contrasted with those between the same points, by the Ottawa, Rideau Canal, Trent, Lake Simcoe, and River Severn.
- “ **V.**—Schedule of outstanding claims on the Chambly Canal.
- “ **W.**—Report of Mr. Barrett on the Grand River Navigation.

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## APPENDIX LETTER A.

## No. 1.

SIR,

In accordance with your instructions of 6th January, to report on the Amount of Revenue which may reasonably be calculated upon, and the cost of maintaining the different improvements placed under my charge, I beg leave most respectfully to make the following Report:—

I have employed persons to keep correctly the extent of Travel passing and repassing the places where I would recommend the erection of Gates, and required them to make their return under oath, so as to be sure of their accuracy.

It was out of my power to have persons on all the different Roads, and at each place where a Gate should be erected; but to be sure not to over estimate the revenue of a Gate to be erected at a point where there was no check kept of the travel, I placed the persons at points where the travel is less, and call the value (in my estimate) of the Gate the same as the one at which we have a data for calculating.

In making the calculations for the amount of revenue on each Road, I adopted the following plan:—

First, I assumed certain rates of Tolls at each Gate, which will be found annexed to the Schedule of Travel on each Road.

Second, I allowed that a team should only pay once in the same day.

Third, That there should be no Tolls charged on Sundays.

I then added the different descriptions of travel, each kind by itself, and by dividing it by the number of days during which it was kept, I obtain the average

per diem; then I allow that one half of the travel returns the same day (on which point I am satisfied that I am over instead of under what is actually the case,) and taking the remaining half of each kind of travel, I multiply it by the different rates of Tolls proposed to be charged at each Gate, and that amount by 313 days, which gives me the probable revenue of each Gate for the year.

In another Schedule I have made an abstract of the revenue on each work under my charge distinctly, with the cost of the road, the amount that I think will be necessary for maintaining that Road (per mile, and entire) in good repair, and lastly *the per cent that the revenue will bring upon the cost of the Road.*

In another Schedule I have placed the value of Tolls I would respectfully recommend to be charged at each Gate, on the different Roads and Bridges, and my views as to cost of collection, &c. &c.

On the Revenue of Roads, that are now in progress, I am not prepared to report satisfactorily: they are the Chatham and Rond 'Eau Road; Chatham, Maidstone Cross and Amherstburg Road; and the Maidstone Cross and Sandwich Road.

The Rond 'Eau Road however, I have no hesitation in saying will pay well, as it will be in my opinion the only channel for export in that section of the country.

On the revenue of the Port Stanley Harbour, I cannot report as to the exact amount, but judging from the report of the Collector, Mr. Smith, it will amount to a large sum during the next year.

Attached to the Schedule Nos. 2 & 3 are some remarks and recommendations which are most respectfully submitted by,

Sir,

Your very obedient Servant,

(Signed)

C. S. GZOWSKI,

Engineer.

THOS. A. BEGLY, Esq.,  
Secretary Board of Works,  
Kingston.

ROAD OFFICE LONDON,  
18th March, 1844.

APPENDIX LETTER A. No. 2,

SHewing the Average Travel on the London and Chatham Road, as calculated from Returns thereof, kept from the 29th January to 24th February, 1844,—also, the probable Revenue therefrom, the Rates being the same as those on the London and Brantford Road, but the Gates to be Ten Miles asunder instead of Six.

Statement of Travel passing and repassing on the London and Chatham Road, from 29th January to 24th February, 1844.															RATE OF TOLLS RECOMMENDED.										Value of each Gate, calculated as stated in the Report Letter A. No. 1. shewing the kind of Travel, average of each per Diem, per Year, Rate of Tolls, value of each kind of Travel per Year, and value of each Gate.				REMARKS.													
DATE.	At Delaware.					At Wardsville.					At Louisville.					Exceeding 4 Horses, &c.	4 Horses, &c.	2 Horses, &c.	1 Horse, &c.	Saddle Horses.	2 Oxen and Cart.	Each extra Yoke Oxen.	2 Horse Cart.	1 Horse Cart.	Horses.	Cow, Ox or Colt without shoes.	Each Sheep or Pig.	Gates where to be placed.		Description of Travel.	Average No. of each kind of paying Teams per diem.	Average No. of paying Teams per year.	Rate of Tolls proposed to be charged.	Value of each kind of Travel per year.			Value of each Gate per year.					
	4 Horse Wagons.	2 Horse Wagons.	1 Horse Wagons.	Horsemen.	Cattle, &c.	4 Horse Wagons.	2 Horse Wagons.	1 Horse Wagons.	Horsemen.	Cattle, &c.	4 Horse Wagons.	2 Horse Wagons.	1 Horse Wagons.	Horsemen.	Cattle, &c.														£					s.	d.	£	s.	d.				
January 29	2	16	5	22	1	2	28	5	3	13	5	65	26	8	9	1	9	6	4	2	4	2	6	4	1	½	¼	At Delaware Bridge..	4 Horses....	1½	469	9	17	11	9							
" 30	2	34	18	6	26	4	42	9	8	4	3	50	24	7	7														2 Horses....	12½	3756	6	94	17	6							
" 31	2	31	16	4	2	4	34	7	8	..	2	60	9	6	7														1 Horse....	5½	1565	4	26	1	8							
February 1	3	30	9	6	3	5	24	6	8	..	3	58	12	8	8														Horsemen..	4½	1512	2	12	12	0							
" 2	1	21	12	20	1	5	45	5	5	2	2	55	23	5	6														Cattle, &c..	2½	886	½	1	16	11				152	19	10	From the data.
" 3	2	23	11	15	1	21	10	7	6	..	3	91	14	6	6	1	9	6	4	2	4	2	6	4	1	½	¼	Near Millers in Ekfrid	4 Horses....	1½	469	9	17	11	9							
" 5	4	16	13	6	..	2	29	8	21	..	2	89	14	2	5														2 Horses....	13½	4147	6	103	13	6							
" 6	2	36	13	8	..	2	30	6	7	4	2	79	24	3	6														1 Horse....	2½	886	4	14	15	4							
" 7	1	26	7	9	1	4	35	7	4	17	2	73	32	5	5														Horsemen..	3	939	2	7	16	6							
" 8	1	31	12	5	2	4	20	3	0	2	2	57	21	11	11														Cattle, &c..	2½	834	½	1	14	9				145	11	10	Estimated same as Wardsville.
" 9	1	20	6	2	16	2	37	11	8	..	2	60	24	1	1	1	9	6	4	2	4	2	6	4	1	½	¼	At Wardsville.....	4 Horses....	1½	469	9	17	11	9							
" 10	2	32	18	12	2	2	40	12	2	..	2	60	33	6	8														2 Horses....	13½	4147	6	103	13	6							
" 12	4	20	24	7	1	2	31	6	2	..	2	55	18	7	7														1 Horse....	2½	886	4	14	15	4							
" 13	2	21	16	10	57	2	34	5	5	..	2	48	14	4	4														Horsemen..	3	939	2	7	16	6							
" 11	3	17	6	8	2	2	20	2	3	9	2	40	16	14	14														Cattle, &c..	2½	834	½	1	14	9				145	11	10	From the data.
" 15	1	19	8	20	3	2	13	6	1	59	2	55	15	9	9	1	9	6	4	2	4	2	6	4	1	½	¼	At Freeman's Inn....	4 Horses....	1½	469	9	17	11	9							
" 16	1	26	14	9	..	2	16	1	4	2	2	60	15	9	10														2 Horses....	13½	4147	6	103	13	6							
" 17	1	35	10	5	11	2	28	9	5	3	2	50	20	5	7														1 Horse....	2½	886	4	14	15	4							
" 19	3	40	8	6	5	3	44	8	4	..	2	64	23	7	7														Horsemen..	3	939	2	7	16	6							
" 20	4	34	9	8	2	2	22	3	8	..	2	67	13	15	15														Cattle, &c..	2½	834	½	1	14	9				145	11	10	Estimated same as Wardsville.
" 21	2	14	..	11	..	4	14	3	9	4	2	42	9	6	6	1	9	6	4	2	4	2	6	4	1	½	¼	Near Louisville.....	4 Horses....	1½	352	9	13	4	0							
" 22	2	23	..	11	1	3	14	2	9	..	2	63	18	12	12														2 Horses....	29½	9311	6	232	15	6							
" 23	3	9	1	10	..	6	11	2	1	..	2	40	4	19	19														1 Horse....	8½	2777	4	46	5	8							
" 24	..	5	2	12	..	4	6	..	8	..	2	21	5	8	8														Horsemen..	3½	1173	2	9	15	6							
"																													Cattle, &c..	4½	1278	½	2	13	3							
Total Travel.	49	579	238	232	137	75	638	136	140	123	54	1411	426	183	197																								304	13	11	From the data.
No. of each kind of paying Travel per Diem...	24½	289½	119	116	68½	37½	319	68	73	62½	27	705½	213	91½	98½	1	9	6	4	2	4	2	6	4	1	½	¼	Chatham Bridge.....											210	0	0	
	1½	12½	5½	4½	2½	1½	13½	2½	3	2½	1½	20½	8½	3½	4½														Total amount of Tolls that will be received during one year on the London and Chatham Road.....										1104	9	3	

ROAD OFFICE, LONDON,  
18th March, 1844.

(Signed) C. S. GZOWSKI,  
Engineer.

Appendix (A. A.)

APPENDIX LETTER A. No. 3,

SHewing the Average Travel on the London and Port Sarnia Road, as calculated from Returns thereof, kept from the 2d January to 24th February, 1844.—Also, the probable Revenue therefrom, the rates being the same as those on the London and Brantford Road, but the Gates to be 10 miles asunder instead of 6.

Statement of Travel passing and repassing on the London and Port Sarnia Road, from 2d January to 24th February, 1844. RATE OF TOLLS RECOMMENDED. Value of each Gate, calculated as stated in the Report Letter A. No. 1, shewing the kind of Travel, average of each per diem, per year, rate of Tolls, value of each kind of travel per year, and value of each Gate.

ROAD OFFICE, LONDON, 18th March, 1844.

(Signed) C. S. GZOWSKI, Engineer.



Appendix (A. A.)

APPENDIX LETTER A, No. 5,

SHewing the Average Travel on the London and Brantford Road, as calculated from Returns thereof kept from the 13th January to the 16th March 1844; also the probable Revenue thereof, at the Rates shewn in the Schedule and calculated on the principles stated in the Report, Letter A, No. 1.

STATEMENT OF TRAVEL, PASSING AND REPASSING ON THE LONDON AND BRANTFORD ROAD, FROM 13th JANUARY TO 16th MARCH, 1844.

RATE OF TOLLS RECOMMENDED.

VALUE OF EACH GATE, CALCULATED AS STATED IN THE REPORT, LETTER A, No. 1, SHewing THE KIND OF TRAVEL, AVERAGE OF EACH PER DIEM, PER YEAR, RATE OF TOLLS, VALUE OF EACH KIND OF TRAVEL PER YEAR, AND VALUE OF EACH GATE.

Main data table with columns for location (e.g., AT NEW-MARKET INN, AT NORTON'S INN), date, mode of transport (e.g., 4 Horse Wagons, Riders), and toll values for various gates (e.g., NEW-MARKET INN, NORTON'S INN, PUTNAM'S MILLS).

Road Office, London, 13th March, 1844.

C. S. GZOWSKI



APPENDIX LETTER A,

No. 6,

Being an Abstract of Letter A. 2, 3, 4 and 5, shewing the cost of each Road and of certain Bridges, cost of Repairs for 1845, and the probable amount of revenue from each.

Name of Road, &c.	Cost of completion.	Amount per mile required to keep it in good repair for one year.	Total amount of repairs on the entire Road for one year.	Gross amount of Revenue collected on the Road for one year.	The per centage that the Revenue, without deducting repairs, will bring on the original cost of the Work.	Remarks.
London and Port Stanley Road.	£ s. d. 27894 17 7	£ s. d. 7 10 0	£ s. d. 191 5 0	£ s. d. 2337 6 1	8 $\frac{27}{100}$ p. cent.	
London and Brantford Road...	47339 19 4	38 $\frac{1}{2}$ miles at 7 10 0 19 miles at 25 0 0	763 15 0	3041 2 3	6 $\frac{42}{100}$ do.	38 $\frac{1}{2}$ miles planked, 19 miles macadamized Road.
London and Chatham Road...	15769 18 0	7 10 0	450 0 0	1104 18 3	7 do.	
London and Port Sarnia Road..	16484 4 0	7 10 0	302 10 0	1087 11 6	6 $\frac{52}{100}$ do.	
Brantford Bridge.....	1426 0 0	None during the coming year.	.....	250 0 0	17 $\frac{3}{100}$ do.	
Paris Bridge.....	1200 0 0	None during the coming year.	.....	140 0 0	11 $\frac{66}{100}$ do.	
Chatham Bridge.....	1450 0 0	150 0 0	150 0 0	210 0 0	14 $\frac{2}{100}$ do.	Allowed for repairs after constructed £225 0 0.

LONDON AND PORT STANLEY ROAD.

In estimating the repairs of this Road, I merely estimated the labour of keeping the drainage of the Road perfect, and superintendence; the plank when properly laid will not require any repairs during the first year.

LONDON AND BRANTFORD ROAD.

In estimating the repairs of this Road, I allowed that the repairs of the macadamized portion of it during the first year will be equal to one man to two miles constantly employed, the remaining sum will be used in obtaining additional materials for filling up ruts, and superintendence. The Tolls of the Brantford Bridge are included in the receipts of Tolls on the Road.

LONDON AND CHATHAM ROAD.

In estimating the repairs of this Road, I added a sufficient sum per mile for the filling up and repairing the embankments which will be necessary the first year. The Tolls collected at the Chatham Bridge are included in the receipts of Tolls on the Road.

LONDON AND PORT SARNIA ROAD.

The Tolls on this Road will increase materially, after it is completed; the repairs of the Road will be very slight during the first year.

BRANTFORD BRIDGE.

I could not ascertain the exact amount expended in repairs on the Brantford Bridge, there being no regular account kept of it.

PARIS BRIDGE.

I could not ascertain the exact amount expended in repairs on this Bridge, no account being kept of them.

CHATHAM BRIDGE

Will require £150 0 0 of repairs this year, which will put it in good condition for two or three years; the amount allowed for repairs since it was constructed is £225 0 0.

THE LONDON BRIDGE.

I included the Tolls that will be received for crossing the Bridge in the Tolls for the Sarnia Road, but the gate must be erected at the proof line of London; if not, there will be but a trifling Toll collected; as I fear that the people would avoid it by continuing on the proof line to London.

THE DELAWARE BRIDGE.

I included the Tolls that will be received for crossing this Bridge in the Tolls for the Chatham Road. The Toll for the Bridge alone will bear the following proportion:—

The cost of the Bridge was £1,701 14 10, amount of Tolls received £153 8 10, equal to 9  $\frac{10}{100}$  on the original cost of the Bridge.

(Signed)

C. S. GZOWSKI,  
Engineer.

## APPENDIX LETTER A,

## No. 7,

Shewing the average Travel on that part of the Dover and Hamilton Road between the Grand River and Hamilton, as calculated from returns thereof kept for the month of March, 1844. Also, the probable Revenue to be derived therefrom, the Rates being the same as those on the Hamilton and Brantford Road, and collected on the same principles.

The average Travel along the end of the Road towards Hamilton is 126 teams of 2 horses, and 12 saddle horses per day, but it is presumed that this average would only hold good during six months of the year, and that it should be reduced one-third to get a fair average for the other six months. It is also supposed that the whole of these teams would only pass through one gate, two-thirds through the second gate and one-third through the third gate, and that upon Sundays the travel should go free. According to this data the estimated Revenue that may be derived from the part of the Road between Hamilton and Caledonia, will be as follows :—

126 teams of two horses passing the first gate at 6d. each for one year, deducting					
	Sundays, 313 days,.....				£985 19 0
84 teams	do. do. do.	do.	second gate, 313 days at 6d.....		657 6 0
42 do.	do. do. do.	do.	third gate, 313 days at 6d.....		328 13 0
12 saddle horses passing through the first gate, 313 days at 2d.....					31 6 0
8 do.	do. do.		second gate, 313 days at 2d.....		20 17 4
4 do.	do. do.		third gate, 313 days at 2d.....		10 8 8
					£2034 10 0
			Probable amount of annual Revenue on this part of the Road.....		£2034 10 0

It is proper to remark that this estimate is made from the travel before the Road South of Grand River was completed—Upon the full opening of the Road, this estimate will be materially increased.

Appendix  
(A. A.)  
1845.

Appendix  
(A. A.)  
1845.

APPENDIX LETTER B.

SCHEDULE No. 1, of Public Works, on which Tolls have been levied by Legal Authority, shewing the present Established Rates.

CANALS.

1st. WELLDAND CANAL.—RATES OF TOLL, Established on the Welland Canal, by the President and Directors, under the authority of the Provincial Act, 4 George IV, Chapter 17.

DESCRIPTION OF PROPERTY.	Through the whole Route.		Mouth of Grand River to Dumville and vice versa.		From Dunville to Port Robinson, and vice versa.		From Port Robinson, Thorold, and vice versa.		From Thorold to Saint Catharines, and vice versa.		From Saint Catharines to Port Dalhousie, and vice versa.		From Port Robinson to Port Colborne, and vice versa.	
	s.	d.	s.	d.	s.	d.	s.	d.	s.	d.	s.	d.	s.	d.
FLOUR.....	0	5	0	2	0	2½	0	1	0	1	0	0	0	1½
PORK.....	0	7	0	3	0	3½	0	2	0	1½	0	0	0	2½
ASHES.....	1	0	0	4	0	6	0	3	0	1½	0	0	0	4
WHISKEY.....	1	0	0	4	0	6	0	3	0	1½	0	0	0	4
LARD and BUTTER.....	1	0	0	3	0	3½	0	2	0	0½	0	0	0	2½
SALT.....	0	0	0	0½	0	1	0	0	0	0	0	0	0	3½
BEER and CIDER.....	0	9	0	3	0	4	0	2	0	1½	0	0	0	3
DRIED FRUIT and NUTS.....	0	6	0	2	0	3	0	1½	0	1	0	0	0	2
PITCH.....	0	6	0	0	0	2	0	1½	0	1	0	0	0	2
HAMS and BACON.....	0	4	0	1½	0	2	0	0	0	0	0	0	0	1½
OIL.....	0	7½	0	2	0	3½	0	2	0	1½	0	0	0	2½
BEE'S WAX.....	0	6	0	0	0	3	0	0	0	0	0	0	0	2
FISH.....	0	9	0	3	0	4	0	2	0	1	0	0	0	3
FISH, Dried.....	0	4	0	0	0	2	0	0	0	0	0	0	0	1½
CRACKERS.....	0	7½	0	2	0	3	0	1	0	1	0	0	0	2½
WHEAT.....	0	1½	0	0½	0	1	0	0	0	0	0	0	0	1½
OATS.....	0	1	0	0	0	0½	0	0	0	0	0	0	0	1
CORN, BARLEY and RYE.....	0	1½	0	0	0	1	0	0	0	0	0	0	0	1½
POTATOES.....	0	1	0	0	0	0½	0	0	0	0	0	0	0	1
COALS.....	2	6	1	0	1	3	0	10	0	10	0	0	1	0
IRON, Pig.....	2	6	1	0	1	3	0	10	0	10	0	0	1	0
IRON CASTINGS, up.....	5	0	1	3	2	6	1	8	1	8	1	2	1	3
IRON CASTINGS, down.....	3	9	1	0	1	10½	1	0	1	0	1	2	1	3
LEAD, Pig.....	3	9	1	0	1	10½	1	0	1	0	1	2	1	3
LEAD, Manufactured.....	5	0	1	3	2	6	1	8	1	8	1	2	1	3
GRINDSTONES.....	2	6	1	0	1	3	0	10	0	10	0	0	1	0



## APPENDIX LETTER B.

## SCHEDULE No. 2.

## CANALS.

## 2ND BURLINGTON BAY CANAL.

RATES OF TOLL at the Burlington Bay Canal, fixed by Commissioners under the Authority of Provincial Acts 9 Geo. IV. Chap. 12, and 11 Geo. IV. Chap. 12, by order of 25th February, 1836.

DESCRIPTION OF ARTICLES.	QUANTITY.	RATES.
STEAMBOATS, Weekly.....		£ s. d. 0 10 0
STEAMBOATS, Semi-Weekly.....		0 5 0
STEAMBOATS, Daily.....		0 2 6
SAILING CRAFT, under 10 Tons.....		Free.
SAILING CRAFT, 10 Tons and under 50.....		0 5 0
SAILING CRAFT, 50 Tons and Upwards.....		0 10 0
WHEAT.....	per Bushel,	0 0 0½
FLOUR.....	" Barrel,	0 0 2
WHISKEY.....	" "	0 0 6
PORK.....	" "	0 0 6
ASHES.....	" "	0 1 0
SALT.....	" "	0 0 3½
BUTTER.....	" "	0 0 9
BUTTER.....	" Keg,	0 0 4½
LARD.....	" "	0 0 4½
LARD.....	" Barrel,	0 0 9
BEER.....	" "	0 0 6
BEEES WAX.....	" "	0 0 9
PLASTER OF PARIS.....	" "	0 0 6
CIUER.....	" "	0 0 3
OIL.....	" "	0 0 9
LUMBER.....	" M. Feet,	0 0 10
SQUARE TIMBER.....	" "	0 2 6
SHINGLES.....	" M.	0 0 3
PLOUGHS.....	Each,	0 0 6
POTATOES.....	" Bushel,	0 0 1½
APPLES.....	" "	0 0 0½
STONE.....	" Toise,	0 0 3
PEAS and OATS.....	" Bushel,	0 0 0½
MERCHANDISE.....	" Cwt.,	0 0 3
WEST INDIA STAVES.....	" 1,200 ps.,	0 2 6
PIPE STAVES.....	" 1,000 "	0 10 0
<i>Per Minute of the Board of Works, 11th August, 1843, and Published in Official Gazette, No. 102, September 2nd. 1843, the following additional Rates are established:—</i>		
PIG IRON.....	per Cwt.,	0 0 1
COAL.....	" "	0 0 1

## APPENDIX LETTER B.

## SCHEDULE No. 3.—CANALS.

## 3RD. ST. ANN'S LOCK.

RATES OF TOLL hitherto paid for passing through the St. Ann's Lock, by order of the Governor in Council.

BOATS OR BARGES with whatever Cargo laden, except Salt or Sea Coal.	£	s.	d.
STEAMBOATS, if not carrying Cargo.....	0	10	0
STEAMBOATS, with Cargo.....	1	0	0
CLASS No. 1, 100 and under 150 Tons.....	1	11	6
CLASS No. 2, 80 and under 100 Tons.....	1	5	3
CLASS No. 3, 60 and under 80 Tons.....	1	0	0
CLASS No. 4, 40 and under 60 Tons.....	0	15	0
CLASS No. 5, 20 and under 40 Tons.....	0	10	0
CLASS No. 6, 20 and under.....	0	6	8
BOATS or BARGES empty or loaded with Salt or Sea Coal to pay one-half of the above Rates.			
TIMBER, CORDWOOD, SHINGLES, &c.			
TIMBER of all descriptions, Deals, Planks and Boards, in Cribs, per Lock full or lesser quantity.....	0	7	0
STANDARD and WEST INDIA STAVES, and Headings, per Crib.....	0	5	0
STANDARD and WEST INDIA STAVES, and Headings, in Boats or Barges, Standard per M.....	0	1	6
WEST INDIA, per M.....	0	0	6
HEADINGS, per M.....	0	0	14
DEALS, PLANKS or BOARDS, in Boats or Barges, per M. Feet, Board measure.....	0	0	1
CORDWOOD, per Boat or Raft.....	0	6	8
TANNER'S BARK, per Cord.....	0	0	2
CEDAR LOGS, Floats and Traverses, Stuff for Rails and Fence Posts.....	0	0	1

## LETTER B.

## SCHEDULE No. 4.

## 4TH. LACHINE CANAL.

RATES OF TOLL hitherto Collected on the Lachine Canal.

DESCRIPTION OF PROPERTY:	£	s.	d.
BOAT, SCOW, &c., of 5 Tons and under.....	0	6	3
BOAT, SCOW, &c., between 5 and 20 Tons.....	0	8	9
BOAT, SCOW, &c., between 20 and 60 Tons.....	0	12	6
BOAT, SCOW, &c., between 60 and 80 Tons.....	0	15	0
BOAT, SCOW, &c., above 80 Tons.....	1	0	0
FIREWOOD..... per Cord,	0	0	6
TIMBER..... " Ton,	0	0	3
MERCHANDISE and LIQUORS..... " "	0	1	9
ASHES..... " Barrel,	0	0	5
BEEF and PORK..... " "	0	0	3
FLOUR or RICE..... " Tierce,	0	0	4
FLOUR or RICE..... " Barrel,	0	0	2
FLOUR or RICE..... " Half barrel,	0	0	1
WHEAT or other GRAIN..... " Bushel,	0	0	3½
BUTTER or LARD..... " Barrel,	0	0	3
SALT..... " Ton,	0	0	9
STANDARD PIPE STAVES..... " M.,	0	15	0
HAY..... " 100 Bundles,	0	1	0
PASSENGERS, Adults..... Each,	0	0	6
PASSENGERS, Children..... " "	0	0	3
HORSES and NEAT CATTLE..... " "	0	0	6
HOGS, SHEEP, GOATS, CALVES or DOGS..... " "	0	0	1½
STONE or BRICK..... " Toise,	0	2	6
LIME or SAND..... " Hogshead,	0	0	3
SHINGLES..... " 1,000	0	0	3

NOTE.—The above Rates are for the whole distance between Lachine and Montreal, (9 miles) and so in proportion for each mile of that distance. But Boats, &c. loading or unloading below Lock No. 4, whether in ascending or descending, pay the same as if they passed through all the Locks. A fraction of a mile is deemed a whole mile.

## APPENDIX LETTER B.—SCHEDULE No. 5.—CANALS.

1845.

## 5th CHAMBLY CANAL.

1845.

RATES OF TOLL established on the Chamblly Canal by the Governor in Council.

DESCRIPTION OF PROPERTY.	QUANTITY.	RATES.
Flour, Crackers, Onions, Seeds,	per Barrel, -	£ s. d. 0 0 2
Beef, Pork, Cider, Whiskey, Vinegar, Oil, Wine, Beer, Pickled Fish, Pitch, Tar, Varnish, Turpentine, Oysters, dried Fruit, Nuts,	" " -	0 0 3
Ashes, Plaster,	" " -	0 0 4
Lard, Tallow, Butter, Bees-wax, Rice, Cheese, Hams, Bacon, Hides dry, Hides green, Horns, dried Fish, Tobacco,	" Cwt, -	0 0 1½
Salt, Coals, Plaster, Iron in any form, Earths, Whiting, Chalk, Paint, Lead in any form, Sand, Stone, Brick, Grind Stones,	" Ton, -	0 0 6
Wheat, Indian Corn, Barley, Rye, Oats, Seeds of all kinds, Beans, Vegetables of all kinds,	" Bushel, -	0 0 0½
Bran, Wool, Stone Ware, -	" Ton, -	0 1 6
Sleighs, Carls, Wagons, House Furniture, Ploughs and all instruments of Husbandry, Hardware and Cutlery,	" " -	0 1 6
Horses, Oxen, Steers, Cows, Hogs, -	Each, -	0 0 6
Sheep, Goats, Calves, Pigs, -	" " -	0 0 2
Dry Goods, Crates, Bales, &c. or other Merchandize not enumerated, -	" 40 Feet -	0 1 6
Hay,	" 100 Bundles, -	0 1 0
Boards, Planks, Slabs, Scantling, reduced to Board measure 1 inch thick, -	" M. Feet, -	0 1 6
Do. do. do. do. do. in Raft, -	" " -	0 3 0
Square Timber, -	" 40 Feet, -	0 0 2
Do. do. in Raft, -	" " -	0 0 4
Saw Logs 14 inches in diameter and under, -	" Log, -	0 0 2
Do. do. do. and upwards, -	" " -	0 0 4
Cord Wood or Tanners' Bark, -	" Cord, -	0 0 6
Cedar Beams, Posts, Floats, -	" M. Lineal Feet -	0 5 0
Do. do. do. in Raft, -	" " " -	0 10 0
Pipe Staves, -	" M. -	0 12 6
Do. West India, -	" " -	0 3 9
Boats under 20 tons, -	Each, -	0 7 6
Do. do. 50 do. -	" -	0 12 6
Do. do. 80 do. -	" -	0 15 0
Do. 80 tons and upwards, -	" -	1 0 0

NOTE.—A fraction of a ton is taken according to the number of quarters therein, and a fraction of a quarter of a ton is deemed a whole quarter. The rates on Timber, Boards, Plank and Scantling in Rafts are calculated in proportion to the quantity in feet; but no quantity under 25 feet pays for less than 25 feet.

## APPENDIX LETTER B.—SCHEDULE No. 6.—HARBOURS.

## 1st PORT STANLEY OR KETTLE CREEK.

RATES OF TOLL Established by Commissioners under the Provincial Act 8 Geo. IV. cap. 18.

DESCRIPTION OF PROPERTY.	QUANTITY.	RATES.
Pot and Pearl Ashes, -	per Barrel, -	£ s. d. 0 1 0
Salt, Pork Whiskey or Oil, -	Do. -	0 0 7½
Flour, -	Do. -	0 0 6
Do. -	" Cwt, -	0 0 3
Sugar,* -	" " -	0 0 5
Hollow Ware,* -	" " -	0 0 7½
Lard and Butter, -	" Keg, -	0 0 5
Boards and Lumber, -	" M. Feet Board measure, -	1 1 3
Boats under 12 tons, -	" Ton, -	0 2 6
Do. 12 tons and upwards, -	" 60 lbs. -	0 0 2½
Wheat, -	" " -	0 0 2
All other Grain, -	" " -	0 0 1
Merchandize and Baggage,* -	" Barrel bulk, -	0 0 7½
Pails, -	" Dozen, -	0 0 7½
Mill Stones, -	" Ton, -	0 4 2
Earthen-Ware, -	" " -	0 7 6
Double Wagons, -	Each, -	0 3 1½
Single, do. -	" -	0 2 6
Horses, -	" -	0 2 6
Horned Cattle, -	" -	0 1 3
Sheep, -	" -	0 0 6
Sleighs, -	" -	0 2 6
Ploughs, -	" -	0 0 7½
Shingles, -	Per 1000, -	0 0 6

\* Those articles are charged the same as Merchandize, and Emigrants Luggage has usually been exempted. On Coals and Plaster 2s. 6d. per ton in place of the usual rate of 4s. 2d., and on Building Stones 2s. 6d. per Cord is levied.

## APPENDIX LETTER B.

## SCHEDULE No. 7.

## 2ND TORONTO HARBOUR.

RATES OF TOLL fixed by the Governor in Council, under authority of Provincial Act  
3rd. Will. IV. Cap. 31.

DESCRIPTION OF PROPERTY.	QUANTITY.	RATES.		
		£	s.	d.
MERCHANDIZE, per Ton, Weight or Measurement, per Bill of Lading,		0	1	3
FLOUR,	per Barrel,	0	0	2
OYSTERS in Shell,	" "	0	0	2
CIDER,	" "	0	0	2
APPLES and other Fresh Fruit,	" "	0	0	2
LIME and GYPSUM,	" "	0	0	2
POTATOES and other Vegetables,	" "	0	0	2
PORK	" "	0	0	3
ASHES,	" "	0	0	3
SALT,	" "	0	0	3
WHISKEY,	" "	0	0	3
SHEEP and PIGS,	Each,	0	0	2
HORSES and HORNED CATTLE,	" "	0	0	6
WOOD,	" Cord,	0	0	4
STONE,	" Toise,	0	0	10
LUMBER,	" 1000 Feet Board measure,	0	1	0

## LETTER B.

## SCHEDULE No. 8.

PRESENT AND PROPOSED RATES OF TOLL ON THE FOLLOWING

## SLIDES.

SITUATION OF SLIDE.	For every Crib of Timber, Staves, Saw Logs or sawed Lumber, passing down the Slide.	REMARKS.
<i>IN THE NEWCASTLE DISTRICT.</i>		
AT CROOK'S RAPIDS,	4	
" HEELY'S FALLS,	4	
" MIDDLE FALLS,	4	
" RANNEY'S FALLS,	4	
" CHISHOLM'S RAPIDS,	4	
<i>ON THE OTTAWA RIVER.</i>		
AT THE DEUX-JOACHIMS,	5	Established by Authority of the Governor in Council, April, 26th 1844.
CALUMET AND MOUNTAIN SLIDES, passing from the head of the Calumet to the foot of the Mountain Slides,	5	
<i>ON THE MADAWASKA.</i>		
HIGH FALLS' SLIDES,	40	





APPENDIX LETTER B.

SCHEDULE No. 10.—PUBLIC BRIDGES.

RATES OF TOLL Established by Commissioners, under the authority of the several Acts of the Provincial Legislature herein named, upon the following Bridges:—

BRIDGES.	Act of Authority for the collection of Tolls.	RATES OF TOLL.												
		Every 2 Horse Wagon.	Every 1 Horse Wagon.	Every Saddle Horse.	Spring Carriage, with 2 Horses.	Spring Carriage with 1 Horse.	Cattle.	Every 3 Sheep.	Wagon with more than 4 Horses.	Wagon with 4 Horses.	2 Oxen, with Cart or Wagon.	Each Extra Yoke of Oxen.	2 Horse Cart.	1 Horse Cart or Caleche.
CHATHAM BRIDGE.....	7 Will. IV. Cap. S3.....	d.	d.	d.	d.	d.	d.	s. d.	d.	s. d.	d.	d.	d.	d.
DUNNVILLE ".....	1 " " " 43.....	3	2	1	7	5	1	1	1	0	0	10	3	0
PARIS ".....	1 " " " 44.....	3	2	1	7	5	1	1	1	0	0	10	3	0
BRANTFORD ".....	3 " " " 30.....	3	2	1	7	5	1	1	1	0	0	10	3	0
RIVER TRENT ".....	3 " " " 33.....	3	2	1	7	5	1	1	1	0	0	10	3	0
CHAUDIERE ".....	(C. E.).....	0	0	2	0	0	2	1	2	0	1	0	4	6
ST. MAURICE ".....	2 " " " 10 & 11.....	0	0	2	0	0	2	1	2	0	1	0	4	6
ST. ANNE de la PERADE.....	6 " " " 41.....	6	0	1	0	0	1	1	2	0	0	0	4	2
CAP ROUGE.....	4 Vict. (Ord.) 21.....	0	0	0	0	0	0	0	0	0	0	0	0	0

LETTER B.—SCHEDULE No. 11.

PUBLIC WORKS, Completed or in Progress, on which no Tolls are Levied, or can be Levied for want of Legal Authority.

CANALS,

IN THE NEWCASTLE DISTRICT.

- SCUGOG LAKE.
- WHITLA'S LOCK.
- CROOK'S LOCK.
- CHISHOLM'S LOCK.

SLIDES,

IN THE NEWCASTLE DISTRICT,

- RIVER TRENT.
- AT CROOKS' RAPIDS.
- HEELY'S FALLS.
- MIDDLE FALLS.
- RANNY'S FALLS.
- CHISHOLM'S RAPIDS.

ST. LAWRENCE CANALS.

- THE GALLOPS..... 1 Lift Lock and 1 Guard Lock.. 2 miles.
- POINT IROQUOIS..... 1 Lift Lock..... 2 1/2 miles 14 ch's.
- RAPIDE PLAT..... 1 Lift Lock and 1 Guard Lock.. 4 miles.
- FARREN'S POINT..... 1 Lift Lock..... 3 miles.
- CORNWALL CANAL... 6 Lift Locks and 1 Guard Lock 11 1/2 miles.
- BEAUHARNOIS CANALS Lift Locks and 1 Guard Lock 11 1/2 miles.
- SAINTE OURS' LOCK... River Richelieu.

HARBOURS.

- RONDEAU.
- PORT DOVER.
- PORT BURWELL.
- PORT MAITLAND.
- PORT COLBORNE.
- WINDSOR HARBOUR.

ROADS.

- LONDON and PORT STANLEY..... Plank Road.
- LONDON and CHATHAM..... 7 Miles Planked.
- LONDON and BRANTFORD..... Planked and Macadamized.
- HAMILTON and PORT DOVER..... Planked and Macadamized.
- RICE LAKE and PORT HOPE..... Gravelled.
- WINDSOR and SCUGOG..... Partly Planked.
- CASCADES ROAD..... Planked.

BRIDGES.

- DELAWARE BRIDGE.
- LONDON BRIDGE.
- CALEDONIA BRIDGE.
- NARROWS, LAKE SIMCOE.
- BATISCAN BRIDGE.
- UNION SUSPENSION BRIDGE.

APPENDIX LETTER B.

SCHEDULE No. 12, SHEWING THE PRESENT AND PROPOSED RATES OF TOLL ON PUBLIC WORKS.

CANALS AND HARBOURS.

Main table with columns for Description of Articles, Welland Canal, St. Lawrence Canals, Chambley Canal, Burlington Bay Canal, and Harbours. It lists various goods like flour, sugar, and iron, along with their respective toll rates in different currencies and units.

Notes at the bottom of the page explaining the schedule's application to the Saint Lawrence Canals and the proposed toll system, including a reference to the maximum rate of 6s. per Registered Ton.

APPENDIX LETTER B.

SCHEDULE No. 13.

PUBLIC ROADS.

RATES of TOLL suggested for the following Roads, some of which are still under the direction of Commissioners, who have established Tolls thereon, and the rest are those completed under the direction of the Board of Works, but upon which no Tolls have as yet been levied for want of legal authority.

NAME OF ROAD.	Length of Road in Miles, Planked or Macadamized.	Number of Toll-bars to each Road.	Average distance between Toll-bars.	RATES OF TOLL SUGGESTED, FOR										COST OF ROAD.	Net Annual Revenue calculated to be derived from each Work.	ACT OF AUTHORITY FOR ESTABLISHING TOLLS.	REMARKS.	
				Every Wagon, Calèche or Cart, with 4 Horses.	Ditto, with 2 Horses.	Ditto, with 1 Horse.	Each Extra Horse.	2 Oxen, and Cart or Wagon.	Each Extra Yoke of Oxen.	Each Saddle Horse and Rider.	2 Horse Cart or Calèche.	1 Horse Cart or Calèche.	Every Ox, Cow, Ass, Colt without Shoes, or other quadruped, not enumerated.					Every Sheep, Pig or Goat.
				s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	£ s. d.	£ s. d.			
<b>1st.—ROADS CONSTRUCTED UNDER THE DIRECTION OF THE BOARD OF WORKS.</b>																		
LONDON and PORT STANLEY—all Planked	26½	5	5	0 9 3 9	0 6 2 6	0 4 1 9	0 1 0 5	0 4 1 9	0 2 0 10	0 2 0 10	0 6 2 6	0 4 1 8	0 0 0 2½	0 0 0 1½	23936 3 3	2337 0 0	None.	The calculated amount of revenue derivable at each Gate, has been obtained upon these three Roads from a register of the travel kept on each portion of each Road for a certain length of time, and the average has been reduced so low by the resident Engineer, under whose directions the registers were kept, that he considers the amount assumed for each Gate, is what it would produce if let by auction, and that the total amount for each Road may fairly be assumed at the sum set down in the column of net revenue. Each trip going and returning, if done on the same day is subject to but one toll. No Tolls to be charged on Sundays, except upon the Public Stage, and upon Carts or Wagons carrying merchandise. No Tolls to be charged on Funerals. Tolls to be paid at every Gate. The Tolls on the Brantford and Caledonia Bridges are supposed to be included in the Tolls on the Road between each Bridge and the next Gate. Sleighs are to pass Free on all these Roads, subject however to pay Tolls at the two Bridges above named.
LONDON and BRANTFORD—3½ miles Planked, 19 miles Macadamized	57½	9	6½	0 9 6 9	0 6 4 6	0 4 3 0	0 1 0 9	0 4 3 0	0 2 1 6	0 2 1 6	0 6 4 6	0 4 3 0	0 0 0 4½	0 0 0 2½	48313 8 0	2767 0 0	None.	
HAMILTON and PORT DOVER—34 miles Planked, 3 miles Macadamized	37	6	7	0 9 0 9 4 6	0 6 0 6 3 0	0 4 0 4 2 0	0 1 0 1 0 6	0 4 0 4 2 0	0 2 0 2 1 0	0 2 0 2 1 0	0 6 0 6 3 0	0 4 0 4 2 0	0 0 0 0 0 3	0 0 0 0 0 1½	43231 5 10	3000 0 0	None.	
WINDSOR and SUTGOG—Portions to be Planked and the rest merely Graded	19	3	6½	0 9 2 3	0 6 1 6	0 4 1 0	0 1 0 3	2 4 1 0	0 2 0 6	0 2 0 6	0 6 1 6	0 4 1 0	0 0 0 2	0 0 0 1	7700 0 0	656 0 0	None.	
RICE LAKE and PORT HOPE—all Gravelled	94	3	3½	0 9 2 3	0 6 1 6	0 4 1 0	0 1 0 3	0 4 1 0	0 2 0 6	0 2 0 6	0 6 1 6	0 4 1 0	0 0 0 1½	0 0 0 0½	7400 0 0	519 0 0	None.	
CASCADES ROAD—all Planked	144	4	3½	1 0 4 0	0 6 2 0	0 4 1 4	0 1 0 4	0 4 1 4	0 2 0 8	0 2 0 8	0 6 2 0	0 4 1 4	0 0 0 2	0 0 0 1	16000 0 0	1500 0 0	None.	
<b>2nd.—ROADS CONSTRUCTED UNDER THE DIRECTION OF LOCAL COMMISSIONERS, AND PROPOSED TO BE ASSUMED.</b>																		
BRANTFORD and HAMILTON—Present Rates	13½	3	4½	0 9 0 9	0 6 0 6	0 4 0 4	0 2 0 4	0 4 0 4	0 2 0 2	0 2 0 2	0 6 0 6	0 4 0 4	0 1 0 1	0 0 0 0			Rates of Toll fixed by Trustees 7 William IV, Chapter 73. 3rd William IV, Chapter 37. " " " " "	
WEST YORK ROAD TRUST	16																	
EAST YORK Do.	18	4	4½															
KINGSTON and NAPANEE—Present Rates	24½	5	5	1 3 1 3	0 7½ 0 7½	0 6 0 6	0 1 0 1	0 7½ 0 7½	0 2 0 2	0 2 0 2	0 7½ 0 7½	0 6 0 6	0 1 0 1	0 0 0 0			7 William IV, Chapter 81.	
LACHINE to MONTREAL	7	2	7															
MONTREAL to BOUT DE LISLE	14	1																
YONGE STREET ROAD TRUST—Present Rates	15	4	3½	0 9 0 9	0 6 0 6	0 4 0 4	0 1 0 1	0 4 0 4	0 2 0 2	0 2 0 2	0 6 0 6	0 4 0 4	0 1 0 1	0 0 0 0			7 William IV, Chapter 80.	
WEST GWILLIMSBURY ROAD and BRIDGE—Present Rates	4	1	4	0 6 0 6	0 4 0 4	0 3 0 3	0 1 0 1				0 2 0 2		0 1 0 1	0 0 0 0			6th William IV, Chapter 28.	

Appendix (A. A.)

APPENDIX LETTER B.

SCHEDULE No. 14.

PUBLIC BRIDGES.

RATES OF TOLL AT PRESENT LEVIED, AND RATES PROPOSED TO BE LEVIED UPON THE UNDERMENTIONED PUBLIC BRIDGES.

NAME OF BRIDGE.	RATES OF TOLL FOR													Total Cost of each Bridge.	Estimated Proceeds of each Bridge for one year.	Amount for which the Bridge was let the last year.	Date of the expiration of the present lease.	REMARKS.
	Wagon with 4 Horses.	Wagon with 2 Horses.	Wagon with 1 Horse.	Saddle Horse and Rider.	2 Oxen and Cart or Wagon.	Each Extra Yoke of Oxen.	2 Horse Cart or Caleche.	1 Horse Cart or Caleche.	Horses, each.	Cow, Ox or Calf without shoes, or other quadruped.	Every Sheep, Pig or Goat.	Every Foot Passenger.						
<b>1st.—BRIDGES HERETOFORE UNDER THE DIRECTION OF COMMISSIONERS.</b>																		
1.—CHATHAM BRIDGE.....	0 5 1/2	0 3 1/2	0 2 1/2	0 5	0 1 1/2	0 3 1/2	0 2 1/2	0 1 1/2	0 1	0 1	0 0 1/2	0 0	2000 0 0	250 0 0	*	Present rates of Toll fixed by Commissioners under 7 William IV, Chapter 83. * Rented last year for £210. Let this year at twenty per cent on the gross receipts of Toll.		
2.—PARIS BRIDGE.....	0 5 1/2	0 3 1/2	0 2 1/2	0 5	0 1 1/2	0 3 1/2	0 2 1/2	0 1 1/2	0 1	0 1	0 0 1/2	0 0	2000 0 0	150 0 0	140 0 0	Present rates of Toll fixed by Commissioners under 4 William IV, Chapter 44. Rented the last two years for the same sum each year.		
3.—BRANTFORD BRIDGE.....	0 5 1/2	0 3 1/2	0 2 1/2	0 5	0 1 1/2	0 3 1/2	0 2 1/2	0 1 1/2	0 1	0 1	0 0 1/2	0 0	2000 0 0	300 0 0	250 0 0	1st July, 1844. Present rates of Toll fixed by Commissioners under 3rd William IV, Chapter 30.		
4.—DUNNVILLE BRIDGE.....	0 5	0 3	0 2	0 4	0 2	0 4	0 2	0 1	0 1	0 1	0 0 1/2	0 0	1700 0 0			No Receipts from this Bridge till this year, which are £16.		
5.—TRENT BRIDGE.....	0 9	0 6	0 4	0 2	0 4	0 2	0 6	0 4	0 1	0 0 1/2	0 0 1/2	0 1	4500 0 0			3rd William IV, Chapter 33. £131 15 1 paid to the Receiver General in 1843.		
6.—CAP ROUGE BRIDGE.....	0 4 1/2	0 3	0 2	0 1	0 2	0 1	0 3	0 2	0 1 1/2	0 0 1/2	0 0 1/2	0 1	1200 0 0			Ordinance 4th Victoria, Chapter 21.		
7.—CHAUDIERE BRIDGE.....	1 0	0 6	0 4	0 2	0 4	0 2	0 6	0 4	0 1	0 0 1/2	0 0 1/2	0 1	3000 0 0			10th and 11th George IV, Chapter 41.		
<b>2nd.—BRIDGES CONSTRUCTED OR RECONSTRUCTED UNDER THE DIRECTION OF THE BOARD OF WORKS.</b>																		
1.—DELAWARE BRIDGE.....	1 0	0 6	0 4	0 2	0 4	0 2	0 6	0 4	0 1	0 0 1/2	0 0 1/2	0 1	1702 0 0	153 0 0				
2.—LONDON BRIDGE.....	1 0	0 6	0 4	0 2	0 4	0 2	0 6	0 4	0 1	0 0 1/2	0 0 1/2	0 1	1607 0 0	150 0 0				
3.—CALLEDONIA BRIDGE.....	1 0	0 6	0 4	0 2	0 4	0 2	0 6	0 4	0 1	0 0 1/2	0 0 1/2	0 1	2600 0 0	150 0 0				
4.—NARROWS BRIDGE (LAKE SIMCOE).....	1 0	0 6	0 4	0 2	0 4	0 2	0 6	0 4	0 1	0 0 1/2	0 0 1/2	0 1	1600 0 0					
5.—SAINT MAURICE BRIDGES.....	1 0			0 2	0 6	0 4	0 6	0 4	0 2	0 2	0 0 1/2	0 0 1/2	1500 0 0			Former rates of Toll by 2nd William IV, Chapters 10 and 11.		
6.—BATHSCAN BRIDGE.....	1 0	0 6	0 4	0 2	0 4	0 2	0 6	0 4	0 2	0 0 1/2	0 0 1/2	0 1	7430 0 0					
7.—SAINT ANNE DE LA PERADE BRIDGE.....	0 8	0 6		0 1 1/2	0 4	0 2	0 4	0 3	0 1	0 1	0 0 1/2	0 0 1/2	6423 0 0			Former rates of Toll by 6th William IV, Chapter 41.		
8.—BYTOWN SUSPENSION BRIDGE.....	1 6	0 10	0 8	0 3	0 4	0 2	0 10	0 6	0 3	0 1	0 1	0 1 1/2	16700 0 0			All loading 1/4d per cwt.		

## APPENDIX LETTER B.

## SCHEDULE No. 15.

RATES OF TOLL suggested for the single detached Locks in the Newcastle District, and at St. Ann's and St. Ours.

CANALS.  DESCRIPTION OF PROPERTY, &c.	NEWCASTLE DISTRICT.				St. Ann's Lock.		Saint Ours Lock.
	Scugog Lock.	Whittas' Lock.	Crook's Lock.	Chisholm's Lock.	Proposed Rates.	Present Rates.	
	S. D.	S. D.	S. D.	S. D.	S. D.	S. D.	
STEAMBOATS, if not carrying Cargo.	5 0	5 0	5 0	5 0	10 0	10 0	10 0
STEAMBOATS, with Cargo.....	10 0	10 0	10 0	10 0	20 0	20 0	20 0
BOATS or BARGES under 20 tons...	3 4	3 4	3 4	3 4	6 8	6 8	6 8
Ditto, 20 to 40 " ....	5 0	5 0	5 0	5 0	10 0	10 0	10 0
Ditto, 40 to 60 " ....	7 6	7 6	7 6	7 6	15 0	15 0	15 0
Ditto, 60 to 80 " ....	10 0	10 0	10 0	10 0	20 0	20 0	20 0
Ditto, 80 to 100 " ....	12 6	12 6	12 6	12 6	25 3	25 3	25 3
Ditto, upwards of 100 tons.	15 0	15 0	15 0	15 0	31 6	31 6	31 6
BOATS or BARGES, empty, or laden only with Salt or Sea Coal, to pay one-half the above Rates.							
LUMBER, FIREWOOD, &c., &c.							
TIMBER of all descriptions, Saw Logs, all kinds of Sawed Lumber, Deals, Planks, Scantlings, Boards, &c. in Cribs, per Lock full, or less quantity .....	5 0	5 0	5 0	5 0	7 6	7 0	7 6
STANDARD and West India Staves and Headings, per Crib.....	3 9	3 9	3 9	3 9	5 0	5 0	5 0
Do. Do. in Boats or Barges, Standard per M.....	1 0	1 0	1 0	1 0	1 6	1 6	1 6
Do. Do. Do. West India, per M.....	0 4	0 4	0 4	0 4	0 6	0 6	0 6
Do. Do. Do. Headings.	0 1	0 1	0 1	0 1	0 1½	0 1½	0 1½
DEALS, Planks, Boards, Scantlings, Ditto, per M. feet, inch measure....	0 3	0 3	0 3	0 3	0 6	0 1	0 6
SHINGLES, per M.....	0 0½	0 0½	0 0½	0 0½	0 1	....	0 1
CORDWOOD, per Boat or Raft.....	3 9	3 9	3 9	3 9	6 8	6 8	6 8
TAN BARK, per Cord.....	0 1½	0 1½	0 1½	0 1½	0 2	0 2	0 2
POST and Rails for Fencing, do.....	0 1½	0 1½	0 1½	0 1½	0 2	each 1	0 2

## APPENDIX LETTER C.

1845

1845.

SCHEDULE shewing the several portions of Roads made under former Commissioners, and now proposed to be assumed by the Government, as forming part of the Main Provincial High Road:—

HAMILTON and BRANTFORD,  
WEST YORK,  
EAST YORK,  
NAPANEE to KINGSTON,  
LACHINE to MONTREAL,  
MONTREAL to BOUT DE L'ISLE,  
MAIN NORTH TORONTO ROAD to LAKE HURON.

## APPENDIX LETTER D.

## No. 1.

COMPARATIVE STATEMENT of the Principal Articles of Property passed through the Welland Canal, from the opening of the navigation to the 30th November, for the years 1841, 1842, 1843 and 1844:—

ARTICLES.		1841.	1842.	1843.	1844.
Beef and Pork,	Barrels.	30416	87394	19382½	41976½
Flour, -	"	213183	247602	171450	305208½
Ashes, -	"	268	441	991	3412
Beer and Cider, -	"	81	231	134	50
Salt, -	"	156138	152533	145971	209008
Do., -	Bags.	-	-	-	4204
Whiskey, -	Barrels.	1950	3142	1875½	931
Plaster, -	"	113	310	129	2068½
Fruit and Nuts, -	"	216	459	265	470
Butter and Lard, -	"	174	1259	1133	4639½
Seeds, -	"	1127	609	581	1429½
Tallow, -	"	23	-	209½	1182
Water Lime, -	"	25	316	230	1662
Pitch and Tar, -	"	-	-	282	75
Fish, -	"	132	838	1227	1758½
Oatmeal, -	"	75	-	156	132
Bees' Wax, -	"	-	-	-	36
Oil, -	"	-	2	116½	96
Saw Logs, -	Number.	11300	8885	12026	10411
Boards, -	Feet.	3580911	4199590	2231143	7493574
Square Timber, -	Cubic feet.	1155086	267242	342414	490525
Half flatted " -	"	-	-	1300	13922
Round " -	"	28556	7231	8360	20879
Staves, Pipe, -	Number.	1373436	1253405	649403	630602
Do., West India, -	"	1402725	1128506	183960	1197916
Do., double flour barrel, -	"	277277	260700	9656	130500
Shingles, -	"	414500	217000	61100	330400
Wheat, -	Bushels.	1579960	1891380	1172550	2122592
Corn, -	"	70474	151164	92188	75328
Barley, -	"	1304	20	-	930
Rye, -	"	467	1764	-	142
Oats, -	"	3619	12240	13031	5653
Potatoes, -	"	486	1050	8818	7311
Butter and Lard, -	Kegs.	967	1917	1692	4669
Merchandize, -	Tons.	4031	3539	4392	11318 16 cwt
Coal, -	"	1422	2301	1819	1689 7 "
Castings, -	"	91	213	228 12 cwt.	211 6 "
Iron, -	"	78	237	485	1748 10 "
Tobacco, -	"	369	277	97 5 "	140 7 "
Grindstones, -	"	237	220	99 10 "	151 14 "
Plaster, -	"	369	935	422 10 "	1491 10 "
Hides, -	"	9	16	66 5 "	101 15 "
Bacon and Hams, -	"	59	41	164 14 "	307 — "
Bran and Shorts, -	"	45	392	29	231 11 "
Water Lime, -	"	-	-	-	441 7 "
Stone, -	Cords.	126	311	1106	738½
Firewood, -	"	31	402	1876½	3251½
Passengers, -	Number.	358	1229	120	3261½
Small Packages, -	"	103	496	315	459
Pumps, -	"	20	112	117	102
Schooners, -	"	2056	2226	1543	2121
Steamboats and Propellers, -	"	-	34	24	484
Scows, -	"	1063	1430	824	1671
Rafts, -	"	133	78	-	118
Tonnage, -	Tons.	277144	304983	224408	327570
Amount Collected, -	-	£20210 19 9	£23946 19 6	£16135 7 8½	£25573 3 10½

Appendix  
(A. A.)  
1845.

APPENDIX LETTER D.—No. 2.

ABSTRACT of the Principal Articles of Property passed through the Welland Canal from the opening of the Navigation to 30th November, 1844.

	Boards.		Square Timber.		Staves.		Barrels.				Bushels.				Tons.					Merchandise.	
	Feet.	Cubic Feet.	Pipe.	W. I.	Beef and Pork.	Flour.	Ashes.	Salt.	Whisky.	Wheat.	Corn.	Coal.	Castings.	Iron.	Tobacco.	Grind-stones.	Tons.	Cwt Qrs.			
American to American Port, up.....	296765	..	133130	279621	20	90925	2258½	196050	786	1620544	10789	452½	72½	1197½	..	30½	8521	9	2		
Do. " Do. down.....	260400	10861	594	91	16347½	653	22	..	52	38315	56	175½	4½	100	..	82½	127	7	1		
British " Do. up.....	3354763	462307	470981	211106	680	118799	1035	10971	92	154527½	379	10	72½	363½	..	..	2396	5	2		
Do. " Do. down.....	..	..	..	..	2108½	..	..	..	..	..	..	..	43½	..	130½	..	20	13	1		
American " Do. up.....	39204	..	3090	331592	22820½	94831½	97	3865	1	299305½	62104	50	18½	19½	..	35½	84	7	2		
Do. " Do. down.....	2726077	17357	22307	375506	..	..	..	609	..	..	..	..	..	63½	..	..	90	16	..		
British " Do. up.....	816365	..	..	..	..	..	..	1717	..	..	..	..	..	..	..	..	77	17	..		
Do. " Do. down.....	7493574	490525	630602	1197916	41976½	305208½	3412½	213212	931	2121592	73328	16894	211½	1748½	1404	151½	11318	16	..		

APPENDIX LETTER E.

A STATEMENT of the number of Boats navigating the Lachine Canal, quantity of Cargo and amount of Tollage; also, of the number of Boats and quantity of Cargo that descended by the Rapids, during the year 1844.

1844.	Number of Boats.				Firewood.		Timber.		Merchandise.		Ashes.		Beef or Pork.		Wheat.		Grain.		Passengers.		Hogs, Sheep, &c.		Horned Cattle.		Stone or Brick.		Lime or Sand.		Shingles.		Standard Slaves.		Butter.		Salt.		Amount of Tolls.		
	Of 5 tons and under.	Between 5 and 20 tons.	Between 20 and 60 tons.	Between 60 and 80 tons.	Above 80 tons.	Cords.	Tons.	Tons.	Tons.	Bbls.	Bbls.	Bbls.	Bbls.	Bbls.	Bbls.	Bbls.	No.	No.	Bush.	Adults.	Child'n.	No.	No.	No.	No.	Toise.	Hhds.	M.	M.	M.	Bbls.	Tons.	£	s.	d.				
Downward by Rapids—ascending one mile up the Canal—total, 946 Boats.....	5	657	265	19	1418	2431½	2633½	13266½	15913½	362713	195106	3332	495	115	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..		
Upwards.....	55	87	2235	67	1440	2816	27515½	13367½	23750½	371577	205083	16798	495	157	11	4729	31	33½	2360	6181	5985	16	21	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Downwards.....	10	75	917	21	14600	6869½	567½	7998	5976	143546	125888	86	35	3	47	1296	2599½	8½	743½	42½	2631	10	4½	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Total.....	1141	819	5007	107	20018	34027	34564	29263	32466	771577	421089	17884	1035	118	11	5025	32	37	4753	12389	6247	16	32	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	

ALFRED GOUGH, Collector.

10th December, 1844.

Appendix  
(A. A.)  
1845.



## APPENDIX LETTER H.

GRENVILLE, 1ST DECEMBER, 1843.

SIR,

In compliance with your instructions of the 18th ultimo, I have travelled the Line of the front road on the north side of the Ottawa River, from Hull to Grenville, and have the honour to submit the following Report and Schedules.

From the Union Suspension Bridge in Hull, to the East Bank of the Gattineau River in Templeton, the distance is about 3 miles, one mile of which is a good passable road;  $1\frac{1}{2}$  mile requires ditching, and turnpiking, and the remaining half mile is a swamp requiring cross laying. The last two miles of this Road are impassable for want of drainage.

Bridges Nos. 1, 2 & 4 (Schedule B) occur in this distance, are on the line of the Road, and available with the necessary repairs; new bridges 3 & 5 (Schedule A.) are required.

From the Gattineau to the East bank of the river Lievre in Buckingham, about 16 miles. The first  $2\frac{1}{2}$  miles are passable only in summer, requires draining and turnpiking through cleared land, the remaining  $13\frac{1}{2}$  miles is an impassable road, through wet wood land, requires light grubbing, heavy ditching and turnpiking; within this distance bridge No. 7 occurs and new bridges Nos. 6 & 8 are required.

From the Lion to the East Bank of the Lower Blanche River in Lochaber, about 9 miles. The first four miles are wet woodland Road, nearly impassable, require light grubbing, heavy ditching, and turnpiking, the remaining 5 miles require only light ditching and throwing up, but is intersected by deep ravines, say 6 of which are 30 feet high with Slopes, 3 to 1

which must be cut down to an easier grade. New bridges Nos. 9, 10 & 11 are embraced in this distance across ravines having streams in the bottom of them.

From the Lower Blanche to the East Bank of Petite Nation River, in the Seigniorie, the distance is about 8 miles, the Road is in good order, but intersected by ravines; 3 of their slopes will require to be cut down, the same as those before mentioned. New bridges Nos. 12 & 13 are required across ravines, and No. 14 across the Petite Nation River.

From the Petite Nation to the East Bank of the River Rouge in Grenville the distance is about 20 miles; the East Bank of the Petite Nation River rises on a Slope of  $2\frac{1}{2}$  to 1 for 100 feet in height and requires to be brought to a flatter Slope; the Road for 2 miles west of the River Rouge, along the base of the Mountain, requires heavy ditching on the upper side and turnpiking in rough stony ground.

In this distance occur bridges Nos. 15, 16 & 17, requiring to be rebuilt, and new bridge No. 18 across the River Rouge; a narrow place occurs in this stream at the rapids, 20 rods above the line of the Road.

I have given in the Schedule a section of this part of the River as well as on the line of the Road, considering that the rapids afford the most eligible crossing place for the location of the bridge: at the rapids  $\frac{1}{2}$  mile of new Road through woodland with heavy clearing and grubbing will be required.

From the River Rouge to Grenville about 6 miles. One mile of the Road at the base of the Mountain requires heavy ditching on the upper side, and turnpiking in rough stony ground.

## AN APPROXIMATE ESTIMATE COST of opening a Road from Hull to Grenville, on the North Side of the Ottawa.

	£	s.	d.	£	s.	d.
<i>Cost of New Bridges.</i>						
Bridge No. 3 in Hull, West of the Gattineau.....	75	0	0			
" " 5 across the Gattineau River, 5 spans of 144 feet, 4 piers, 2 abutments.....	6700	0	0			
" " 6 in Templeton, over Wabacher Creek.....	75	0	0			
" " 8 in Buckingham, over Le Lievre River.....	1700	0	0			
" Nos. 9, 10, 11, (60 feet span each) in Lochaber.....	150	0	0			
" Nos. 12, 13, (Do in Seigniorie of Petite Nation.....	100	0	0			
" No. 14, over the Petite Nation River.....	900	0	0			
" No. 18, over the Rouge River.....	1200	0	0			
				10900	0	0
<i>Repairs necessary to the present Bridges.</i>						
No. 1 in Hull, over Mill Creek.....	310	0	0			
" 2 in Templeton, Pound.....	200	0	0			
" 4 in Templeton, (Ravine).....	70	0	0			
" 7 in Templeton, Upper Blanche.....	125	0	0			
" 15 Seigniorie of Petite Nation, Salmon River.....	350	0	0			
" 16, 17, Grenville Creeks.....	300	0	0			
				1355	0	0
<i>Cost of opening New Road and repairs to Old between Gattineau River and village of Hull.</i>						
Grading $1\frac{1}{2}$ miles at £80.....	£120	0	0			
Cross Laying $\frac{1}{2}$ mile at £200.....	100	0	0			
				220	0	0
<i>From the Gattineau to the East Bank of the Lievre.</i>						
Grubbing and grading 16 miles, at £125.....				2000	0	0
<i>From the Lievre to the East Bank of the Lower Blanche.</i>						
Grubbing and Grading 4 miles, at £125.....	£500	0	0			
Do do 5 do at £75.....	375	0	0			
				875	0	0
<i>From the Lower Blanche to the Rouge River.</i>						
Cutting down Ravines, &c.....	£50	0	0			
Do do Bank of Petite Nation.....	50	0	0			
Grading $2\frac{1}{2}$ miles, at £100.....	250	0	0			
				350	0	0
<i>From the River Rouge to Grenville.</i>						
Grading 1 mile at Base of Mountain.....				100	0	0
				3545	0	0
				£15800	0	0

Appendix  
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APPENDIX H.—SCHEDULE 1.

NEW BRIDGES required on the line of the Front Road, on the North side of the Ottawa River between Hull and Grenville.

No. as designated in report.	Name of Stream.	Width of Water.	Width between Banks.	Depth in Centre.	Depth at Side.	Rise of Flood.	Height of Banks.	REMARKS.
3	Across a Marsh.....	100	--	--	E. 15	15	E. 25	In Templeton, west of the Gattineau, requires 15 feet, height of truss.
5	Gattineau River.....	680	740	18	W. 4		W. 12	In Templeton, 400 feet E. side, 15 feet depth, remainder sand bar 4 feet deep, sluggish, sand bottom, building stone one mile distant by water.
6	Wabacha Creek.....	30	100	2		10	E. 20	In Templeton, requires 2 trusses of 20 and 2 of 12 feet in height.
8	Lievre River.....	150	450	10	6	8	W. 20	In Buckingham, Stoney Rapids requires 1 span of 150 and 1 of 50 feet, the rest may be in 20 feet trusses, rock bottom, building stone on west bank.
9, 10 & 11	Across Ravines.....	Creeks.						In Lochaber, 3 Bridges of 60 feet long, require each 2 trusses of 20 feet in height.
12 & 13	Do.....	Do.						In Seigniory of Petite Nation, 2 Bridges same as last.
14	Petite Nation River.....	160		15	6	10	E. 30	Do. Do. bold shore, high banks, rapid stream, soft bottom.
18	River Rouge (Rapids).....	190	300	8	8	6	E. 25	In Grenville, west bank high and bold, stoney rapids, rock foundation, requires 1 span of 180 and 1 of 60 feet, rest may be trussed 20 feet high, stone at L'Original 2 miles by water.
18	Do. on line of Road.....	880	920	10	6	10	W. 12	An Island, in centre, 300 feet across, 8 feet above water, rapid stream, foundation on boulders, stone at L'Original 2 miles by water.

SCHEDULE 2.

DESCRIPTION OF THE BRIDGES now standing on the line of the Front Road on the North side of the Ottawa River which require repairs, and the repairs necessary to put them in good condition.

No. as designated in report.	Name of Stream.	Length of Roadway.	Width of Roadway.	Number of Trusses.	REMARKS AND DESCRIPTION OF REPAIRS NECESSARY.
1	Mill Creek.....	450	20	18	In Hull, requires new centre truss 30 feet in height, new floor plank and 200 feet additional bridging, at east end trusses will be 10 feet in height.
2	Pound Creek.....	300	20	12	In Templeton, 4 new trusses 30 feet in height, 120 feet new strings, and entire new flooring.
4	Ravine.....	200	20		In Templeton, new flooring required.
7	Upper Blanche.....	200	20	8	All the above Bridges are west of the Gattineau River.
15	Salmon River.....	270	20	4	In Templeton, 4 new caps, entire new strings, and flooring plank.
16	Creek and Ravine.....	150	20	4	In Seigniory of Petite Nation, to be entirely rebuilt, 4 trusses of 30 and 4 of 15 feet in height.
17	Do.....	150	20	4	In Grenville, to be entirely rebuilt, 2 trusses of 30 and 2 of 15 feet in height.
					Do. same as last.

The Bridges now standing consist of Bents or Trusses of timber placed about 50 feet apart which support the strings or floor timbers, upon these the floor planks are laid.

(Signed,) D. S. WALTON.

THOMAS A. BEGLY, Esq.,  
Secretary, Board of Works.

APPENDIX LETTER I.

BYTOWN, 19<sup>TH</sup> DECEMBER, 1844.

SIR,

In compliance with your instructions of the 18<sup>th</sup> November, I have travelled the Road from L'Original to Bytown, and have the honor to Report:—

That the only line of Road now opened from L'Original to Bytown, is by way of Caledonia Springs to Hattfield, on the south Nation River in the Township of Plantagenet, thence by what is called the Front Road to Bytown. This is an ordinary winter sleigh road, is cleared about 30 feet wide not grubbed, is ditched on one side in wet land and has bridges erected over the creeks and ravines, some of which are in good order. This Road passes through the front and most settled parts of the country. I have also travelled on the proposed line of centre Road for 10 miles next east of Green's Creek (in Gloucester) and from observation of this portion and the best information I can obtain of the remainder including that contained in the Report of the District Surveyor, who run the line, I am satisfied that a great extent of swamp and wet pine land must be traversed, the expense of which in my opinion condemns this route.

It is also about the same distance from Hattfield to Bytown by this as by the line of front road selected and hereafter described, and its route is from Hattfield through the centre of Plantagenet, Clarence and Cumberland uniting with the front Road at Green's Creek in Gloucester 6 miles east of Bytown.

The proposed rear route by way of Bear Brook I have deemed too circuitous to admit of its consideration in this instance.

I would recommend the following route to be selected for the completion of a Road from L'Original to Bytown, viz: from L'Original to Hattfield on the South Nation River in Plantagenet, following the present line of Road via Caledonia Springs, distance about 18 miles, 11 of which are excellent and 7 require repairs, "thence westerly" I am informed that a more direct and cheaper line of Road than the front may be run to intersect the front Road at Fox's Creek, lessening the distance between those points some 2 miles, and avoiding some ravines which intersect the front Road.

I would respectfully suggest a survey of this alteration to ascertain its practicability.

The estimate is made upon the present line of front Road between those points.

From Fox's Creek to Bytown I recommend for selection the line of front Road with a few alterations necessary to straighten it and to cross ravines at more favourable points.

Hereto is annexed an approximate estimate of the cost of completing a "good ordinary Canadian Road," between L'Original and Bytown, based upon the following general description of Road, viz: to chop and clear 66 feet wide, to form a road-way of 20 feet wide having a crown of one foot. To cross lay in swamp with 1 foot of brush and cover with an average depth of 1 foot of earth, and to grub the width of the road-way.

An approximated Estimate of the cost of completing a Road from L'Original to Bytown.

L'ORIGINAL TO HATTFIELD,—18 Miles.		£	s.	d.	£	s.	d.
11 mile good Road requires nothing,	- - - - -						
½ mile Swamp, cross laying, &c. at £100,	- - - - -	100	0	0			
6½ miles to be repaired in various places, £30,	- - - - -	195	0	0			
HATTFIELD TO GIFFORDS, IN CLARENCE—13 Miles.							
13 miles wet Land, light clearing, grubbing and ditching, £120,	- - - - -	1560	0	0			
GIFFORDS TO BECKWITH'S CREEK IN CUMBERLAND—11 Miles.							
1 miles Swamp cross laying, &c.	- - - - -	200	0	0			
2 miles wet Pine, £150,	- - - - -	300	0	0			
4 do dry hard wood, £100,	- - - - -	400	0	0			
4 do cleared Lands, £80,	- - - - -	320	0	0			
BECKWITH'S CREEK TO GREEN'S CREEK IN GLOCESTER—13 Miles.							
6½ miles dry hardwood, £100,	- - - - -	650	0	0			
2 do cleared Land, £80,	- - - - -	160	0	0			
4 do wet Pine, £150,	- - - - -	600	0	0			
½ do Swamp, £250,	- - - - -	125	0	0			
GREEN'S CREEK TO BYTOWN—6 Miles.							
½ mile wet Pine Land, £150,	- - - - -	75	0	0			
2½ miles cleared Land, £80,	- - - - -	200	0	0			
3 do good Road,	- - - - -	..	..	..			
COST OF BRIDGES ACROSS THE NATION RIVER AT HATTFIELD— 400 Feet long, centre space.							
70 feet, 2 dry Stone Piers, rest on Bents,	- - - - -	500	0	0			
2 Bridges over Ravines in Clarence of 150 ft. £75,	- - - - -	150	0	0			
2 do do Cumberland and Gloucester, of 150 ft. £75,	- - - - -	150	0	0			
2 do do of 100 feet. £50,	- - - - -	100	0	0			
Aggregate Cost,					..	..	..
							4885 0 0
							900 0 0
							£5785 0 0

The distance from L'Original to Bytown by this route is about 61 miles.

(Signed,)

D. S. WALTON.

THOMAS A. BEGLY, Esq.,  
Secretary Board of Works.

APPENDIX LETTER L.

1845.

1845.

SCHEDULE of claims against the late Commissioners for the improvement of the River Trent and the Inland Waters of the Newcastle District, paid by the Board of Works under authority of the Executive Government.

	Amount claimed by the parties.			Amount as valued by the Engineer.			£ s. d.
	£	s.	d.	£	s.	d.	
<i>First</i> —Claims of Laborers and Mechanics, to whom due bills had been granted by order of the late Commissioners—also of sundry persons for materials delivered on the works.							
Sundry due bills granted to Laborers and Mechanics, - . . . .	..	..	..	356	12	6	608 11 6
J. R. Benson, - . . . .	..	..	..	83	16	2	
James Braley, - . . . .	..	..	..	46	9	4	
McGregor & Case, - . . . .	..	..	..	121	13	6	
<i>Secondly</i> —Claims for balances due Contractors, &c. for work done and services performed.							
Hales & Campbell, - . . . .	125	18	7	113	5	8	1154 12 10
George Hall, - . . . .	1730	0	0	584	4	0	
N. H. Baird, - . . . .	203	7	0	104	1	4	
Charles Green, - . . . .	92	10	0	92	10	0	
J. R. Benson, - . . . .	105	0	0	50	0	0	
W. Hartwell, - . . . .	322	17	6	189	13	0	
Sundry small accounts, - . . . .	..	..	..	20	19	0	
<i>Thirdly</i> —Claims for damage caused by the overflowing of Lands and injury done to mill properties.							
J. Purdy, - . . . .	..	..	..	400	0	0	1157 5 6
Dr. Gilchrist, - . . . .	2073	14	0	681	15	6	
Le Viscount and others, - . . . .	..	..	..	75	10	0	
F. Hall, investigating claims, - . . . .	..	..	..	..	..	..	284 10 8
							£ 3205 0 6

APPENDIX LETTER M.

SCHEDULE of claims against the late Commissioners for the improvement of the River Trent and the Inland Waters of the Newcastle District, part of which the Board of Works have been authorised to pay by order of the Executive Government, and the remainder valued by the same authority, but the payment of which has not yet been authorised.

	Amount claimed by the parties.			Amount as valued by the Engineer.			£ s. d.
	£	s.	d.	£	s.	d.	
<i>First</i> —Claims of Laborers, &c. to whom due bills have been granted by order of the late Commissioners, the payment of which has been authorised, but not yet called for by the parties.							
Sundry due bills granted for labor, &c, - . . . .	..	..	..	73	8	4	61 2 3
Sundry small accounts, - . . . .	..	..	..	7	15	11	
<i>Secondly</i> —Claims for damage caused by overflowing of Lands and injury to mill property, the payment of which has been authorised.							
W. Cottingham has not yet agreed to accept. - . . . .	1096	10	0	504	3	4*	549 3 4
M. S. Cassan (title in dispute) - . . . .	..	..	..	45	0	0	
<i>Thirdly</i> —Claims for damages caused by the overflowing of Lands and injury to mill and other property, valued under the sanction of the Executive Government, but not yet authorised to be paid.							
W. Cottingham, - . . . .	1096	10	0	679	0	0*	3023 9 2
J. Gilchrist, - . . . .	2046	19	3	1481	19	2	
J. Sullivan and others, - . . . .	52	10	0	52	10	0	
W. Hunter, - . . . .	52	10	0	52	10	0	
J. Owen, - . . . .	..	..	..	37	10	0	
Simeon Fraser, - . . . .	22	10	0	13	5	0	
W. Thrasher, - . . . .	500	0	0	152	0	0	
Amos Thrasher, - . . . .	250	0	0	140	0	0	
R. Hoag, - . . . .	350	0	0	45	5	0	
C. Hoan, - . . . .	250	0	0	20	0	0	
P. Couch, - . . . .	..	..	..	16	0	0	
H. Hoar, &c. - . . . .	350	0	0	141	0	0	
W. Northop, - . . . .	500	0	0	30	0	0	
J. Gamsay, - . . . .	250	0	0	76	0	0	
C. J. Baldwin, - . . . .	..	..	..	37	10	0	
E. Hoar, - . . . .	400	0	0	49	0	0	
Carried forward.....	..	..	..	..	..	..	3653 14 0

\* The former sum is included in the latter.

APPENDIX LETTER M.

SCHEDULE of claims against the late Commissioners for the improvement of the River Trent, &c.—(Continued.)

	Amount claimed by the parties.			Amount as valued by the Engineer.		
	£	s.	d.	£	s.	d.
<i>Brought forward</i> .....	..	..	..	..	..	..
						3653 14 9
<i>Fourthly</i> —Claims of the late Commissioners for monies expended by them over and above the amount received, referred to the Inspector General by order in Council, for investigation; (it appearing that the sum of £1260 3 5½ has been paid to Sidey & Co. by the Commissioners over and above the amount of work done by them.)	270	9	2	107	6	5
						107 6 5
<i>Fifthly</i> —Claims made by sundry persons, who, in the opinion of the Engineer, have not sustained damage, or to whom none appeared to have been done.						
Hon. Z. Burnham, - - - - -		25	0	0		
D. Sidey & Co. who it appears have been already overpaid £1260 3s. 6d. - - - - -	1501	19	5			
Thomas Fortye, - - - - -						
<i>Sixthly</i> —Claims lately made by sundry persons into which no investigation has as yet been made.						
G. S. Boulton for drowned Lands, - - - - -						
Forsyth, Richardson & Co., for damage to mill privilege—(no mill is yet erected.) - - - - -						
Amount as valued by the Engineer, - - - - -	..	..	..	..	..	..
						£ 3761 1 2

APPENDIX LETTER N,

SHewing the Quantity of Lumber run down the Trent during the Three past Seasons, &c.

1842.— 800,000 feet of Pine Lumber.	} down the Slides at Heeley's Falls.
1843.—1,000,000 do. do.	
40,000 Staves.	
1844.—1,500,000 feet Pine Lumber	}
300 Masts.....	
140,000 Staves.....	
*1845.—6,000,000 feet Pine Timber.	

\* This amount is calculated from the quantity of Timber which can be prepared, by the number of men now in the Woods.

APPENDIX LETTER O.

REPORT of Mr. Thomas Wilson, Overseer of the Works of the River Trent and Newcastle District.

PETERBORO, 25TH NOVEMBER, 1844.

SIR,

There is every prospect that between six and seven million feet of Timber will run through the Slides, on the River Trent, in the Spring of 1845, as at this time there are above eight hundred men in the woods getting out Timber, between Middle Falls and Peterboro'; these men are divided into gangs of five in each gang, which will make 160 gangs; one gang will make 2000 feet per week, they have been in the woods since October and will work until the middle of April, say 24 weeks,—2000 x 24=48,000,—160 x 48,000=7,680,000 feet,

which amount probably will not all be got out of the woods, say 6,000,000 will be got out and run down the Slides. The Lumber Merchants have been in the habit of letting their Timber to contractors to take from Heely's Falls to Percy Boom, at from One pound fifteen shillings to Two pounds per Thousand feet, which, with other expenses in buying floats and traverses for rerafting at the mouth of the Trent, will amount to Five pounds per Thousand feet. I would not hesitate to say that every thousand feet of Timber costs five pounds in taking from Heely's Falls to the Bay of Quinté, and rafting to run down to market. The

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Slides when completed will prevent such an expense ; for the Timber can then be rafted at the place where it is drawn into the water, and instead of the lumbermen buying their floats, &c., at the Percy Boom, at the mouth of the Trent, their own men can cut them at a time when they would not be earning the quarter of their wages, that is just when the frost is breaking up, when they cannot draw large Timber, nor yet raft that which is drawn on account of the ice.

With respect to the charges for the passage of Timber through the Slides, if it formerly cost five pounds per thousand, I think that one pound ten shillings per thousand would be sufficiently low to secure the merchant a saving of half the amount it formerly cost him per thousand at the lowest estimate. Providing then that 6,000,000 of feet is run through the Slides next Spring at one pound ten shillings per thousand, the Tolls would amount to £9000. I think the Tolls should not be less than 7s. 6d. per thousand at Heely's, Middle Falls and Ranney's, at Crooks, 3s. 9d. ; if the Otonabee River were made so that Timber could be got down, it would draw a great many more speculators into the trade, and the traffic would yearly increase. As the Timber convenient to Rice Lake and the Trent is getting scarce, and in the townships North of Peterboro' there is an abundance of White Pine and White Oak, I think sufficient to supply the English market for thirty years, the Timber is of the very best description. There is also a large amount of Red Pine.

I have heard that some merchants are intending to make staves in the Township of Ops, and take them out by the way of the Plank Road to Windsor Harbour ; that Road would be too expensive, as they then would have to be shipped ; but providing the Slides were made on the Otonabee River, which, I think, is indispensably necessary, they could then raft in Scugog Lake and run down to Quebec.

There is no trade whatever on the Trent excepting Lumber at present ; but if it were practicable for the Steamboat to run to Heely Falls, (the only obstruction being Asphodel Bridge,) it would then draw a trade from the adjoining Townships ; to take this part of the navigation prospectively, it must be the way of transport for the production of the adjoining Townships, and when once in operation will cause the Lands between Heely and Crooks to be settled upon, and instead of the new settler burning the wood and thinking the ashes of no value, he will at once see that he has an easy communication with the front and that any amount of Potash could be easily got to market, it will be an inducement for him to make a trial, and if an industrious and persevering man, he will not be disappointed in his expectations, but will receive, if a

THOMAS A. BEGLY, Esq.,  
Secretary Board of Works.

good article, sufficient as to pay him for his labour in clearing his land, and if one enterprising individual starts in a new settlement where every settler is clearing lands, it will cause his neighbours, if not to make Potash, to save their ashes and sell to the Potash maker, which would have an abundance of ashes as the timber in these Townships is well adapted for making that article.

Crook's Rapids and Heely's Falls would be Ports of Entry for grain and other produce, and as Heely's is only nine miles from the Marmora iron works, why not make a road connecting the two places and transport the manufactured article by the way of Cobourg. It is a pity that these works are not in operation, as I am informed by a smith I have on the works, and who has wrought up some of the Marmora iron, that it is equal if not superior to Sweeds iron.

The merchandize that has passed through the Lock at Peterboro' this season amounts to 326 tons and 480 passengers—the two years previous there were from three to five thousand bushels of wheat taken down the River ; there were from forty to fifty thousand bushels received in Peterboro' and taken by sleighs to Cobourg and Port Hope mills—it is now anticipated by the merchants of Peterboro' that they will receive from one hundred and fifty to two hundred thousand bushels yearly in Peterboro' which will be manufactured into flour, as there are two extensive mills building, one of which is expected to commence grinding in February next ; this quantity of wheat will make from thirty to fifty thousand barrels of flour, which must be transported by the River Otonabee and Rice Lake, as it would be summer before the article could be manufactured. This traffic must inevitably increase yearly as the merchants in Peterboro' will be enabled to give within two pence per bushel of the merchants in Cobourg and Port Hope.

With respect to the management of the works when completed, I would suggest to have a general Superintendent, and in the spring of the year, during the time of running timber, engage an assistant at each Slide ; these assistants should mark the timber with the number of the Slide it first passes through, so that the Collector at the lower Slide could collect the whole of the Tolls for the whole of the Slides at one place.

If Slides were constructed on the Otonabee, it would open a communication with the inland waters, which, to look at prospectively, would open a trade from the back Country, which, I think, cannot be estimated, for it would certainly be the cause of inducing persons to settle on the lands, and must yearly increase the number of the inhabitants.

I remain, &c., &c.,  
THOMAS WILSON,  
Overseer Trent Locks.

## APPENDIX LETTER P.

COBOURG, 25<sup>TH</sup> NOVEMBER, 1844.

SIR,

In reply to your letter of the 9th instant, I beg to submit the following notes:—the necessity of making out the estimates and returns already sent, and the travel I have had in the performance of that duty, leaves me far less time than I could have wished to make the enquiries necessary to enable me to lay before you a fuller and more copious report.

I shall consider the Newcastle and Colborne Districts as one, as they are naturally united by the great chain of water communication, their interests are the same, and the increase in their trade and productions are in a great measure dependant on each other.

The great object of all improvements should be to facilitate the operations of commerce and agriculture—to afford an outlet for the productions of the rear town-

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ships, and by that means induce to its speedy settlement.

For many years the inhabitants of the rear townships of the District have been, during several months in the year, completely shut up; egress was next to an impossibility, and the consequence was, they had little or no inducement to industry beyond what was absolutely required for their sustenance or to liquidate the few debts contracted in the purchase of necessaries. The judicious opening of roads and other means of communication will speedily obviate this difficulty.

The works already in operation in this District will, as appears by an inspection of the map very naturally tend to this most desirable end.

The improvement of the River Trent will open a readier and safer passage for the transport of Lumber, the great staple article of trade on the banks of the River, and which must for several years continue to be so.

The erection of the Lock and Dam at Bobcaygean and Lindsay will open the North-western section of the District, completing the navigation of the Scugog to its western extremity, and thence to Lake Ontario by means of the Windsor and Scugog Road, 19 miles in length.

The completion of the Dam at Crooks' and Whitlas' has rendered perfectly safe the navigation of the Rice Lake and the River Otonabee, hitherto so dangerous and fatal to every attempt to establish a system of water transport, and will also, with the completion of the Bridges at Crooks', allow a Steamboat navigation from the head of the Rice Lake to the centre of the Township of Seymour.

This great convenience will for many years be quite sufficient for the transport of all the produce and merchandize of the townships bordering on this river, and will complete the main artery of the District running in a diagonal direction from South East to North West.

The completion of the Slides at Buckhorn and Burley Chute will finish the water communication as far as regards Lumber, and will open up a tract of Country not surpassed on this continent, affording almost inexhaustible forests of White Oak and Pine.

A great obstacle to the agricultural improvement of the Northern Townships was the want of some route by which the Lumber could be got to the market, the consumption on the spot being very limited, the settler confined his operations of clearing as much as possible, —such a route being now opened, the land will be speedily cleared and a rapid increase will soon demand greater facilities for the transport of grain and merchandize.

Such a line is now in progress, and the only difficulty is in the want of a proper Lock at Bobcaygean by which the boat navigation from Mud Lake to the head of the Scugog Lake would be completed, and without which, the Dam and Lock already completed at Lindsay will be perfectly useless: this, as I before observed, would open up the entire of the North Western section affording a ready transport for grain, merchandize, sawed lumber and staves.

The extension of the Scugog Road to the Narrows of Lake Simcoe, thus connecting in a direct line, Lake Ontario with Lake Huron, would open the finest section of Country imaginable, materially shorten the distance from the far West by an easy and practicable route, not so desirable however as that of the Newcastle waters, did the circumstances of the Country afford any prospect of the direct line of water communication

from Lake Simcoe by the Talbot River to the Bay of Quinté being adopted.

The great expense of the latter however seems an insuperable barrier to its completion at least for many years, and the former would meet every reasonable want of the Country, and greatly increase the Revenue.

The improvement of the Scugog will naturally force the attention of the inhabitants of the Townships to the North and West of that River, to the improvement of the township roads and the finding a direct line from Cameron's Lake to the nearest point on the Scugog for the transport of light merchandize.

The next subject which presents itself is the improvement of the middle section.

The improvement of the navigation of the Rice Lake has already greatly increased the trade, and the gravel road from the head of the Lake to Port Hope will, on its completion, afford sufficient access to the front from those Townships of which Peterboro' is the natural depôt.

The great advantage conferred upon this fine section of the Province by the works already completed, is now generally admitted; indeed it cannot be denied, nor would it be fair to urge as an objection against them, even if they failed for the first few years to produce a positive revenue, the defect in revenue would be more than compensated, as regards the Province, by the greater facility, speed and safety of transportation, thereby making the articles conveyed less costly, the circulation of capital more rapid and a certain proportion of men and animals will be disposable for other useful branches of industry, and above all opening the finest tracts of Country to a market, which, without the aid of the works referred to would be inaccessible.

I have found more difficulty in ascertaining the traffic of the several harbours than I at first anticipated.

The owners of some of the small harbours are unwilling to make known the actual amount of business, as they are generally in the habit of making exaggerated newspaper statements annually to serve their own interests.

It is however certain that a large and steady increase is going on—

## BEGINNING AT WINDSOR HABBOUR.

## STATEMENT OF EXPORTS.

	1842.	1843.	1844.	
Flour, . . . Barrel.	6345	12362		
Pork . . . "	697	826		
Ashes, . . . "	264	461		
Oatmeal, . . . "	123	111		
Lard, . . . "	47	120		
Grass Seeds, "	90	749		
Flax Seed, "	9			
Whiskey, . . . "	68	44		
Beer, . . . "	..	14		
Wheat . . . Bushels,	7222	18768		
Oats, . . . "	4526	6687		
Pease . . . "	748	591		
Do. . . . "	100		.. ..	On Wharf.
Oats, . . . "	697		.. ..	"
Lumber, . . . Feet.	101000	233500	.. ..	"
Do. . . . "		80000	.. ..	On Beach.
Sundries, packages.	93	87		
Butter, . . . Firkins.	8			
Hams, . . . "	..	24		
Bran, . . . "	..	920		
Potatoes, Bushels.		120		

Appendix  
(A. A.)

1845.

Appendix  
(A. A.)  
1845.

Value of the Exports as above for 1843.

£15,246 0 0 of which  $\frac{2}{5}$  is from Windsor Harbour, and  $\frac{3}{5}$  from Oshawa.

The Exports from Windsor this year are about the same as the last, and perhaps a trifle more from Oshawa, occasioned by the Proprietors and the Captains of the Mail Line of Steam Boats preferring to touch at Harbours not under the control of the Board. Great objections are urged against the design and general arrangement of Burlington Bay, Windsor and Cobourg Harbours, and as far as I have been able to learn solely because they are intended to accommodate and shelter every other description of Vessel as well the Steam Boats; frequently a Steam Boat passes Cobourg without touching, and in the same state of the weather touch at Port Hope, Bond Head and Darlington where a single Pier only projects into the Lake.

Statement of Imports into WINDSOR HARBOUR.

Duty on Imports from United States—

For Year 1842.....	£300 0 0
“ “ 1843.....	332 18 1
To 20th Novr. 1844.....	753 9 5
The Year ends 5th January, 1845.	

PORT DARLINGTON.

STATEMENT OF EXPORTS.

	1842.	1843.	1844.
Lumber, . . Feet.	149000	112000	254000
Flour, . . Barrels.	6566	5688	6927
Oatmeal . . “	33	6	203
Whiskey, . . “	240	117	102
Pork, . . “	281	29	16
Corn Meal . . “	27	..	12
Pot Ashes, . . “	104	..	11
Ashes, . . “	275	198	143
Pease, . . “	59	16	..
Beef, . . “	5	..	..
Lard, . . “	2	..	..
Butter, . . “	40	6	21
Oats, . . Bushels.	1263	..	..
Potatoes, . . “	295	..	102
Barley, . . “	807	..	..
Shingles, Bundles.	22	20	..
Wheat, Bushels.	..	1566	2300

Statement of the value of Imports into PORT DARLINGTON and BOND HEAD HARBOUR.

	1841.		1842.		1843.		1844.	
	£	s. d.	£	s. d.	£	s. d.	£	s. d.
Port Darlington.....	162	2 3 $\frac{1}{4}$	154	13 1	217	15 4 $\frac{3}{4}$	487	5 4 $\frac{1}{4}$
Bond Head Harbour.....	39	8 ..	61	9 $\frac{3}{4}$	65	8 5 $\frac{1}{4}$	52	7 0 $\frac{1}{4}$
Total.....£	201	10 3 $\frac{1}{4}$	216	2 1 $\frac{3}{4}$	283	3 10	539	12 5

Statement of Exports from BOND HEAD HARBOUR.

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(A. A.)  
1845.

	1841.	1842.	1843.	1844.
Wheat, Bushels.	3467	4088	6420	24000
Flour, . . Barrels.	162	232	1802	2065
Oats, . . Bushels.	..	540	20	950
Pork, . . Barrels.	63	117	44	28
Beef, . . “	17	..	..	..
Pot Ash, . . “	37	40	70	50
Pearl Ash, . . “	21	39	52	41
Whiskey, . . “	121	182	90	82
Lumber, M Feet.	47	56	63	70
Shingles, . . M.	172	106	..	..
Pine Timber, Feet.	..	..	800	..
Shingle Bolts, Cords.	..	24	..	..
Butter, . . Kegs.	14	20	..	10
Lard, . . “	6	6	..	6
Potatoes, Bushels.	..	..	..	290
Staves, . . M.	..	16	..	..
Oxen, . . “	15	..	..	4
Cheese, . . Cwt.	..	15	20	..

PORT HOPE HARBOUR.

Statement of the Value of Imports into PORT HOPE from the United States, up to the 20th November, 1844, £900

I have no way of ascertaining the increase from Year to Year, which is considerable, but by reference to the Appendix to the House of Assembly which I cannot procure, neither can I furnish the amount of Exports, as the Harbour Master refuses to make it known, apprehensive that the Proprietors would raise the rent upon him.

He admits that the increase is very great, and gives as proof that for the last year and the present he paid, £600 per year, and for the coming year he is to pay £775, to which a Salary of £250 or £300 per year, must be added for the actual amount of Toll.

COBOURG HARBOUR.

Duties for Quarter ending 5th April, 1843..	£ 0 4 11
“ “ “ 5th July, “ ..	220 9 2
“ “ “ 5th October, “ ..	479 12 5
“ “ “ 5th January, 1844..	656 13 7
	£1359 0 1

Tolls Acct. Quarter ending 5th January, 1843..	£ 319 14 0
“ “ “ 5th October, “ ..	320 10 1
“ “ “ 5th January, 1844	304 14 2
	£944 18 3

Duties, Quarter ending 5th April, 1844....	£ 12 0 5
“ “ “ 5th July, “ ....	561 1 5
“ “ “ 5th October, “ ....	729 14 7
Estimated duty to 5th January, 1845....	700 0 0
	£2002 16 5

Tolls Acct. Quarter ending 5th April, 1844	£ 30 1 3
“ “ “ 5th July, “ ..	474 6 1
“ “ “ 5th October, “ ..	296 14 5
Estimate to 5th January, 1845	500 0 0
	£1301 1 9

VALUE OF EXPORTS.

There is not sufficient time to ascertain the correct value, but a very great increase has taken place.

Besides the trade of the several Harbours already enumerated, a large amount of Imports is received at each from Montreal, Toronto, &c., of which I can give no account, nor is there any way of obtaining it,



Appendix  
(A. A.)

unless by calling upon the several Importing Merchants throughout the District.

1815.

The foregoing is all the information that I can with any confidence impart, and I regret that it is not as detailed and comprehensive as I could have wished, but I have made the most of the time allowed me.

There are two other Harbours in this section which I have not visited, viz: the Mouth of the Trent, and Grafton, where a considerable business has taken place—during the Winter I will have an opportunity of ascertaining the probable amount of Lumber, Staves, &c., that will go down the Trent which will enable me to make out a Schedule of Tolls to be chargeable in the Spring, which I will forward as soon as possible.

It would be desirable to build the Toll Houses and Gates during the Winter both on the Port Hope and Windsor Roads as both can be opened to the Public very early next spring.

The Revenue of the District will be considerably increased when the proposed Works in the North Western Sections are completed.

On the whole it may safely be stated, that no Section of the Province has been more essentially benefited by its Public Works than this, nor is there any other District that can take precedence in advancement to Wealth and Prosperity.

The probable amount of Traffic on the Otonabee River and the River Trent I insert in pencil, as I am not prepared to fill it up with any degree of accuracy.

Some positive statement may be expected from the Overseer of the Slides on the Trent as far as regards that River.

As I before observed, this subject will receive my immediate attention.

With reference to the best method of collecting the Tolls and Superintending the Works connected with the Navigation, the following appears to me to be the cheapest and the best.

The Lock Keepers at Whitlas and Crooks should be allowed to collect the Tolls at those Stations. A Collector should be permanently located at Chisholm's Rapids, whose duty would be two-fold, capable of collecting all the Tolls at that place and receiving from the Lock Keepers the amount collected by them up to certain periods, and to make proper returns of the whole to the Board.

He should also be capable of Superintending the repairs of the Works and attending to their general management.

The whole of the Lumber will be run down in less than six weeks, it would only be necessary in each year to employ about ten men for three or four days at the rise of the Water to remove the Stop Logs, and at the end of the Season to replace them. One man would then be sufficient at each Slide who would give a ticket to each raft to enable the Collector at Chisholm's to receive the proper Toll.

On this plan the expense will be—

Collector at Chisholm's, Salary per annum,.....	£150	0	0
264 men during the season, at 4s. per day	52	16	0
2 Lock Keepers, at £30 per annum...	60	0	0
	<u>£262</u>	<u>16</u>	<u>0</u>

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1815.

The Toll Houses on the Roads should in all cases be rented, or sold yearly by auction to the highest bidder.

Prospectus of the Revenue for the Windsor Harbour and Lake Scugog Road.

There should be three Toll Gates; one at Perry's Corner (toll 9d per load); one at the rear of the 7th Concession of Whitby, and one at the rear of the 4th Concession of Reach where the Road turns to the head of Scugog Lake (toll at each 7½d) allowing the Teams to return without additional charge.

By this arrangement a Team passing from Scugog Lake to Windsor Harbour and back would have to pay 2s. which rate could not be considered burthensome and very probably will be sufficient in the course of eight years to cover the interest, and the expense of the Toll Houses, together with the annual repairs, and the cost of relaying the planks at the end of that period.

£7700 cost of construction at 6 per cent. ....	£462	0	0
Expense of keeping 3 Toll Houses at £50 each	150	0	0
	<u>£612</u>	<u>0</u>	<u>0</u>

Estimate of Traffic all through.

	£	s.	d.	£	s.	d.
1000 Loads of Wheat and Flour equal to 50,000 Bushels, at 2s. ....	100	0	0			
500 do. of Pot and Pearl Ashes, equal to 2000 to 3000 do, at 2s. ....	50	0	0			
600 do. Pork and sundry Grain, at 2s. ....	60	0	0			
1250 do. Staves, &c. for foreign market, at 2s. ....	125	0	0			
750 do. Pine and other Lumber for the United States and other markets, at 2s. ....	75	0	0			
750 do. Casual Teams both ways with Salt, Merchandize and other Luggage and Carriages, &c. &c. at 2s. ....	75	0	0			
				<u>485</u>	<u>0</u>	<u>0</u>

Estimate from Scugog to Winchester and other Mills, &c., &c., so as only to pass 2 Gates.

500 Loads of Wheat, at 1s. 3d. ....	31	5	0			
750 do. Pork and sundry Grain, Carriages, Luggage, &c. at 1s. 3d. ....	46	17	0			
				<u>78</u>	<u>2</u>	<u>6</u>

Estimate of Traffic from Winchester and other Mills and Villages, and parts of the Country, so as to pass one Gate only.

1500 Loads of Wheat and Flour, at 9d. ....	56	5	0			
300 do. Pot and Pearl Ashes, at 9d. ....	11	5	0			
1000 do. Pork and sundry Grain, at 9d. ....	37	10	0			
3000 do. Pine and other Lumber at 9d. ....	112	10	0			
1000 do. Wood at 9d. ....	37	10	0			
1500 Casual Teams both ways with Salt, Merchandize, other Luggage, Carriages, &c. at 9d. ....	56	5	0			
				<u>311</u>	<u>5</u>	<u>0</u>
				<u>£874</u>	<u>7</u>	<u>6</u>

RECAPITULATION.

Estimate of Revenue. ....	£874	7	6
Interest on the cost of construction, &c. &c. ....	612	0	0
Surplus. ....	<u>£262</u>	<u>7</u>	<u>6</u>

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The foregoing Estimate is intended as an average for the first four years after the Road is completed, but after this time an increase of at least 25 per cent for the next succeeding four years may be expected, particularly if the road be extended to the Narrows. It would not be necessary to make the road at present in a permanent manner, but merely to expend four or five thousand pounds in opening it out.

Certain parts might have Toll Gates for keeping those parts in repair; the remainder of the road might be repaired in the usual way.

**Prospectus of the Revenue for the Rice Lake and Lake Ontario Road.**

This Road will also require three Toll Gates, one near Rice Lake, one at Bletcher's Tavern and one at the junction of the road leading to Brown's Mills.

	£	s.	d.
£7,400 cost of construction, at 6 per cent.....	444	0	0
Annual expenses of 3 Toll Gates, at £50 each...	150	0	0
Annual repairs.....	30	0	0
	<hr/>		
	£624	0	0

*Estimate of Traffic all through.*

2000 loads of Wheat and Flour, at 2s.....	200	0	0
250 do. Pot and Pearl Ashes, at 2s.....	25	0	0
200 do. Pork, at 2s.....	20	0	0
1500 do. sundry Grain and Produce, at 2s.....	150	0	0
750 do. Lumber (2000 feet), at 2s.....	75	0	0
1600 do. Merchandize in return, at 2s.....	160	0	0
1000 do. Pleasure Carriages each way, at 2s..	62	10	0
	<hr/>		
	£692	10	0

**RECAPITULATION.**

Estimate of Revenue.....	692	10	0
Interest on the cost of construction, &c. &c.....	624	0	0
	<hr/>		
Surplus.....	£ 68	10	0

There are articles upon which toll may be collected, such as Whiskey, Beer, &c. &c., but not to any great extent,—a Toll of 2s. per load is not unreasonable.

This road will be for years to come with very trifling repairs, getting better.

**THOMAS A. BEGLY, Esq.**

*Secretary Board of Works.*

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The business will be steadily increasing, and I have no doubt but it will eventually pay interest so as to reduce the capital.

I put the toll to Bletcher's, where the travel will be divided between Port Hope and Cobourg, the same as to the limits of Port Hope, the distance between those points being very trifling.

**Prospectus of the Revenue for the River Trent.**

The revenue of the River Trent will be greatly augmented and will continue to increase when the Slides on the Otonabee River between Peterboro' and Buckhorn Lake are completed, as they will open up the finest Lumber tract of country in the Province. White and Red Pine, and White Oak being in the greatest abundance, the latter in the neighbourhood of the Trent is becoming very scarce.

**Prospectus of Revenue on the Otonabee River.**

The Dam and Lock at Crook's being in some measure necessary for the improvement of the Trent, I put it in connexion with the Slides on that River, and I regard in the following statement, the navigation of the Otonabee and Rice Lake as having been made complete by the expenditure at Whitlas' Rapids.

	£	s.	d.
£6,100 cost of construction at 6 per cent.....	366	0	0
Lock House, Keeper's Salary.....	30	0	0
Repairs (trifling) say per year.....	10	0	0
	<hr/>		
	£406	0	0

*Estimate of Traffic on the Otonabee River.*

24,000 Barrels of Wheat and Flour....	.....
2,400 Do. Pork.....	.....
1,500 Tons sundry Grain and Produce.....	.....
600 Do. Merchandise, &c., in return.....	.....
800 Barrels Salt.....	.....

(Signed,)

**JAMES LYONS,**  
Superintending Engineer.

## APPENDIX LETTER Q.

EXTRACT from the Report of Mr. Gzowski, on Port Stanley Harbour, with Statements of Vessels entering and clearing during the years 1842, 1843 and 1844.

“ Port Stanley must be one of the principal places for discharging goods for the consumption of the country, and loading with produce for exportation.

“ The present state of that Harbour cannot in my opinion answer the purpose for which it will soon be required, the narrow space between the Piers, which must of necessity exist, obliges all the shipping to anchor above them in the stream, which in its widest part is but 160 feet from edge to edge of water, and when a dozen of vessels are within it, not another one of merely ordinary length can turn; the Steamer referred to, “The Kent,” is of such a length that she will not be able to go out of that Harbour in any other way but by backing, which during rough weather, will hardly be practicable with safety to the boat.

“ Another matter which will greatly interfere with the trade entering and going out of that Port, is the existence of a Bar within the Piers, and which in my opinion can never be got rid of, until the works are carried out beyond the line of deposite, formed by the shingle, and wash of the shores which are daily receding, and built upon firm clay bottom.

“ Having taken all these matters into consideration, I beg leave most respectfully to suggest to the Board the necessity of having the present Piers at Port Stanley carried out to a sufficient depth of water, which in my opinion will have the desired effect, and for detailed information, and estimated expense of which, I beg leave to refer them to my Report on that subject dated the 2d May, 1844.

“ I beg leave also to recommend the making of a basin by excavating the projecting low bank of the stream to the required depth, and protecting the side of the cut with piles in such a manner as to form a wharf, and a landing and mooring place for vessels; the estimated expense of which will not exceed £2000.

“ When the recommended improvements are added to the present works at Port Stanley, it will be a Harbour capable of containing and accommodating a large quantity of shipping, and as safe, and easy of access, as any that can be constructed, dependent on, and formed by an inland stream.”

APPENDIX LETTER Q.—(Continued.)

STATEMENT Shewing the number of Vessels entered and Cleared at the Harbour of Port Stanley during the years 1842, 1843 and 1844, their Tonnage and description of Freight.

DATE.	Description of Vessel.	Vessels entered.		REMARKS.	DATE.	Description of Vessel.	Vessels Cleared.		Description of Cargo.	REMARKS.	
		No of Vessels.	Total Tonnage				No of Vessels.	Total Tonnage			
1843	Schooners..... Steamboats..... Propellers..... Total 1842.....	27 19 2	..... ..... .....	No information more detailed could be obtained.	PORT STANLEY.	Schooners.....	8	.....	.....	.....	
1843 to 30th June, 1st July, to 6th December,	Steamboats..... Schooners..... Sloops..... Scaws..... Propellers.....	45 93 1 3 1	..... ..... ..... ..... .....		1843 1st July, to 6th December,	Schooners.....	8	Wheat..... 28844 bushs. Flour..... 1198 barls. Beef..... 85 " Pork..... 30 " Butter..... 26 kegs. Lard..... 1 1/4 barls. Ashes..... 4 "	.....	.....	
		143	8196					General Merchandize, 5693 Barls. American } Salt, Liverpool } 5880 " Government Stores } 270 " Furniture..... 96 " Fresh Fruit..... 56 " Cider..... 25 " Lumber..... 207104 feet Double and Single } Wagons..... } 7 Horses..... 8 Sheep..... 127 Pork..... 19 Mill Stones..... 3 6-20 tons Plaster..... 35 " Eg Iron..... 30 " Coals..... 40 1/2 "		Estimated value—£5927 17s. 2d.	
1844	Schooners..... Steamboats..... Propellers..... Sloops..... Scaws..... Boats under 12 Tons	86 51 5 4 1 1	..... ..... ..... ..... ..... .....		1844 6th April, to 2d November,	Schooners.....	20	.....	Wheat..... 18981 bushs. Flour..... 4319 barls. Pork..... 443 " Beef..... 200 " Ashes..... 111 " Do..... 56 kegs. Lard..... 14 barls. Do..... 12 kegs. Butter..... 10 " Furniture..... 38 barls. Skins..... 148 " Single Wagon..... 1 " Horse..... 1 " Grass Seed..... 52 bushs Kegs..... 116 " Walnut Lumber... 63273 feet.	.....	
6th April, to 2d November,		148	12523					General Merchandize, 7363 Barls. American } Salt, Liverpool } 5576 " Government Stores } 218 " Furniture..... 197 " Fruit..... 180 " Cider..... 5 " Lumber..... 58863 feet Pork..... 32 barls. Double and Single } Wagons..... } 6 Horned Cattle..... 2 Sheep..... 13 Horses..... 7 Mill Stones..... 7 13-20 tons. Coals and Plaster... 90 Plougs..... 12 Shingles..... 6000 Grain (not Wheat). 420 bushs. Potatoes..... 46 "		Estimated value of Exports £11519 7 5	

Amount of Harbour Tolls collected at Port Stanley from 6th April to 2d November, 1844—£900.

APPENDIX LETTER R.

Imports and Exports by the Desjardins Canal each year, from the first opening thereof, on 16th August, 1837, to the close of the Navigation on the 23d day of November, 1844; also the trips of Schooners, Steamboats, Durham Boats, and Scows.

		1837	1838	1839	1840	1841	1842	1843	1844
FLOUR.....	Barrels,	2446	18811	21686	41336	53934	44482	46737	64026
WHISKEY.....	do	542	682	1245	1849	926	1233	1031	757
PORK.....	do	25	47	344	506	1773	1142	40	638
ASHES.....	do	5	42	33	105	92	75	108	115
SALT.....	do	1335	3876	1968	3501	4177	4239	3846	5271
MERCHANDIZE.....	Cwts.	6581	5631	7406	5230	6261½	10759	6434½	13083
STAVES, Puncheon.....	{ Standard measure. }	236170	349547	847779	391544	311278	449560	199250	199817
Do Pipe.....	do	----	1212	5216	75124	39879	78328	53571	1610
BUTTER.....	Barrels	----	----	----	----	13	3	----	1
Do.....	Firkins	----	----	27	231	211	869	220	111
WHEAT.....	Bushels	57	2116	150	12509	1836	5444	4734	8
BARLEY.....	do	----	330	----	1651	----	----	----	----
OATS.....	do	195	----	----	879	----	----	----	----
CORN.....	do	----	----	----	----	----	----	----	2716
PEAS.....	do	----	----	----	140	55	762	----	----
Do.....	Barrels	----	----	----	252	----	26	----	3
BISCUIT.....	do	----	35	----	265	79	90	125	43
OAT-MEAL.....	do	----	24	----	155	436	136	56	----
POT BARLEY.....	do	----	20	----	28	84	78	158	----
GRASS SEED.....	Tierces	----	----	----	----	50	95	118½	156
COALS.....	Tons	36	----	----	25	40	150½	140	255½
PIG IRON.....	do	----	----	----	----	53	145½	296	331½
LARD.....	Barrels	----	----	----	8	11	5	----	8
TALLOW.....	do	----	6	----	----	93	8	----	8
OIL.....	do	3	33	5	----	18	5	----	----
PLASTER.....	do	----	8	50	6	----	25	----	2
ROSIN.....	do	----	----	----	----	12	----	----	25
BEER.....	do	21	8	----	----	----	----	----	----
CIDER.....	do	9	----	----	----	----	----	----	----
HOPS.....	Cwts.	51	----	----	----	5	----	6½	----
BEEF.....	Tierces	----	----	----	----	----	37	----	----
LUMBER.....	Feet	----	----	----	----	----	----	10000	----
SQUARE TIMBER.....	do	----	----	----	----	----	----	2750	----
SHINGLES.....	Pieces	----	----	----	----	----	----	49000	----
SCHOONERS.....	Trips	12	57	16	11	----	----	----	25
STEAMBOATS.....	do	72	72	----	----	----	----	----	4
DURHAM BOATS & SCOWS.....	do	----	142	461	617	524	481	392	421

(Signed,)

JOHN DICKEY,

Secretary, D. C. C.

DESJARDINS CANAL OFFICE,

Dundas, 31st December, 1844.

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## APPENDIX LETTER S.

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General Schedule of Works and Materials enumerated in the accompanying Report as being required and which come under the denomination of "Provincial Works."

1845.

ROADS AND BRIDGES.		£	s.	d.
1.—For the maintenance of the Sarnia Road for 1845.....		302	0	0
2.—Maintenance of the Sandwich, Amherstburg and London Road for 1845.....		450	0	0
3.—Improving Road from Sandwich to Amherstburg.....		2000	0	0
4.—Building Chatham Bridge.....		2000	0	0
5.—Grand River Swamp Road complete.....		10000	0	0
6.—Two Ravines between Hamilton and the Credit.....		8000	0	0
7.—Rouge Hills, Bridge and another very bad hill in the same vicinity.....		6500	0	0
8.—Belleville Bridge.....		1500	0	0
9.—Improving Road from Cascades to St. Anns.....		1200	0	0
10.—Bout de L'Île Bridge.....		14500	0	0
11.—Jacques Cartier Hills and Bridge.....		3000	0	0
12.—To finish the Yonge Street Road to the Holland Landing and to improve the Roads thence to Barrie and Penetanguishine, and to perform some work of dredging in the Holland River and at the Narrows, in addition to the previous appropriation.....		6000	0	0
13.—Completion of Port Dover Road and erection of Toll Houses.....		6500	0	0
14.—Improvement of the Kennebec Road.....		5000	0	0
15.—Building of Etchemin Bridge.....		2400	0	0
16.—Maintenance of Gosford Road.....		450	0	0
17.—Extension of Gaspé Road to Gaspé Basin.....		5649	1	9
18.—Do. do. do. from Little River Restigouche to mouth of Matapedia.....		631	10	9
19.—Building of Metis and Rimouski Bridges.....		1892	10	0
20.—Repair of Kenmore Bridge.....		30	0	0
21.—Building Caplon, Great Bonaventure and Port Daniel Bridges.....		2145	0	0
22.—Building Grand River, Little Cascapedia and Great Cascapedia Bridges.....		4050	0	0
23.—Repair of Road in Percé.....		362	10	0
24.—Metis and Matanne Road.....		2666	2	9
25.—Improving the Navigation of the South Branch of the Mississippi River and forming a Portage Road thence to the Chaudiere Lake, including a Dam across the said River.....		2500	0	0
26.—Improving the Portage Road from Bytown to Aylmer.....		6500	0	0
27.—Road to the Credit Harbor.....		2500	0	0
CANALS, NAVIGATIONS, &c. &c.				
<i>Welland Canal.</i>				
1.—To increase Lock at Allanburg.....		5000	0	0
<i>Lachine Canal.</i>				
2.—Graving Docks and Slips.....		10000	0	0
3.—Construction of Flumes through Bridges and Locks, preparatory to the leasing of Water Power.....		5000	0	0
<i>Chambly Canal.</i>				
4.—Repairs required before the opening of the navigation.....		250	0	0
<i>Ottawa.</i>				
5.—To obtain possession of the Slides at the Portage du Fort and the Chats—to reconstruct the same, and to effect extensive improvements at each—to build a Slide at Bytown—complete the Portage Roads and open a Road through from Bytown to the Village of Moffatt at the foot of the Desallumettes Lake.....		15110	0	0
<i>Trent and Inland Waters.</i>				
6.—Works enumerated in Report.....		12000	0	0
<i>Harbors, &amp;c.</i>				
7.—Wharf at the Rondeau.....		500	0	0
8.—Extension of Piers, &c. there.....		5000	0	0
9.—Do. do. at Port Stanley and Dredging.....		6500	0	0
10.—Port Burwell.....		20000	0	0
11.—Extension of Piers at Windsor and Dredging.....		4600	0	0
12.—Dredging at Cobourg Harbor.....		500	0	0
13.—Presque-Île Wharf.....		250	0	0
14.—Grosse Isle Wharf, Landing, Stairs, &c.....		2750	0	0
LIGHT HOUSES, BUOYS, &c.				
<i>Lake Huron.</i>				
15.—First Class Light and House at Goderich.....		500	0	0
<i>Lake Erie.</i>				
16.—Raising Light House at Point Pelée and building Keepers House, and a Buoy off the Point.....		250	0	0
17.—Four Buoys off Long Point.....		200	0	0

\* Note.—Items 1 & 2 must either be specially provided for or they may be paid out of the proceeds of the Tolls generally of the Main Provincial Road, of which they form part.

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	£	s.	d.
18.—Revolving Light, Light House, Keeper's House and Beacon at Mohawk Island.....	1250	0	0
19.—Light at Port Maitland.....	200	0	0
<i>Lake Ontario.</i>			
20.—Light-Keeper's House at Toronto.....	100	0	0
21.—Do. do. do. Gull Island.....	150	0	0
22.—A Colored Light on end of Salt Point at Presqu'île and Buoy.....	300	0	0
23.—A Colored Light in Kingston Harbor and two Buoy's at Snake Island.....	400	0	0
<i>Lake St. Francis.</i>			
24.—Light on Crabbe Island and six Buoy's on Shoals.....	500	0	0
25.—Dredging Point in direct Channel.....	500	0	0
26.—Light on Grosse Point.....	250	0	0
<i>Lake St. Louis.</i>			
27.—Light at end of Beauharnois Canal.....	250	0	0
28.—Light House and Keeper's House at Point of Ile Perrault.....	500	0	0
29.—Light off Nuns Island and 6 Buoy's on Shoals.....	1000	0	0
30.—Small Light, Three Buoy's and Dredging at and near St. Anns.....	300	0	0
31.—Light at head of Lachine Canal.....	250	0	0
<i>Sundries.</i>			
32.—Seven Dozen Lamps, Reflectors, Glasses, Heaters, &c. &c.....	1000	0	0
33.—Tender Vessel with Forge, for the repairing of Lamps, &c., to deliver the supplies and to serve as a Revenue Cutter when not so employed.....	5000	0	0
<i>Surveys.</i>			
1.—Kingston and Ottawa Road.....	400	0	0
2.—Des Jardins Canal.....	50	0	0
3.—Portions of River Trent.....	400	0	0

APPENDIX LETTER T.

Statement of Traffic on the Chambly Canal at Chambly from the 15th April to 22d November, 1844.

		UPWARDS.				DOWNWARDS.	
PLANKS.....	Feet	88875				291222	
BRICKS.....	M.	—				6	
CROCKERY.....	Crates	2					
Do.....	Barrels	9					
PLASTER of PARIS.....	do	16					
FISH.....	do	6					
IRON TRACES.....	Casks	1					
BEER.....	do	12					
Do.....	Kegs	20					
BAR IRON.....	Tons	T.	C.	Qr.	In.		
PIG IRON.....	do	198	19	2	18		
IRON WIRE.....	do	25	0	0	0		
SALT.....	do	0	5	3	0		
COKE.....	do	765	0	0	0		
SOAP.....	Cwt.	10	0	0	0		
TOBACCO.....	do	31					
LEATHER.....	do	1					
SHEET IRON.....	Boxes	5					
TIN.....	do	15					
CANDLES.....	do	6					
GLASS.....	do	3					
SPADES and SHOVELS.....	Dozen	2					
STOVES.....	No.	5½					
COAL.....	Chaldrons	7					
POTATOES.....	Minots	28					
OATS.....	do	30					
FLAX SEED.....	do	982					
SUGAR.....	Hhds.	4984					
Do.....	Barrels	1					
BOATS and SCOWS.....	No.	1				14	
Amount Collected.....		£110 17s. 8½d.				£26 5 3¼—Total £137 3s.	





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present one and not interfere with the Navigation. This is decidedly the best plan as it will obviate the difficulties in the approaches, and can be built in the summer; it will also be in a much better position. If built upon the plan of the Brantford Locks, the entire work including excavation, embankment and approaches can be completed for £4570. This sum will be sufficient for either plan, except damages, if any, to Thomson's Saw-Mill, which, it is believed, may be avoided. This Saw Mill is situated immediately above the head of the Lock on the west side of the cut, having 2 saws and designed for other Machinery. There is a large Basin above the Lock, otherwise, this together with the flouring mill on the opposite side, (all of which draw water from the cut) would seriously affect the approach to the Lock; as it is, the effect is bad, producing a strong current in the canal above. No more machinery should be allowed upon the channel, unless it is enlarged.

The independent cut extending from the head of Lock No. 1, to Dam No 1, is 3,300 yards long. The Embankment along this Canal half a mile above the Lock, is exposed to the strong current of the River, which sweeps with force against the outside of the slope. Piles have been driven for a short distance as a protection, but they do not prove sufficient, and it will be necessary to pitch the banks with stone. It will probably take 200 yards, and unless this be done soon, a breach may be apprehended. At the head of the cut, two abutments are placed, one in each bank, 89 feet a part with checks for the reception of timber 12 inches broad. This answers very well in preventing the floods of the River, from overflowing the embankments below and allowing the water to be drawn out of the cut. On the east side of the cut, there is a broad belt of land so completely covered with water as to render its neighbourhood unhealthy. It is contemplated by Mr. Jackson to place a Culvert 3 by 3 feet under the Canal, to drain off the surface water, which will increase the value of the land. The timber is provided and the ditches partly cut. It will cost to complete the Culvert and raise the necessary Berm Banks, £200.

At the head of the cut, and above the Guard is a point of land projecting so far into the stream, as seriously to obstruct the Navigation. This should be cut off and will require the removal of 828 Cubic yards of earth, which may be made use of in securing the flume leading to Atkins' Mill, also behind the east Abutment of Dam, No. 1, the remainder may be placed so as to improve the towing path.

#### *Grand River Dams.*

These Dams are built of Logs and timber laid alternately across and lengthwise of the stream; the upper ends of those laid with the stream being pitched, so as to give the necessary inclination to the upper side. This block work near the top is covered with hewn timbers, laid close together and securely trenailed to the beams below, which are at such distances a part, as to give a uniform and substantial bearing to the floor. The floor timbers are of unequal lengths, suited to the various depths of the channel, so as to present a uniform surface having an inclination of from 30 to 40 degrees. Above this a breast of one or two timbers is carried up to the height of the Dam, with Ties dovetailed into them, and secured to a timber below. The whole front is loaded with stone, clay and gravel. The lower aprons to the Dams are formed by first placing cribs of timber filled with stone at suitable distances apart and lengthwise with the River, upon which are placed bed timbers with a heavy cover of plank.

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The abutments are formed with a breast and wings of timber tied together with timbers dovetailed into the sides; the front of the upper side is sheet-piled, and the whole is filled with stone and gravel. On account of the heavy body of water passing over the dams it is now impossible to give them a close inspection or determine what is necessary to render them permanent. Generally the abutments and aprons require Repairs, and to make the Dams permanent, the cribs formed by the Block-work should be filled and closely packed with stone. This would require from 600 to 800 cubic yards of stone to each Dam and the abutments rebuilt with stone. These items are not included in the accompanying Estimate, as apparently it is not absolutely necessary at present, but will be in a few years, as the constant pressure upon the Block-work must cause it to yield. It may on inspection, be found advisable to fill in stone between the cribs of the lower apron, but this cannot be ascertained until the season of low water returns. Dam No. 1 is in two sections, separated by a large Island. The east is 184 feet long; the east abutment of this is apparently firm; that on the west side requires a body of brush and stone to be placed against its base and several courses of timber taken from the top replaced, and filled with stone and gravel. This should be done, or the whole abutment taken down and rebuilt on a foundation some feet lower than the present. As the lower corner of the abutment next the water has settled 2 or 3 feet, in consequence of having been undermined, the former plan may answer for several years and will cost £20. Upon the east side there is a plaster mill belonging to Mr. Atkins; the water passes through a plank flume connected with the abutment. This flume is very insecure and should be repaired and an embankment placed behind it, or it will occasion a breach at the time of the spring floods.

The top of the Dam should be raised in the centre one foot by receiving a timber on the top and planking the front. Ten pounds will effect this repair. The west section of the dam is 185 feet long, the east of which is in a very precarious condition. Mr. Jackson is now engaged in making Repairs. The lower wing of this abutment overhangs, from which it is evident it has been undermined by the plunge of the water over the Dam. It was suggested to the Engineer that in the repairs connected with this wing, timbers should be extended from the new Wharf and firmly connected with it, and some thirty yards of stone and brush placed outside of this to prevent future undermining. The whole abutment will have to be taken up in a few years and entirely rebuilt. The repairs above suggested will cost £12 10s. The west abutment appears secure, but Donaldson's Saw Mill is connected with it in such a manner as to render it difficult to ascertain its true condition.

From the east abutment of this Dam, the company are now engaged in extending an embankment along the west side of the Island to the head. The entire length is 633 yards. The Island is a recent deposit composed of vegetable matter, clay and sand, which yields readily to the action of the water. A trench has been cut a few feet from the water's edge and filled with stone and gravel to the height of 5 or 6 feet above the water with the design of forming a clay bank in front. I proposed to Mr. Jackson to cut a trench in the rear of the gravel bank 2 or 3 feet deep and to fill it with clay well packed, and to raise a clay bank above it, leaving the stone and gravel in front to resist the action of the floods and prevent the operations of the Musk Rats.

To complete the remaining portion of the embankment including the trench will require 2,883 cubic

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yards of excavation. A part of this embankment is through a deep channel, narrow on the top with steep banks. At this place, a breach occurred last spring, which was repaired by a heavy embankment. A waste weir has since been built here 30 feet wide, founded upon a body of stone; the sides are formed with cribs 15 feet long by 10 feet wide filled with stone. At the breast of the weir there is a fall of three feet on a plank apron, from which the water passes over large stones promiscuously thrown in, but the discharge of the water is so near the face of the bank that there is danger of its undermining the whole work. Mr. Jackson proposes to place a crib across the current some 25 feet below and to extend the apron to it, and thus conduct the water past the face of the embankment. The waste weir has settled unequally since its erection; one of the upper corners is 12 or 18 inches lower than the front. To complete the apron as proposed with some other repairs necessary to the security of the work will cost £45.

The channel from the head of cut No. 1 to the first point below Lock No. 2 at York, is good around the point near York. There is a shoal in extent about 150 feet requiring to be dredged one foot. The material is shelly rock and gravel. The channel should be dredged 42 feet wide, the number of yards to be taken out is 234. Between this point and the Lock the channel is at too great a distance from the track path or shore for towing. The mills and slabs piled in front of them below the Lock increase this difficulty. There is also a strong current created by the water discharged from the tailraces of several mills, which operate against Boats approaching the Lock. A Bridge from the tail of the Lock 300 feet long and a towing path constructed from the necessary excavation and adjoining earth, would greatly improve that part of the navigation and is probably the best plan under the existing state of things to obviate the difficulties. The cost will be found in the estimate. This is to be placed so near the channel as to render the towing good. These strong currents from the mills, some of which are directly across the channel are constantly forming bars. It is unfortunate for the navigation that mills have been allowed in these situations, but since the evil exists, some measure should be taken to change the direction of the currents. The saw dust, slabs and bark from these mills and others situated near the Locks are conveyed by the current and deposited so as to form bars which must be removed by dredging. I saw large quantities which had been removed from the channel principally composed of slabs, bark and sawdust. Sufficient care is not observed in securing the slabs, as quantities are constantly left to float down the river and obstruct the navigation. Mr. Jackson mentioned this evil, as one which he had endeavoured to prevent as far as possible. J. Davis has a saw mill placed close to the tail of the Lock No. 2. The water to carry his machinery and that of other mills below is taken from the cut at the head of the Lock in an open race along the east side of the Lock. The water in passing sweeps the entire length of the wall and its embankment. A heavy breach has occurred between the Lock and the mill which was repaired with posts, beams and rafters covered with plank and filled in front with brush and gravel. This is merely a temporary repair, and the safety and permanency of the work require heavy and immediate additions. The earth and gravel may be obtained from the cut above, to be afterward described. A wall should be extended from the end of the Lock-wing to the mill and the space between it and the present timbers filled with earth; as it forms part of the Lock embankment, it will require 500 cubic yards of gravel and 15 cubic yards of stone. The only safe way to conduct the water to the mills is by a tight plank

flume with a good set of bulk head gates placed at the upper end and given in charge to the Lock tender, that he may have full control of the water at all times. The present bulk head gates to the mills are much out of order and not sufficient to check the water in the time of freshets. The owners of the property should be required to rebuild them.

At Lock No. 2 there is a leak near the centre. The Lock-tender mentioned that there was a constant current passing out at the rear of the west wall into the river; this has undermined the embankment and caused it to fall in. It is probable that the water passes under the Lock wall from Davis' race on the opposite side and has probably forced a passage under the foundation. An excavation should be made at the point where the embankment has fallen in, to discover if possible the source of the leak. About 200 yards should be excavated and the hole filled up with puddle, this will cost £15 10 0. The walls of this Lock overhang badly, particularly the east one, curving in about 9 inches in the centre. This should be taken up for 6 feet in depth and relaid. This might be delayed 2 or 3 years, but it must yearly become worse, and it may be the best economy to do it at once, and the water in the race separated from the embankment.

On west side of the Lock is a saw mill belonging to Mr. Davis, connected with the abutment of the Dam. The water for this mill is drawn directly from the Dam. Over the apron the abutment of this Dam is entirely covered with lumber, and cannot be examined thoroughly. It appears to be insecure; this lumber should be removed to allow room for examination and repair. Water is drawn from the cut to supply 2 saw mills, one grist do., and one circular saw upon the towpath side, and one saw mill upon the west side. From lock No. 2 to No. 3, (or Synes Lock) there is a very good depth of water with the exception of some small points or side bars; one at a mile above the Lock, requires 3 to 5 inches dredging for a short distance, and the point of an Island near the Lock on the west side of the channel should be cut off, some dredging is also required immediately below the tail of the Lock.

Lock No. 3 has 9 feet lift and is 2 miles distant from No. 2. The Walls of this Lock are in very good condition; immediately above the Lock and 200 feet from it there is a Saw Mill owned by Mr. Synes. There are also several flumes placed there by the company preparatory to the sale of the water power and the erection of Mills. Last year a heavy breach occurred in the cut above the Lock, so near to these structures as greatly to disturb them. The Saw Mill is partly undermined and has settled. All the flumes (including the one leading to the Mills) should be removed; that one may be replaced if properly secured and provided with Bulk-head Gates. The space occupied by the others should be filled with water tight earth, well puddled. The present bank is narrow, and should be strengthened. The cost, independent of that of the work which should be done by the mill owners, will be £50.

Cut No. 3 extends  $\frac{3}{4}$  of a mile from the head of the Lock to Dam No. 3 at the head of the cut. There is a stop gate or guard similar to the one at cut No. 1. This is in good order and answers a very good purpose for a cheap erection.

There is a tract of Land upon the east side of the River, partially flooded, principally belonging to Mr. Charles Bain, who states that he has received no compensation for the Damages. This may very easily be drained by cutting a ditch along the side of the towing

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path and the material deposited upon it. This is not included in the estimate.

The towing path may be so enlarged as to admit the public travel upon it. At present the road passes in a very circuitous course over a steep bluff and descends on to the towing path  $1\frac{1}{2}$  miles above the Lock. It would be far better that the road should continue on the plain of the path. The health of the place would also be much improved by draining the land.

At the head of cut No. 3 on the east abutment of the dam, there is a Saw Mill owned by Peter McKerechar, who has placed his lumber at the head of the cut. Adjoining the abutment, on the west end of the dam, there is a saw mill owned by Mr. Raymond, which appears to be as well situated for safety as any upon the river, it being 60 feet from the abutment, and the race entirely separated from the works, together with the foundation in a secure condition. There is a sufficient depth of water from this Dam to near Lock 4 at Seneca, a distance of  $1\frac{1}{2}$  miles.—About 225 feet below, and directly in the centre line of the lock is an Island formed from the gravel, dredged from the channel outside. This is wharfed on one side, and preparations are making for erecting a warehouse upon it. But the navigation requires that it should be entirely removed. To remove this and clear the channel, will require 350 cubic yards of excavation and dredging.

Upon the east side of Lock No. 4, Mr. Turner has a flouring mill with 4 run of stones. Mr. Jas. Little has a carding machine, and Mr. Moore a turning lathe upon the same side. On the west side of the lock and upon the east end of the Dam, Mr. Turner has a Saw Mill, placed in front of the Dam, (the flume having been built with the Dam) and upon the apron, Mr. Little has a Saw Mill upon the west end similarly situated. Slabs are piled on the River side of these Mills, so as to obstruct the proper discharge over the Dam, as also lumber upon the abutments and embankments, preventing the possibility of inspection. If the whole could be cleaned and the embankments examined, raised and strengthened, there would be less objection to it. Both abutments should be raised two timbers and filled with stone and gravel; this will cost £20. Mr. Jackson is extending an embankment from the Saw Mill, on the west side to the main land, with a flume placed in the centre for the purpose of discharging water from a low piece of land above, after the freshets have subsided. The embankment like the one at the Dam below, is placed upon very low ground, and will have to sustain a heavy head of water, it is formed of light loam, is narrow on the top, with slopes  $1\frac{1}{2}$  to 1 or less.

I am unable to judge of the ditch or mucking and clearing under the bank generally, but from what could be seen, I am of opinion that those who are forming the bank, have taken advantage of Mr. Jackson's necessary absence, and that it is not well done. Near the Mill the embankment was placed upon slabs, but Mr. Jackson gave orders for their removal. I think it would be advisable to have a trench cut in front within the slope, so as to unite the natural earth with the embankment, and to place upon the face of the bank 1000 cubic yards of gravel in addition to what is contemplated. As the other portion is so nearly completed, the material can be obtained from a cut opposite, and the price, allowed in the estimate, will cover the expense of transportation. Mr. Little has a Rail Road for conveying lumber from his Mill along the bank of the River. This lumber and perhaps the Rail Road should be removed before the spring floods, and a quantity of gravel and clay put on to prevent the water from breaking over; this will require 400 cubic yards.

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The balance beams, quoin posts, and coping of Lock No 4, are much decayed and require repairs or renewal. The stones in the wings are much broken by frost, and are removing the planking from the chamber walls. The stone gave evidence of the same influence, but the mortar appears sound and healthy (common caustic lime having been used.)

It may be well when the planking is renewed to cover the surface and bed, the planking in the mortar. This may protect the walls for many years. The walls overhang. This may be checked here by cutting a trench to the rear of the wall 3 feet deep, and filling it with small boulder stone, to check the expansive force of the frost, this will be advisable at all the Locks.

The approach to the cut above Lock No. 4, is difficult, and when the water is high, dangerous, in consequence of a point of land, jutting out into the channel. This should be cut off and part of the materials can be so deposited as to strengthen the embankment upon the opposite side. The lower approach to Lock No. 5 or Oneida, should be improved by cutting off a bend in the bank, and deepening a shoal, so as to straighten the channel. All the material from the cut can be profitably employed in improving the towing path between it and Caledonia bridge, and in repairing the bank at the east abutment of the Dam.

At Lock No. 5, there are three Saw Mills, the one on the east side is owned by R. McKinnon, one upon the west side by James Little, and the other by W. Moore. Little and McKinnon's Mills are situated on the River side of the abutments of the Dam, and the flumes occupy parts of the apron. Moore's is supplied by a race leading around the abutments. The embankments and abutments on both sides are covered. The lumber should be removed from the east side, and 400 cubic yards of gravel placed upon the bank before spring. This may be procured from the cut below the Lock.

The triangular pier which separates the water passing over the Dam, from that which supplies the channel should be extended 30 feet, and the upper end placed 10 feet, further into the stream. This is necessary for the protection and improvement of the entrance. This is the last Lock now built and completes the ascent of the Barefoot Rapids.

From lock number five to within about 10 miles of the present head of the navigation at Bunnell's Landing, there is sufficient depth of water, with the exception of an occasional side bar, but in the last ten miles there are several bars crossing the entire stream. A channel has been dredged through them, but it is difficult to be kept clear, it being so great a distance from the track path as to render the towing exceedingly inconvenient. At some places it is over 100 feet from the path. It will be expensive to perfect a channel at a reasonable distance from the shore (a necessary outlay for a good navigation) unless the plan of raising the level 12 or 15 inches be adopted. This appears to be decidedly the best plan, as there will then be but a few points and bars to be cut off, to secure a channel close along shore for tow-boats, and furnish a very superior steamboat navigation for 30 miles. This will also lessen the expense of forming a path. My estimate is for the higher level. To secure the level proposed, dam number five, (which is now low, and is much better built than the others) may be raised by securing a timber upon the top, and laying a covering of plank from this to another timber placed upon the upper apron. This dam is 876 feet in length.

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The track path from Oneida to Bunnell's Landing is exceedingly rough, following the natural inequalities of the bank, with the brush and stumps, but partially cleared. There are some portions where a good path can be formed with but little labour, along the natural surface.

At Forbes' Creek, one mile above Oneida, an embankment will be necessary, as the channel is far from the shore, which is low; this bank should be extended 220 yards, and should be 6 feet high; the materials can be procured at a place convenient.

There is a place at a small island near the village of Tuscarora, where the channel and towing are bad. A bank should be formed nearer the river, and a channel dredged.

About 80 yards below this, the track passes over a high undulating bluff, by reducing which to its proper level, sufficient material can be furnished to make the embankment. This should extend 176 yards, and be raised 10 feet high, so as to be out of the reach of freshets. At the mouth of Springer's Creek there is a strip of land, covered with stumps, between the track path and channel, which increases the difficulty of towing. A channel cut  $3\frac{1}{2}$  feet deep, 30 feet wide and 200 feet long, would obviate this.

Immediately below Nightingale's the towing is obstructed by a quantity of flood wood, embedded in the mud, and extending into the channel. Half a mile above Nightingale's there are boulders of rock in the channel, that, in low-water, interfere with the navigation, but the proposed higher level will surmount this obstacle. There is a bar a mile below Birch's Landing, which should be dredged 55 yards in length, 1 foot deep by 30 feet in width. Above Birch's Landing for a distance of a quarter of a mile, the bank being 20 or 30 feet higher than the surface of the water, the slope of the bank is so long that the tow-horses are forced to travel upon the face of the slope. The material is clay, and in wet weather so exceedingly slippery, that it is with trouble the animals can travel upon it. Should this portion of the track be benched in it will not stand, the materials being so inclined to slide, since the protection of roots and trees has been taken away. The only plan is to build a slope-wall, and fill in behind it with brush and gravel. The wall should be not less than 3 feet thick and 6 feet high.

For three or four miles in length the high bluff shore is rapidly wasting from the action of the water. This, in a few years, must be pitched with stone.

At the first bend of the river below Bunnell's Landing a very serious difficulty occurs in maintaining the track. This will require great expense to remedy, the floods of the river having undermined the bank so much that it is continually falling in, and wasting away the bank. The continual washing of the river will render any path that can be constructed insecure, unless protected by a slope wall. There is one mile of this in the state described, which should be walled at once. A new path should be cleared this winter, and the wall laid during the next summer. It should be 15 feet measured on the top, by  $1\frac{1}{2}$  feet thick. It is also advisable to level the inequalities of the ground for 5 miles.

To render this navigation a good one, and such as would come under the head of a fair public work, will require grubbing, clearing and levelling, also some repairs on the bridges for the remaining 25 miles of the tow-path between Oneida and Bunnell's Landing.

Appendix  
(A. A.)

1845.

The present navigation terminates at Bunnell's Landing. It is proposed to make the ascent to the table-land leading to the village of Brantford by three locks, each of 11 feet lift; the work is now in progress.

It is proposed to build these locks 30 feet longer than those below, and the same width, which will make them  $146\frac{1}{2}$  feet by 32 feet in the clear. This will place the length and breadth in much better proportion, and will cheapen the cost of transportation, as the increased length of the boat will add but little to the cost of towing, the principal resistance being at the bow and stern of the boat. The tonnage may also be increased, and at the same time the boat draw less water. I therefore highly approve of this increased length, or even  $33\frac{1}{2}$  feet which would make them equal in length to the new locks upon the Welland Canal. The locks below may readily be made of the same length, by removing the lower wings, lengthening the walls, and forming new recesses for the gates and mitre sills.

The point selected for leaving the river is probably the best that could have been chosen.

The Locks are separated by reaches 234 feet long, which is as much as can be gained without materially increasing the expense, as the rise is so abrupt to the level of the plain. The foundation of the first Lock is a soft blue clay, sufficiently firm however from appearances to receive a timber and plank foundation, those of the other two are in a heavy gravel and firm clay.

The Locks are to be composite similar to those below. The thickness of the walls to be  $6\frac{1}{2}$  feet at the base and 5 feet on the top. This width is not sufficient for this kind of wall, and is probably one reason why the locks below have failed. It would be advisable to increase the width at the base of the walls of the lower Lock to 10 feet, and 8 or 9 feet may be sufficient for the others. It would also be better to secure the face timbers of the wall above the lower level with iron rods passing through the timber and secured to an anchor firmly masoned into the interior of the wall, and made fast upon the outside of the timbers by a nut and screw. The face timbers may then be replaced more readily. The plan of using timber ties is objectionable as they are more liable to decay, and the difficulty of repairing is increased, and the repairs must be less perfect than upon the plan of using anchors.

It would be advisable also to give the chamber walls a batter of one inch in twelve; this would place the bearing much more favorable upon the base. The present design is to build them perpendicular, similar to those below.

Contracts have been entered into by responsible men and good mechanics to complete the locks for £1866 13s. 4d. each upon the plan proposed—2000 cubic yards of stone will be required for each Lock.

It is contemplated to open a quarry 6 or 8 miles down the river and  $1\frac{1}{2}$  miles back. I visited that quarry with one of the partners; there seems to be stone there which will answer, but they must be well assorted. The stripping will be considerable and the waste heavy, the quarrying of these stones must cost at least six shillings per yard, the hauling to the river 1s. 6d. the delivery by boats to the river 2s. 6d. and the cost of laying in the Locks including lime and sand 5s. making the entire cost 15s. per cubic yard.

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The want of good quarries is much felt upon the river. I regret not having had time to make some examination into the quality of stone at the different quarries. I visited one below Birch's Landing which I have already mentioned. There are red and white sand-stone in the neighborhood of Indiana, which are far superior to those used in the present Locks. There is a quarry of superior lime-stone in Rainham, three miles from Gifford's Landing on the Grand River. I have examined these stones and can recommend them for soundness and durability; they are of the same quality as those obtained at Gravelly Bay for the entrance lock at Broad Creek.

*Independent Cut at Brantford.*

From the head of the Locks at Bunnell's Bay to Brantford the line of the canal passes alternately through reservoirs or low broad morasses and deep cuttings, much of the material is a light soil resting upon a bed of coarse clear gravel which forms the under Stratum of the Brantford Flats, through which the river has cut a channel. At a short distance above the Locks there is a reservoir embracing 25 to 30 acres, the surface of which is several feet below the bottom of Canal. The embankment which forms one side of the reservoir, is based upon a morass of black vegetable deposited, resting upon coarse clear gravel of great depth. This was determined by several borings; the auger passing through the mould by slight pressure, to the coarse gravel beneath. I was informed that this embankment was placed without the base having been mucked, or a ditch being cut through the mould. I am unable to say how deep the earth has settled into the muck; or, whether, if it reaches the gravel, the bank will be water-tight; if not (which is most probable) the river being nearer and some 14 feet lower than the water in the canal it will be liable to give way.

A puddle wall will require to be added, sunk sufficiently deep to prevent leakage. There may be no failure in this bank, but it is advisable to test it as early as possible.

I suggested to Mr. Jackson the propriety of placing a dam across the Canal near the site for the Locks which are being built, and of letting in the water for the purpose of testing the banks. This can readily be done, and it will be profitable to the other parts of the work, especially in places where there is a fine running sand at the base of the slope. The banks have commenced falling in at several places, and the water remaining in through the winter season will serve as a great protection. The embankment referred to above continues for half a mile through the marsh, the slope  $1\frac{1}{2}$  to 1 foot. There is danger that when the water is in, the surf will cut through the bank; to prevent this, I propose to place at the water level, three timbers in height against a thin lining of gravel; this will cost £307 10 0.

The banks through the cutting are entirely too steep, but the Engineer has wisely left a berm of six feet at the natural surface in front of the spoil bank, which may at any time be added to the slope, giving it relief.

The entire section from the locks to Brantford, was let in one contract to John Hunter; the contract being a hard one, he was permitted to leave the work before it was completed, and a final settlement was made with him. There are a great number of stumps, boulders, bars and pieces of excavation still to be removed, and some parts of the embankment to be raised.

There has been paid on this contract, (see table number two, hereunto annexed).....	£6,899 19 8
It will cost to complete the work...	314 0 0
<b>Total cost.....</b>	<b>£7,213 19 8</b>

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The canal through the cut is generally 36 feet wide in bottom; and some portions, around sharp curves, are wider.

There is a section at the head of the cut that has not been put under contract, extending to the point where the dam across the river is to be built. This, together with the Brantford cut, and sundry other work connected with this indispensable cut, will cost £3299 5 0.

Embraced in the above sum are,

- 3 Waste Weirs connected with the locks, to conduct the water from one level to another.
- 1 Flume near the lock for the purpose of drawing the water from the canal.
- 1 Flume near Brantford.
- 2 Recess Pools upon the berm side, with ditches leading to them to take off the water which there accumulates.
- 3 Pivot Bridges.
- 1 Guard Gate at the head of the canal.
- 1 Dam across the Grand River.

Also, the protection at the bank of the river of a point above Brantford Bridge, where in high water the current finds a passage 30 to 40 rods beyond the bridge, and flows under the bridge upon the road built by the Board of Works; otherwise when the new dam is raised, as proposed, an independent channel will be formed.

There appears to have been a decrease in the Tolls for the past year, caused by the falling off in the article of lumber, but it is not an evidence against the growing trade; wheat, flour, and other articles having increased over former years. There is more contingency in the lumber trade than in any other source from which revenue may be anticipated; the amount may at times be more or less depending simply upon the demand. The aggregate demand must be increasing, and if it cannot be obtained along the shores of the river as at present at a moderate price, the demand will always pay the additional cost of transportation. The lavish manner in which the lumber of the country has been wasted only tends to increase the difficulty of obtaining it, which must be supplied from such sections as can more readily furnish it.

The Grand River supplies large quantities of valuable timber which will, for a long time, afford a liberal revenue, but as the products of the forest decline, it may reasonably be anticipated, from the rich and productive soil embraced in the section through which the navigation passes, and so extensively accommodates, that agricultural products will supply its place in articles less bulky, but paying a much higher toll. If the navigation be made as perfect as the benefits, which may be reasonably anticipated from it, will warrant, the cost of transportation will be reduced, and more encouragement given to the trade.

Mr. Jackson, in his letter of the 1st November, 1843, mentions, that notwithstanding the heavy reduction of the rate of tolls made this year, the aggregate tolls will considerably exceed that of last season. I also beg to suggest the propriety of providing flumes

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at each of the dams, sufficiently capacious for drawing down the water at its low stage in the winter. Shoals and other obstructions may then be removed at little expense, instead of the costly plan of dredging now adopted. This would afford facilities for the examination and repair of the dams, the inspection into the condition of mill-flumes, abutments, and other necessary repairs.

In submitting this Report, I beg leave to state, that the examination of the river has not been as complete as it would have been, had there been a map or chart giving the different points with the distances along the river. Such a map has never been prepared. There was a plan made by Marshall Lewis, at the early projection of the work, merely designed to give a general outline of the river, but not sufficiently correct nor containing the necessary details to be of service. If time had allowed, I should have prepared a map from

actual survey. This, I have supposed, was not expected, and I have only given sketches at the several locks, shewing the relative position of dam-locks and such erections as are immediately connected with the work. The examination has been as close as the season of the year would admit of, and it is hoped that it will be satisfactory.

Mr. Jackson, the engineer, was with me most of the time, and kindly rendered all the assistance in his power. He has furnished me with some details from the office at Brantford, and a map of the Brantford cut, which are forwarded.

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

(Signed,) ALFRED BARRETT.

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1845.

**TABLE No. 1,**  
REFERRED TO IN THE ABOVE REPORT.

ABSTRACT OF THE BRANTFORD CUT.

	£	s.	d.	£	s.	d.
3 Locks,	7884	0	0			
Excavation and other Work connected with and upon the Lock Section,	1764	14	1			
Wharfing the Banks at Brantford Cut,				9648	14	1
To complete John Hunter's Contract,				307	10	0
Do. that portion at Brantford not contracted, for				314	0	0
Three Waste Weirs omitted, in the expense on Lock contract,				497	15	0
Two Flumes to discharge Water from the Canal,				600	0	0
Recess Pools on Berm Bank,				500	0	0
Three Pivot Bridges,				100	0	0
Guard Gate at the head of Canal,				375	0	0
Grand River Dam at Brantford,				326	10	0
Securing the River Bank above the Dam,				800	0	0
Damage to Mills at Brantford,				100	0	0
				3546	0	0
Remaining to be paid,				17114	9	1
Add the amount paid to John Hunter,				6899	19	8
Total cost of Brantford Cut,				24014	8	9

**TABLE No. 2,**  
REFERRED TO IN THE ABOVE REPORT.

STATEMENT of the Grand River Navigation Company, exhibiting the state of their affairs to 1st July, 1843, and the amount still required to complete the said Navigation to the Town of Brantford.

Cr.	£	s.	d.	£	s.	d.
To Six Nation Indians balance at the debit of their Account for Stock unpaid,	1912	16	3			
To Individual Stockholders balance at their debit,	535	7	3			
To Sundry Persons, balances at their debit for Water Rents and Rents, and Sales of Land,	1685	12	7			
To Treasurer, balance in his hands to be accounted for,	1518	0	4½			
Amount of Assets,				5651	16	5½
				Carried over.....		

Appendix  
(A. A.)

TABLE No. 2.—(Continued.)

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(A. A.)

1845.

1845.

	£	s.	d.	£	s.	d.
<i>Brought over,</i>				5651	16	5½
To Expended on Bills of Work done under Contract, and under the Superintendence of the Company's Engineer,	96887	5	5			
To Expended on Roads and Bridges under Superintendence of the Engineer,	681	12	1½			
To Expended on Towing Path,	1961	8	5			
To do. Dredging,	1671	15	9	41202	1	8½
To do. in Lands and Damages,	2437	18	8½			
To do. Interest and Discounts,	1012	1	3			
To do. Salaries and Expenses of Officers,	3186	10	1			
To do. Contingencies,	1301	4	3	7937	14	3½
To Paid Stockholders a dividend (declared in November, 1839,) of 2½ on the Capital Stock then paid in,				781	7	9½
				55573	0	3

*Dr.*

	£	s.	d.	£	s.	d.
By Six Nations Indians, balance at the credit of their account in company, being the amount of their Capital. Stock 6121 Shares,	38256	5	0			
By Individual Stockholders, balances at the credit of their Stock account in company, being the amount of their Capital Stock 1465 Shares, Stock Account,	9156	5	0	47412	10	0
By Toll Account,	2612	10	10½			
By Water Rents Account,	2433	7	9½			
By Rents and Sales of Land, &c.,	871	12	0½	5917	10	8½
By Provincial Government on account of Loan, under Loan Act 7th William IV.				500	0	0
By Balance due to Samuel Street, Esq., being balance of a Judgment against the Company purchased by him,	985	12	3½			
By Balance on Bills payable,	222	2	7½			
By do. due the Gore Bank being amount overdrawn,	37	2	11			
By Balance due to A. Helmer and others for work done,	498	1	8½	1742	19	6½
				£	55573	0 3

ABSTRACT OF THE FOREGOING.—*Cr.*

	£	s.	d.	£	s.	d.
To Balance due by the Six Nation Indians,	1912	16	3			
To Balance due by Individual Stockholders,	535	7	3			
To do. do. Sundry Persons for Rents, &c.,	1685	12	7			
To do. in Treasurer's hands to be accounted for,	1518	0	4½	5651	16	5½
				5651	16	5½
To Amount brought down,				£	3408	16 10½

ABSTRACT OF THE FOREGOING.—*Dr.*

	£	s.	d.	£	s.	d.
By Amount due Provincial Government for Loan,	500	0	0			
By do. Samuel Street balance of Judgment,	985	12	3½			
By do. on Bills Payable,	222	2	7½			
By do. Gore Bank,	37	2	11			
By do. A. Helmer and others for work done,	498	1	8½			
By Total Amount,				2242	19	6½
By Balance to Account,				3408	16	10½
				5651	16	5½
By Engineers Estimate herewith of the sum required to complete the Navigation,				13536	10	7½

Appendix (A. A.) **THE TENTH or final Estimate of Work at the Brantford Canal, done by John Hunter, Contractor.** Appendix (A. A.)  
 1845. 1845.

						£ s. d.	
From Stations.....	3 to 10	20332	Embankment.				
	10 " 12	7073	Do.				
	12 " 26	96824	Do.				
	26 " 32½	18214	Do.				
	32½ " 36	20578	Do.				
	36 " 41	17286	Do.				
	41 " 45	22351	Do.				
	45 " 52	22326	Excavation.				
		224984	Cubic Yards at 6d.....			5624 12 0	
Station.....	3 to 10	616	Yards Muck Ditch at	s. d.	£ s.		
	33 " 36	264	Do. do.	0 9	23 2		
	36 " 44	704	Do. do.	1 3	16 10		
	44 " 45	88	Do. do.	0 9	26 18		
	45 " 50	440	Do. do.	1 3	5 10		
			Do. do.	0 9	16 10		
						88 0 0	
			Extra Work in Race and Culverts, 2243 Yards at 9d.....			84 2 3	
			Excavation in Cove Basin, 10695 " 7½.....			267 7 6	
			Allowance for Levelling, Roads, &c.....			250 0 0	
			Do. 224,984 Yards Excavation at 5s. 8d.....			585 17 11	
			Total.....	£		6899 19 8	

**ESTIMATE OF WORK, and Materials required to complete the Grand River Navigation from what is called Bunnell's Landing to the Town of Brantford.**

UNDER CONTRACT.		£ s. d.	£ s. d.
3 Locks, 11 feet lift, will cost each, £2000,	- - - - -	6000 0 0	
Excavating of Lock-Pits above Water 29,777 c. yards at 7½d.,	- - - - -	930 10 7½	
Do. do. below do. 3,508 do. 1s. 3d.	- - - - -	219 5 0	7149 15 7½
NOT UNDER CONTRACT.			
Reconstructing the Dam at Brantford, -	- - - - -	390 0 0	
Guard Gates at the head of Cut, -	- - - - -	326 10 0	
Excavation head of Cut 15,928 c. yards, at 7d½.	- - - - -	497 15 0	
Do. to complete Basins, -	- - - - -	265 0 0	
3 Pivot Bridges at £125 each, -	- - - - -	375 0 0	
Chopping and clearing Stumps in Basin, -	- - - - -	14 0 0	
Excavation in several places to complete, -	- - - - -	35 0 0	
Culvert for Mill at Stahtion No 52, -	- - - - -	27 10 0	1930 15 0
LANDS AND DAMAGES.			9080 10 7½
Award in favour of the Misses McDougall for Mill Property, -	- - - - -	2750 0 0	
Estimated damages to the Mill property of John A. Wilkins, Esq., -	- - - - -	796 0 0	3546 0 0
Estimate of Work required below the Brantford Cut and in operation by order of the Board.			
3 Lock Tenders Houses at £40 each, -	- - - - -	120 0 0	
Excavation in the River near Brantford by Dredging, -	- - - - -	196 0 0	
New Culverts and Bridges on Towing Path, -	- - - - -	73 10 0	
Draining and Clearing overflowed land under Contract, -	- - - - -	65 0 0	
Culvert at Dam No. 1, -	- - - - -	54 10 0	
Raising Embankments at sundry places, -	- - - - -	317 0 0	
Work at Roads and Bridges, -	- - - - -	37 15 0	
Two New Waste Weirs, -	- - - - -	46 5 0	910 0 0
Sum required, - - - - -	- - - - -	.. .. .	13536 10 7½

O. G. R. NAVIGATION. Co.

Brantford, 1st November, 1843.

The Works under Contract are to be completed on the 1st day of August next.

(Signed,)

JOHN JACKSON,

Engineer, G. R. N. C.



Appendix  
(A. A.)

ANNUAL COST OF MANAGEMENT,

1842.

Appendix  
(A. A.)

1845.

1845.

John Jackson, Engineer, Agent and Collector, Salary £250 per Annum, &c.	-	£	s.	d.	£	s.	d.
John Cameron, Secretary and Book-Keeper, -	-	..	..	..	275	0	0
					125	0	0
<b>LOCK TENDERS.</b>							
Wm. Kerrott, Lock No. 1. Lock Tender & Assistant Collector 8 Months at £7 10s.		60	0	0			
Wm. Fearman, do. 2. do. 7 Months only at.....	3 15	26	5	0			
John Williams, do. 3. do. and Works for the Company, 7 Months at.....	5 10	38	10	0			
John Dalton. do. 4. do. 7 do. ....	5 10	38	10	0			
James Martin, do. 5. do. 7 do. ....	5 10	38	10	0			
James Bell, do. 4. And Assistant Collector, 7 Months at.....	2 10	17	10	0			
					219	5	0
Office Rent per Annum, - . . . . .	-				25	0	0
<b>EXPENSES OF THE DIRECTORS.</b>							
Messrs. Jarvis and Gaynne, - . . . . .	-	51	6	10½			
George S. Tiffany, Esq., - . . . . .	-	26	4	0			
James Wilkes, - . . . . .	-	25	10	0			
John Donaldson, - . . . . .	-	12	0	0			
					114	0	10½
Total, - . . . . .	-	£			758	5	10½

SCHEDULE of Lands belonging to the Grand River Navigation Company.

From whom purchased.	Where Situated.	Quantity of Acres.
Government .....	Indian Village.....	66 <sup>1</sup> / <sub>10</sub>
Do. ....	West Branch Dam No. 1.....	20 <sup>9</sup> / <sub>10</sub>
Alexander A. Vanevery.....	East Branch Dam No. 1, including part of Island East Branch Dam, No. 1.....	29 <sup>1</sup> / <sub>10</sub>
William Weir.....	East Branch Dam No. 1.....	4
Joseph Young.....	Do. do. do.....	3
Government .....	Dam No. 2, at York.....	6
Do. ....	Do. do. West side.....	4 <sup>1</sup> / <sub>10</sub>
James Davis.....	Do. do. York.....	2
Government .....	Do. 3, West side.....	62 <sup>1</sup> / <sub>10</sub>
Honorable Abm. Nelles.....	Do. do. East side.....	17
Government .....	Do. 4, both sides.....	135 <sup>1</sup> / <sub>10</sub>
Do. ....	Do. 5, do.....	36 <sup>1</sup> / <sub>10</sub>
Do. ....	Towing Path from Cayuga Township to Dam No. 1.....	36
		424 <sup>1</sup> / <sub>10</sub>

LANDS SOLD BY THE COMPANY.

TO WHOM SOLD.	Where Situated.	No. of Lots.	Price.	Amount paid.	Amount due.	
John Jackson 13 Acres at £10 per acre.....	Seneca	..	£	£ s. d.	£ s. d.	
Jacob Turner.....	do.	2	25	130 0 0		
James Greenby.....	do.	1	25	50 0 0		
James Little.....	do.	4	25	25 0 0	22 10 0	
James Little, Park Lot No. 8, 5 Acres £12 10s. per acre, ¼ down, the remainder in 3 Annual Instalments.....	do.	..	....	77 10 0		
Christopher Young.....	do.	1	25	15 12 6	46 7 6	
Sir A. N. McNab.....	do.	13	....	25 0 0	.. ..	
John Jackson.....	do.	2	15	14 10 0	.. ..	
M. McPherson.....	do.	1	15	12 0 0	18 0 0	
Do. ....	do.	1	15	1 10 0	13 10 0	
Alexander McKenzie.....	do.	1	10	1 0 0	9 0 0	
Do. ....	do.	1	15	1 10 0	13 10 0	
David McMicken.....	do.	1	10	1 0 0	9 0 0	
	do.	..	15	1 10 0	13 15 0	
Carried forward.....	..	..	....	£	356 2 6	145 12 6

Appendix (A. A.)

LANDS SOLD BY THE COMPANY.—Continued.

Appendix (A. A.)

1845.

1845.

TO WHOM SOLD.	Where Situated.	No. of Lots.	Prices.	Amount Paid.	Amount Due.
<i>Brought forward</i> .....	.....	.....	.....	£ s. d. 356 2 6	£ s. d. 145 12 6
Samuel P. Bryant.....	Seneca	1	15	1 10 0	13 15 0
George Mason.....	do.	1	10	1 0 0	9 0 0
John L. Morden.....	do.	1	10	1 0 0	9 0 0
Joseph Green.....	do.	1	15	1 10 0	13 15 0
John Thornton.....	do.	1	15	1 10 0	13 15 0
Do.....	do.	1	10	1 0 0	9 0 0
M. McPherson.....	do.	1	15	1 10 0	13 15 0
John Jackson.....	do.	1	10	4 0 0	6 0 0
Gustavus Bingham.....	do.	1	25	25 0 0	50 0 0
Jacob Turner 8 Acres, Park Lot No 1, at £6 5s. per Acre.....	do.	.....	.....	.....	18 15 0
James Little, Company, Interest in Nedge Lot.....	do.	.....	.....	.....	.....
				394 2 6	302 7 6
William Stewart.....	Indiana	1	15	7 0 9½	7 19 2½
Richard McGirvon.....	do.	.....	25	6 10 0	43 10 0
Philip Murray £3 and £62 10s.....	do.	.....	.....	65 10 0	.....
Richard Brown.....	.....	.....	15	1 10 0	13 10 0
John Burns.....	.....	.....	25	2 10 0	22 10 0
William Benge.....	.....	.....	15	1 10 0	13 15 0
Obid Lee.....	.....	.....	15	1 10 0	13 15 0
Samuel Benge.....	.....	.....	25	2 10 0	22 10 0
Charles Hannah.....	York	.....	.....	25 0 0	.....
John Donaldson.....	McHealey	.....	.....	40 0 0	.....
R. McKinnon.....	Oneida	.....	.....	45 0 0	.....
				592 13 3½	440 6 8½

List of Hydraulic Privileges granted by the Company to Mill Owners and others.

Name of Mill Owners.	Where Situated.	No. of Runs of Stones.	No. of Saws.	Shingle Machine.	Turning Lathes.	Carding Mills.
David Thompson, Esq.....	Indiana,	3	2	.....	.....	.....
Hugh Sharp.....	do.	.....	.....	.....	1	.....
John Lester.....	do.	.....	1	.....	.....	.....
John Donaldson.....	Dam No. 1,	1	1	.....	.....	.....
Fisk and Atkins.....	do.	1	.....	.....	.....	.....
James Davis.....	York,	1	3	2	.....	.....
H. Schoville.....	Dam No. 3,	.....	1	.....	.....	.....
P. McKerrechar.....	do.	.....	1	.....	.....	.....
James Parish & Co.....	do.	1	.....	.....	.....	.....
James Huggin.....	do.	.....	1	.....	.....	.....
Jacob Turner.....	Seneca,	4	1	.....	.....	.....
James Little.....	do.	.....	2	.....	.....	1
R. McKinnon.....	Oneida,	.....	2	.....	.....	.....
James Little.....	do.	2	1	.....	.....	.....
Jacob Turner.....	do.	.....	1	.....	.....	.....
E. W. Moore & Co.....	Seneca,	1	.....	.....	.....	.....
		14	17	2	1	1

Run of Stones each per Annum.....	£ s.	12 10
Mill Saws each do. ....	20 0	
Shingle Machines each do. ....	6 5	
Turning Lathes do. ....	2 10	
Carding Mill do. ....	6 5	
Fulling Mill do. ....	6 5	

There is a number of applications to the Board for Hydraulic Privileges, for various purposes, on the Brantford Cut, which cannot be granted until the same is completed.

## BOARD OF WORKS OFFICE,

3RD FEBRUARY, 1845.

**SUPPLEMENTARY REPORT, Describing more in detail the Works which have been done upon the Ottawa and Madawaska Rivers, towards the facilitating the getting up of Supplies and the running of the Lumber, with other information connected therewith.**

The works done may be enumerated as follows :—

*River Madawaska.*

Slides and Dams constructed at the High Falls and Ragged Chute, a Station House, Store House and Office, built for the accommodation of the Slide Master.

A Portage Road constructed at the High Falls, and improvement of the Road round Calobogie Lake for lumber purposes.

Blasting and removing two Reefs and portions of two Islands, and other obstructions in Barrets Chute.

Blasting and removing the Waba Rock and Shoal, with sundry Reefs and Rocks in the Calobogie Rapids.

Blasting and removing sundry Boulders and Reefs in the Little Rapids, (2 miles below Calobogie.)

Excavating and removing Johnson's Rock and Point, and blasting scattered Rocks, and sundry other obstructions in Long Rapids in McNab Township.

Excavating and removing sundry Rocks in Landon's Rapids and Fidler's Elbow, and removing the Hogs back, and part of the Lower Island in Landon's Chute, (3 miles from the mouth.)

*River Ottawa.*

Slide and Dam constructed at the Mountain.

Excavating and removing a Point at the foot of the Current, below the Slide.

A Station House, Store House and Office, built for the accommodation of the Slide Master.

Dams and Slides constructed at the Calumet.

A Stone Station House, Store House and Office, for the accommodation of the Slide Master, and a double walled (stone and wood) Magazine for storage of Powder.

Road from Portage du Fort to Calumet improved, cross-layed and bridged where necessary.

A Return and Portage Road completed from foot to head of Calumet, mostly over rocky knolls, and along rocky side Hills. A Ferry Scow built to ply at foot of Calumet, so as to establish a forwarding line from Portage du Fort to head of Calumet.

Considerable quantity of rock removed from the Lower Chute and Rapids, below the Slides in the Calumet.

Slide and Dams constructed at the Joachims, 145 miles above Bytown.

A suitable Station House and Out Offices for Slide Master, together with a House for storage of Lumber supplies.

Excavation at foot of Upper Rapids to facilitate and secure the entrance of Cribs into the Basin at the head of the Slide.

Sundry Rocks and other obstructions, and the Rock Island at the foot of the Chute in the Rocher Capitaine Rapids, 22 miles above the Joachims, removed.

Independent of the great facilities obtained by the foregoing works, to the getting down of the Lumber early in the season, and the risk of those fatal accidents which unfortunately have hitherto annually occurred being very much lessened, the saving in the transport of supplies, which is effected by them generally, may be comprehended from the single case of the cost of transport heretofore at the Portage du Fort, which is shewn by the following extract from a letter on that subject :—

“ Previous to making the improvement, goods and supplies for the Trade were landed from the Steam Boat at Portage du Fort and stored there, until the Canoes, with orders for them, arrived from above. The articles were then carted over the Portage du Fort, one mile at a cost of six pence per cwt., and were canoed thence to Miller's Bay. From Miller's Bay they were carted to the Dargee Bay, three miles at six pence per cwt., they were again canoed to the foot of the Calumet, (less than a mile,) and were thence carted in part and partly carried by men to the head of the Calumet, at the rate of 7½d. per cwt.

“ Canoes are manned at an average in the proportion of one man to every four cwt. of lading, and a Canoe coming down for a load almost invariably took three days from the time of landing at the head of the Calumet, until it was again loaded and ready to leave there on the way upward. Each Canoe-man with finding, costs his employer at least 5s. per diem, therefore Canoes-men forwarding made a cost of 3s. 9d. per cwt., and allowing the damage to the Bark Canoe, which is always subject to much injury from loading and unloading, not to exceed 3d. per cwt., the whole cost of cartage, &c., is 5s. 7½d. per cwt.; Whereas in consequence of the improvements effected last year, supplies, &c., were forwarded over the same portion of the River Ottawa, namely, from Portage du Fort to the head of the Calumet at 1s. 6d. per cwt. being a saving of 4s. 1½d. per cwt.; and in this charge of 1s. 6d. per cwt. is included an allowance for a month's storage at the Calumet, when required.

“ The difference in transport is therefore 4s. 1½d. per cwt., and as the quantity of Pork, Flour, Goods, &c., forwarded during the past season, amounted nearly to 364 Tons, the saving to the Lumber Trade at this point in the matter of forwarding alone, amounts to £1501 10 0.”

The following statement, which I am of opinion may safely be relied on, shews the quantity of Timber which will probably pass through the respective Slides of the Ottawa and Madawaska, during the approaching Spring, and the Revenue which will be produced therefrom; distinguishing that arising from the Slides in the hands of Government, from that received on the Slides of individuals.

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(A. A.)

1845.

	FEET.	CRIBS.		GOVERNMENT SLIDES.	PRIVATE SLIDES.	
			£ s. d.	£ s. d.	£ s. d.	
<b>MADAWASKA.</b>						
Ragged Chute and High Falls Sides, Red Pine.....	1099000	1221	at 7s. 6d. 457 17 6			
Do. do. White Pine.....	354000	295	" " 100 12 6			
				568 10 0		
<i>Note</i> —It is intended to reduce the charges from 10s to 7s. 6d. which will free them thro' the whole of the Improvements from the Ragged Chute to the Chats Lake.						
<b>OTTAWA—JOACHIM SLIDES.</b>						
Red Pine.....	720000	800	at 5s. 200 10 0			
White Pine.....	82000	69	" 16 5 0			
				216 5 0		
<b>CALUMET AND MOUNTAIN SLIDES.</b>						
Red Pine.....	3500000	3889	at 5s. 972 5 0			
White Pine.....	3700000	3083	" 770 15 0			
Oak and Elm.....	40000	57	" 14 15 0			
				£1757 5 0	1171 10 0	585 15 0
Say one third would pass on South side of Island.						
<b>PORTAGE DU FORT.</b>						
Red Pine.....	3500000	3889	at 2s. 6d. 486 2 6			
White Pine.....	3798000	3165	" 395 12 6			
Oak and Elm.....	40000	57	" 7 2 6			
				£888 17 6		888 17 6
<b>CHATS SLIDE.</b>						
Red Pine.....	5000000	5600	at 5s. 1400 0 0			
White Pine.....	5600000	4700	" 1175 0 0			
Oak and Elm.....	114000	150	" 37 10 0			
						2612 10 0
<b>CHAUDIÈRE SLIDE.</b>						
Red Pine.....	5000000	5600	at 5s. 1400 0 0			
White Pine.....	8000000	6700	" 1675 0 0			
Oak and Elm.....	160000	200	" 50 0 0			
						3125 0 0
				£ 1956 5 0		7212 2 6

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From the foregoing it is seen that the gross Revenue of this year for Slidage on the Ottawa and Madawaska will be £9168 7s. 6d. of which the Province receives but £1956 5s.

The license of occupation of the Portage du Fort Slide and of that of the Chats has, I am informed, expired, and the Government are authorised to take possession, but the works in both cases are in a very bad state. Were those two slides now assumed by the Government and repaired, and a Slide constructed in the proper Channel at Bytown, there is no doubt of the Revenue to be paid into the Receiver General, being upwards of £7000 this year; the cost of their repair, &c., is shewn in the following Schedule, in which is described certain works which I conceive would be highly productive of advantages to the Lumber Trade, tend much to the settlement of the Country, and to the increasing of the Revenue of the Province.

SCHEDULE shewing in detail, the works connected with the Ottawa which are recommended and embraced in the Item of £15,110 under the head of Ottawa (Appendix Letter S.)

Obtaining and improving the slide at the Portage du Fort and the Entrance thereto..... £ 650 0 0

Obtaining and reconstructing the Slide at the Chats, improving the approach thereto..... 2,500 0 0

To build a Slide at the Chaudière at Bytown, including the improvement of the Upper or Little Chaudière, and to remove the rocks and Crabbe Island below, do., and to construct a good mooring Boom in the Lumber Basin..... 3,800 0 0

(The total cost of these three Items would be repaid by one year's receipt, as shewn above.)

To complete the Portage Road from the Portage du Fort to the Calumet, including the building of a good Bridge across the Dargee, and to remove the obstructions in the channel from the Snows to the Portage du Fort..... £1,500 0 0

To complete the Portage Road at the Joachim..... 120 0 0

To construct a Government Boom at the head of the Calobogic Lake on the Madawaska, within which the Lumber would be cribbed and counted 200 0 0

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To make some improvement in the channel at the Islettes and to improve the carrying place at the Kilbute..... 200 0 0

To open throughout a good Road from Bytown, passing Dixon's Mills, Patterson's Mills, Anderson's Bridge, 2nd Chute on the Boncher, Olmstead's Mills, west side of the Muskrat Lake to Snake Rapids; and thence crossing the Muskrat River to Sydonham Mills, including the Bridges over the Boncher, Snake, and Muskrat Rivers..... 6,140 0 0

£15,110 0 0

The immense importance of these improvements will be at once seen by any person acquainted with the Lumber Trade and with the extensive tract of Country in which they are situated.

Following them, and of great importance also, is the opening of a Road from McQuestion's at the foot of Deep River, passing at the back of Fort William, crossing at or near the Kilbute, thence down the Allumettes Island, crossing at the Pauquettes Rapids, thence near the northern and settled portion of Westmeath to the Little Muskrat on the Rocher Fondue or such other part as might be found more desirable, thence across

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the Calumet Island, over the Bridge proposed to be erected at the Dargoe and thence on the north side of the Ottawa by the road partially opened and which should be completed through the Townships of Litchfield, Clarendon, Bristol, Onslow, Eardly to Aylmer. The entire of which could be effected for the sum of £6,500; and such an expenditure, I am of opinion, would be, far more generally valuable than the expenditure on the Bytown, and Aylmer Road.

Before closing this supplementary report, I would take leave respectfully to urge in the strongest manner upon the attention of His Excellency, the difficulties under which the great mass of the settlers labor who have fixed themselves (many of them for ten years) upon the south bank of the Deep River, upon the lands bordering the Allumettes and Coulange Lakes, the Allumettes and Calumet Islands, and also the numerous settlers upon the tract of Country between the Boncher and Madawaska.

The Improvements of these persons being very considerable, and conflicts of a most serious character, with respect to boundaries frequently occurring, it is extremely desirable that these several tracts should be surveyed and divided, as soon as possible.

Respectfully submitted,

HAMILTON H. KILLALY.

*President Board of Works.*

**BOARD OF WORKS,**

MONTREAL, 5th FEBRUARY, 1845.

Sir,

I have the honour to acknowledge the receipt of the several very numerous signed Petitions to His Excellency the Governor General, from the Inhabitants of the Gore and Wellington Districts, setting forth the claims of those Districts to the opening and completion throughout of a Main Road from Dundas, on Lake Ontario, to Owen's Sound, on Lake Huron, which have been transmitted to me for report.

The principal grounds which, in my opinion, are stated, and on which the favourable consideration of the Executive is claimed for the construction of this Road, are,—

*First*—That it would form a short and direct communication between the two Lakes, and would pass through a large section of the Province, not enjoying the benefit of water communication, which most of the other parts of the country possess.

*Secondly*—That no other line in the Province traverses a greater extent of available and fertile Crown Land (stated to be five millions of acres) than it does, the settlement of which has been hitherto prevented by the all but impossibility of getting into or out of it.

*Thirdly*—That a number of industrious and enterprising persons have, within the last two or three years, settled on this tract, on the faith of the promise of Government to open this Road, which promise was held out to them and expressed in the printed notice and re-

gulations issued from the Crown Land Office in 1840, under which the settlement was originated.

The Maps and Documents accompanying the Petitions are elaborate and satisfactory,—from a careful examination of which, I am induced to believe the following may be relied on as a true statement of what is required, and of the expenditure which will be necessary to effect it:—

From Dundas, through West Flamboro, (about 12 miles,) the line would be through a fine Pine Wood,—thence through Puslinch to Guelph, about 12 miles, it would pass over an undulating and dry country, the excavation being suitable for the top dressing of the Road. From Guelph, through the Townships of Guelph and Nichol, to beyond the Village of Arthur, (about 16 miles,) the line traverses a tract of deep rich soil; to this point the Road is opened, but requires considerable improvement; from it to Arthur, (about 7 miles,) thro' part of the Township of Nichol and through Peel, the line is unopened, and passes through a deep and very heavy timbered tract of flat land,—from Arthur, through the Township of Arthur and part of Egremont, (about 18 miles,) the Road has been partially opened by the Government, but is in a very bad state, as to drainage and formation; some Bridges also require immediate repairs,—thence through the remainder of the Township of Egremont, through Glenelg and most of Holland (about 29 miles,) it is unopened, the soil being heavy and rich, and the tract heavily timbered—the remainder of the line to Owen's Sound, (about 13 miles) traverses

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the fine land of the Townships of Holland, Sullivan, Derby and Sydenham—it is well opened and requires but little expenditure.

In several of the Townships of rich land enumerated in the foregoing, many settlers fixed themselves as already stated, under the inducement of the promise of the Government to open the road throughout—they are now suffering extremely from the total want of any road, and the difficulty in getting to Mill, &c.

The cost of draining, opening and grading and bridging the line throughout, would be £10,340; but should the Legislature decide on the completion of the road, in order to create a legitimate fund for its proper maintenance, &c., it would be very desirable to plank or gravel the portion of it between Dundas and Guolph, so that Gates and Tolls might be established thereon—if such were the case, I have every reason to believe that the Tolls would pay the interest on the additional outlay, and leave a surplus, applicable to the maintenance of the remainder of the line.

The foregoing report, you will perceive, is founded on and confined to the prayer of the Petitioners—but, in the opinion of the Board of Works, that portion of it alone, which relates to the clearing out and forming of a road through the unopened parts of the line, in a cheap but efficient manner, especially as to drainage, and such as is suited to meet the wants of a young settlement, is deserving the favorable consideration of the Executive, the cost of which would be above £3,500 Currency.

I have the honor to be,

Sir,

Your very obedient Servant,

(Signed) H. H. KILLALY.

The Hon.

D. DALY,

Provincial Secretary,

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## BOARD OF WORKS,

MONTREAL, 9TH FEBRUARY, 1845.

SIR,

I beg leave to acknowledge the receipt of the following Petitions to His Excellency the Governor General, sent to me in reference, namely:—

The Petition of the Rev. C. L. Gagnon and certain French Canadian Proprietors of the Township of Arthabaska, Warwick, Chester and part of Halifax.

The Petition of the Rev. C. E. Belanger and others, French Canadian Proprietors of the Township of Stanfold.

The Petition of the Rev. C. E. Belanger and others, French Canadian Proprietors of the County of Megantic.

The Petition of Charles Palmer and others, of the Township of Blandford.

The Petitions being all for the same object, viz:—The opening of the Townships, to which they refer, by the construction of a Main Road through them, I take leave to report on them together.

From the information I have received, it appears that settlement is daily creeping into these Townships, chiefly from the French Parishes south of the St. Lawrence, but the settlers are laboring under very great disabilities in consequence of the total want of Roads to the River St. Lawrence, or eastward to fall in with the Gosford Road, communicating with Quebec and westward with the markets at Melbourne &c.

The Roads prayed for do not, of course, come under the denomination of "Main Provincial Highways," but I am of opinion that they are fully as much entitled to the favorable consideration of Government and the Legislature, as those in any other sections of the country, the construction of which is advocated upon the

ground of their being necessary to the opening, settlement and improvement of the country.

It appears to me that a very large section of the north-eastern portion of "The Townships," comprising the Townships of Shipton, Kingsey, Warwick, Tingwick, Bulstrode, Arthabaska, Chester, Maddington, Blandford, Stanfold, Somerset and Halifax are deeply interested in, and would be proportionably benefitted by the opening of these Roads, the line of which should be as follows, or as nearly so as the natural features of the country will permit. It should start from the Gosford Road near the junction of Inverness and Halifax, and run up that line to the "Grande Ligne," between Arthabaska and Chester, thence down this "Grande Ligne," until it crosses the branch of the Nicolet River in Kingsey, from which point a moderate expenditure would improve two branches, one to Melbourne, the other to Drummondville.

From the "Grande Ligne" near the east corner of Arthabaska, a branch should run to the St. Lawrence in Gentilly, passing across the townships of Stanfold and Blandford.

Such a line, with the various branches which no doubt the settlers themselves would in general quickly make to it, would completely open and relieve the settlers of that fine tract of country. The probable cost of the entire, I conceive, might be assumed at £7500, to be expended in two years.

I have the honor to be,

Sir,

Your very obedient servant,

(Signed,) HAMILTON H. KILLALY.

The Hon.

D. DALY,

Provincial Secretary.

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**Montreal:**

**PRINTED BY DESEARATS & DERBISHIRE,**

**QUEEN'S PRINTERS.**

**1845.**

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## R E T U R N

To an ADDRESS of the LEGISLATIVE ASSEMBLY to HIS EXCELLENCY the GOVERNOR GENERAL, praying that His Excellency would be pleased to cause to be laid before the House, a RETURN of the INCOME of each SEIGNIORY held or possessed by the GOVERNMENT in EASTERN CANADA, together with the Names of the Agents of each Seignior, amount of Salary and Expenses paid to Agents for Collection, and, also, the amount of *Droit de Quint* received by the Government since the year 1830.

By Command,

D. DALY,  
*Secretary.*SECRETARY'S OFFICE,  
3rd February, 1845.

*Letter from the Commissioner of the Jesuits' Estates to the Provincial Secretary, with one enclosure.*

(COPY.)

JESUITS' OFFICE,

QUEBEC, 22d January, 1845.

SIR,

In obedience to the Commands of His Excellency the Governor General, conveyed to me in your Letter of the 20th instant, I herewith transmit to you a Return to the Address of the Assembly of the 13th instant, so far as I understand the same to have reference to this Department.

I have been obliged to return the Revenue of the Seigniories for the year 1843, the accounts for the last twelve months not having yet been made up.

I have, &amp;c.,

(Signed,) J. STEWART.

The Honble. D. DALY,  
&c. &c. &c.

(Enclosure.)

RETURN of the INCOME of each SEIGNIORY within the JESUITS' ESTATES, for the year ended 30th September, 1843, together with the names of the Agents of each Seignior, their Commission for Collection, and expenses incurred.

Name of Seignior.	Name of Agent.	Gross Receipts.	Expenses, including Agents' commission 10 per cent.	Nett Receipts.	Remarks.
		£ s. d.	£ s. d.	£ s. d.	
Sillery ... ..	Honorable L. Panet ...	919 15 8½	102 17 6	816 18 2½	Expenses of repairs of mills, of a survey, and for opening a road to Pine River, incurred.
St. Gabriel ... ..	do ... ..	267 3 9	142 4 0½	124 19 8½	
Notre Dame des Anges Belair ... ..	do ... .. do ... ..	766 1 1½ 78 9 0½	90 17 1½ 8 9 1½	675 4 0 69 19 11	
Batiscan ... ..	Louis Guillet ... ..	359 5 7½	455 4 4	... ..	£108 18s. 8½d. excess of expenditure over revenue, being expenses on mills, &c.
Cape Magdeleine ... ..	do ... ..	218 12 5½	193 11 5½	25 1 0	
Three Rivers ... ..	do ... ..	12 10 0½	1 5 0	11 5 0½	Expense of repairs of mill-dam, and of a new mill-stone, is incurred.
Laprairie ... ..	J. B. Varin ... ..	1033 2 5½	129 6 8½	903 15 9	

J. STEWART,  
*Commissioner.*JESUITS' OFFICE,  
Quebec, 22d January, 1845



Appendix (B. B.) Letter from the Inspector General of the Queen's Domain to the Provincial Secretary, with two enclosures. Appendix (B. B.) (copy.)

3d February.

QUEBEC, 30th January, 1845.

3d February.

SIR,

In obedience to the Commands of His Excellency the Governor General, communicated to me by your Letter of the 20th instant, I have the honor to transmit to you a Return of the Income of each Seigniority held or possessed by the Government in Eastern Canada, under the superintendence of my Department, with the names of the Agents of each Seigniority, amount of Salary, and expenses paid to Agents for Collection, and also, the amount of *Droit de Quint* received by the Government since the year 1830, in order to be laid before the Legislative Assembly of this Province, according to the terms of their Address presented to His Excellency, dated 13th January, 1845, and of which a copy was furnished me.

I have, &c.,

(Signed,) F. W. PRIMROSE, I. G. D. R.

The Honble. D. DALY,  
&c. &c. &c.

*First Enclosure.*

RETURN of the INCOME of the SEIGNIORIES possessed by the CROWN in EASTERN CANADA, under the Superintendence of the Inspector General of Her Majesty's Domain for Lower Canada, since the year 1830, with the names of the Agents of each Seigniority, and the amount of Salary and Expenses paid to Agents for Collection.

Seigniority.	Year.	Amount received.			Name of Agent.	Amount of salary and expenses of Agent.			Remarks.
		£	s.	d.		£	s.	d.	
Censive of Quebec	1831	1703	3	6½	Honorable F. W. Primrose	127	14	6	These amounts are at the rate of 7½ per cent. upon the sums received, allowed to the Inspector-General of the Queen's Domain in lieu of salary.
do do	1832	1819	2	0½	do do	136	8	6	
do do	1833	2457	18	3½	do do	188	6	3	
do do	1834	2001	4	0	do do	150	1	6	
do do	1835	1194	13	5½	do do	89	11	9	
do do	1836	930	8	11½	do do	69	15	0	
do do	1837	4769	0	1½	do do	357	13	6	
do do	1838	2747	5	4½	do do	206	0	6	
do do	1839	2210	0	4½	do do	165	15	0	
do do	1840	1942	9	10	do do	145	13	0	
do do	1841	1953	19	9½	do do	79	1	0	
do do	1842	2033	7	2	do do	152	9	6	
do do	1843	2326	2	10	do do	174	9	0	
do do	1844	2487	5	2	do do	186	10	6	

N. B.—The above amounts are exclusive of Rents derived from Beach and Deep Water Lots held in Free and Common Socage.

Seigniority.	Year.	Amount received.			Name of Agent.	Amount of salary and expenses of Agent.			Remarks.
		£	s.	d.		£	s.	d.	
Censive of Three Rivers	1831	...	...	...	Honorable F. W. Primrose	...	...	...	These amounts are at the rate of 7½ per cent. upon the sums received, allowed to the Inspector-General of the Queen's Domain in lieu of salary.
do do	1832	...	...	...	do do	...	...	...	
do do	1833	33	8	9	do do	2	9	6	
do do	1834	...	...	...	do do	...	...	...	
do do	1835	...	...	...	do do	...	...	...	
do do	1836	44	8	11	do do	3	6	0	
do do	1837	219	13	1	do do	16	8	6	
do do	1838	...	...	...	do do	...	...	...	
do do	1839	...	...	...	do do	...	...	...	
do do	1840	...	...	...	do do	...	...	...	
do do	1841	...	...	...	do do	...	...	...	
do do	1842	16	13	4	do do	1	4	9	
do do	1843	...	...	...	do do	...	...	...	
do do	1844	...	...	...	do do	...	...	...	

E. E.

F. W. PRIMROSE, I. G. D. R.

QUEBEC, 30th January, 1845.

*(Second Enclosure.)*

AMOUNT of *Quints* received from 1830 to 1844, the latter year included.

£ s. d.			£ s. d.			£ s. d.		
1831	...	1250 16 0½	1836	...	163 6 8	1841	...	25 13 4
1832	...	250 6 8	1837	...	873 14 8	1842	...	...
1833	...	533 6 8	1838	...	...	1843	...	135 2 9
1834	...	2399 12 0½	1839	...	304 2 2½	1844	...	220 5 1
1835	...	1003 4 4	1840	...	1292 0 2			

E. E.

F. W. PRIMROSE, I. G. D. R.

QUEBEC, 30th January, 1845.

R E T U R N

To an ADDRESS of the LEGISLATIVE ASSEMBLY to HIS EXCELLENCY the GOVERNOR GENERAL, praying His Excellency to cause to be laid before the House, a detailed Statement of the ANNUAL RECEIPTS and EXPENDITURE of the TRINITY HOUSE of QUEBEC, for the last four years, the sums of money lent from the Pilots' Stock, the sums remitted, the loss incurred by the Bankruptcy of the borrowers, or otherwise, in case such loss may have been incurred, and if such sums, or any part of them, have been lent to Members or Officers of the said Trinity Board of Quebec, and the names of the persons to whom sums have been lent; the amount of the Revenue produced by the loan of these sums, for the last four years; and the amount of the money now in the Chest of the Trinity Board of Quebec.

By Command,

D. DALY,

Secretary.

SECRETARY'S OFFICE,

31st January, 1845.

- No. 1.—State of the Quebec Decayed Pilot Fund, the 4th September, 1844.
- No. 2.—Statement of the Annual Receipts of the Trinity House of Quebec, for the four years ended 31st December, 1844.
- No. 3.—Statement of the Annual Expenditure of do do for do do.
- No. 4.—Statement of Monies lent from and reimbursed to the Quebec Decayed Pilot Fund, during the four years ended 4th September, 1844.
- No. 5.—Monies due to the Quebec Decayed Pilot Fund, the 28th January, 1845, and bearing interest at 6 per cent. per annum.

No. 1.—STATE of the QUEBEC DECAYED PILOT FUND, the 4th September, 1844.

		£	s.	d.	<i>Widows of Pilots.</i>		
Money lent on mortgage ...		11010	14	9			
Interest due by divers persons ...		321	1	7			
Cash in the Treasurer's hands ...		1007	4	0			
		£12339	0	4			
Deduct arrears of Pensions due the 31st July, 1844 ...		148	5	0			
	Currency ...	£12190	15	4			
<b>PENSIONERS ON THE FUND, THE FOURTH SEPTEMBER, 1844.</b>							
<i>Infirm Pilots.</i>							
Pierre Rouleau ...			£	s.	d.		
Daniel Ross ...							
Joseph Pouliot ...							
François Dumas ...							
James English ...							
Andrew Keable ...							
Joseph Dumas ...	13 at £24	312	0	0			
Barthelemi Pouliot ...							
François Forbes ...							
James Forbes ...							
Pierre Curodeau ...							
Ambrose Dumas ...							
William Lebel ...							
Joseph Denis dit Lapierre ...	at £18	18	0	0			
<i>Carried forward</i> ...		£380	0	0			
					<i>Brought forward</i> ... 330 0 0		
					Widow N. Fortin ...		
					do P. Fontaine ...		
					do Z. Blanchette ...		
					do Jos. Langlois ...		
					do Dom. Mariée ...		
					do Pierre Lapointe ...		
					do Frs. Pepin Lachance ...		
					do Angus M'Neil ...		
					do Pierre Baquet ...		
					do Clement Chassé ...		
					do Michael Caveney ...		
					do P. P. Mettayer ...		
					do Jas. Smith ... 25 at £24		
					do Jean Dumas ...		
					do George Plante ...		
					do Pierre Pouliot ...		
					do Luc Leclerc ...		
					do Chas. Doiron ...		
					do Pierre Bonneau ...		
					do Frs. Leclerc ...		
					do Louis Demers ...		
					do Jean Gourdeau ...		
					do Ant. Gobeil ...		
					do Ant. Lapointe ...		
					do Ant. Fortier ...		
					<i>Carried over</i> ... £ 930 0 0		

Appendix  
(C. C.)

No. 1.—STATE of the QUEBEC DECAYED PILOT FUND, &c.—(Continued).

Appendix  
(C. C.)

3d February.

3d February.

Widows of Pilots—(Continued).				Widows of Pilots—(Concluded).			
<i>Brought over</i>				<i>Brought forward</i>			
Widow Louis Servant	...	...	£ 930 0 0	Children of Ant. Lapointe	...	2	1728 0 0
do Frs. Royer	...	...		do Hector Ross	...	1	} 5 at £12 each ... } 60 0 0
do P. Pepin Lachance	...	...		do Et. Vaillancourt	...	1	
do Gl. Pepin Lachance	...	...		do Louis Delisle	...	1	} 2 at £9 each ... } 18 0 0
do Amable Paquet	...	...		do John O'Meara	...	1	
do Pierre Crepeau	...	...		do Alex. Ross	...	1	} 15 at £6 each ... } 90 0 0
do Pierre Michaud	...	...		do Danl. M'Millan	...	1	
do Augustin Doiron	...	15 at £24	360 0 0	do Christ. Chouinard	...	2	} 7 at £4 each ... } 28 0 0
do Jos. Roy Desjardins	...	...		do Jos. Laverdière	...	1	
do Magloire Rioux	...	...		do Louis Laplante	...	1	} 1 at £1 and 1 at £8 } 12 0 0
do Ant. Petit	...	...		do Frs. Dupuis	...	4	
do Pierre Rouleau	...	...		do M. P. Lachance	...	1	} 1 at £5 ... } 5 0 0
do Jos. Thibierge	...	...		do Ls. Mercier	...	1	
do Chrisostôme Dumas	...	...		do Jos. Gagnier	...	2	} 6 at £3 each ... } 18 0 0
do Celestin Côté	...	...		do Benj. Pineau	...	1	
do John Ross	...	...		do Jos. Jahan	...	1	} 5 at £3 10s. ea. } 17 10 0
do D'Anguessé dit Chassou	...	...		do David Charest	...	2	
do William Pettigrew	...	...		do Jean Langlois	...	1	} 7 at £4 each ... } 28 0 0
do F. Audet dit Lapointe	...	...		do Jean Pouliot	...	1	
do Emmanuel Chouinard	...	...		do Pierre Bonneau	...	1	} 6 at £3 each ... } 18 0 0
do Frs. Pineau	...	...		do Honoré Jacques	...	2	
do Jean Fortin	...	...		do Amable Paquet	...	1	} 6 at £3 each ... } 18 0 0
do Louis Langlois	...	...		do Laurent Paquet	...	1	
do Peter Forbes	...	19 at £18	342 0 0	do Simeon Forgues	...	1	} 6 at £3 each ... } 18 0 0
do Jacob Padique	...	...		do Paul Bowes	...	5	
do Frs. Curdeau	...	...		do N. Fortin	...	1	} 6 at £3 each ... } 18 0 0
do Jos. Royer	...	...		do Chs. Asselin	...	4	
do J. Bte. Chalou	...	...		do Jos. Royer	...	1	} 6 at £2 10s. ea. } 15 0 0
do J. Bte. Servant	...	...		do Wm. Lachance	...	6	
do Frs. Desnoyers	...	...					£ 1991 10 0
do Michel Pelletier	...	...		RELIEF GRANTED FROM THE FUND.			
do Germain Soucy	...	...					
do Henry M'Kenzie	...	...		To Julia Pregens, daughter of B. Pregens	...	...	£ 10 0 0
do Frederick Couillard	...	...		To Michel Forbes	...	...	10 0 0
do Joseph Bonneau	...	...		To William Amiot	...	...	6 0 0
do Hubert Chamberland	...	...		To Joseph Mercier	...	...	4 0 0
do Pierre St Hilaire	...	...		To Edouard Chevalier	...	...	5 0 0
do Léandre Rioux	...	8 at £12	96 0 0				£ 35 0 0
do Wm. Babin	...	...					
do Matthew Brownlee	...	...					
do John Cameron	...	...					
do Augustin Marceau	...	...					
<i>Carried forward</i>	...	...	£ 1728 0 0				

No. 2.—STATEMENT of the ANNUAL RECEIPTS of the TRINITY HOUSE of QUEBEC, for the four years ended 31st December, 1844.

Where proceeding from.	YEARS.			
	1841.	1842.	1843.	1844.
Warrants of Governor General	£ 1250 0 0	£ 91 7 6	£ s. d.	£ s. d.
do (advance from Provincial Chest for building the Light Houses on Pillar and Biquet Islands	...	2000 0 0	2000 0 0	2000 0 0
Duties levied under Act 45 Geo. III, Cap. 12	1461 19 0	2865 16 7	3240 15 6	3714 15 0
do of 1d. do 4 and 5 Vic., Cap. 15	...	1466 18 0	1602 2 0	1989 16 2
Temporary duty of 2d. levied under do	...	...	3204 4 2	3979 12 4
Tonnage do on coasting vessels	...	40 1 0	44 11 0	46 11 4
Gul-de-Sac dues	64 7 10	66 1 8	67 5 5	65 10 10
Half fines	5 0 0	87 11 11	20 0 0	3 15 0
Monies borrowed under Ordinance 4 Vic., Cap. 5	2398 8 0	500 0 0	...	...
Amount recovered for damages done to Light Vessel	...	433 7 7	...	...
Proceeds of unclaimed Anchors	...	...	25 10 6	...
do of sales of empty Oil Jars. &c.	...	37 5 11	0 3 0	5 17 6
	£ 5119 6 10	7588 10 2	10204 11 7	11805 18 2

MEMO.—The Duties collected during the Quarter ended on the 5th January, 1843, have not been received, and no Return of the same made by the late Naval Officer.

Cash in the hands of the Treasurer, the 31st December, 1844, Currency, £3637 12s. 9d.

E. B. LINDSAY,  
Treasurer, Trinity House, Quebec.

TRINITY HOUSE, QUEBEC,  
29th January, 1845.

Appendix (C. C.) No. 3.—STATEMENT of the ANNUAL EXPENDITURE of the TRINITY HOUSE of Appendix (C. C.)  
 QUEBEC, for the four years ended 31st December, 1844.

3d February. 3d February.

DEPARTMENTS.	YEARS.			
	1841.	1842.	1843.	1844.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Contingencies ... ..	551 13 11	534 17 10	356 8 0	426 0 8
Harbour dues ... ..	321 14 6	478 12 6	437 4 1	462 9 4
Buoys ... ..	13 17 6	178 1 2	58 16 3	143 12 0
Yacht Union ... ..	102 1 3	686 3 2	672 6 10	667 6 2
Light vessel ... ..	410 7 7	683 13 4	371 4 5	478 1 6
Building new yacht ... ..	1657 1 0	21 5 2		
do new Light vessel ... ..			719 1 11	1058 3 2
Anchor Hoy ... ..				260 19 0
Tower on east end Anticosti ... ..	7 13 8	210 0 9	95 13 10	89 0 6
Portneuf lights ... ..		9 2 3	246 13 0	122 14 9
St. Croix light ... ..		69 18 7	12 3 0	15 12 1
Pillar light ... ..			81 15 4	187 0 3
Green Island light ... ..	5 6 9	27 7 3	38 14 11	10 16 11
Biquet light ... ..				97 2 7
Building of Biquet Light House ... ..		281 10 2	1850 13 11	2808 6 7
do of Pillar ... ..		1471 10 3	1739 10 6	
Pointe des Monts light ... ..	19 0 0	86 9 6	68 13 2	73 9 0
S. W. point Anticosti light ... ..	86 1 4	107 13 11	197 5 6	37 1 1
Buoys ... ..		6 0 0		
Oil account, including remittances to the Board's Agent in London, for stores, &c. ... ..	630 11 1	831 3 6	1541 16 6	567 7 6
Stores ... ..			19 15 10	40 5 6
Interest paid ... ..	20 0 0	157 14 10	193 18 2	142 0 0
Salaries and Pensions ... ..		1582 15 3	1607 13 6	1643 16 6
Commission to Treasurer ... ..	116 4 8	112 4 7	120 2 8	86 18 0
	£3941 13 3	7536 4 0	10429 11 4	9438 3 1

E. B. LINDSAY,

TRINITY HOUSE, QUEBEC,  
29th January, 1845.

Treasurer, Trinity House, Quebec.

No. 4.—STATEMENT of MONIES LENT from and REIMBURSED to the QUEBEC DECAYED PILOT FUND, during the four years ended 4th September, 1844.

Year.	Name of Borrower.	Date of Obligation, Note or Deed.	Amount lent.		Rate of Interest.	Amount reimbursed.	Losses.	Remarks.
			£ s. d.	£ s. d.				
1841	Henry LeMesurier ...	19th December, 1840	...	1000 0 0	0 6 per ct.	{ £1000, amount of Mr. LeMesurier's debt, paid 26th November, 1844 }	None.	{ Mr. LeMesurier a Member of the Corporation, his debt paid off as per statement. }
1842	E. L. Montizambert ...	10th December, 1841	250 0 0					{ The Poundage collected by the late Naval Officer, during the quarter ended the 5th January, 1843, is still unpaid to the Fund, and no return made. }
	Chambly Canal Debenture	1st May do	500 0 0	750 0 0	0 6 per ct.	{ £150 on account of Mr. Montizambert's debt }	None	
1843	Edward Bigley ...	30th June, 1843	40 0 0					{ H. Gauthier is a Pilot who was in distress, and the amount lent him does not bear interest. }
	H. Gauthier ...	10th February, do	5 0 0					
	Paul Lepper ...	6th November, do	200 0 0	245 0 0	0 6 per ct.	{ £40, amount of Edward Edgley's debt ... }	None	
1844	M. Sauvageau ...	18th & 29th April, '44	375 0 0					{ Do do amount lent to Joseph Mercier, also Pilot. }
	Jos. Mercier ...	12th December, 1844	10 0 0	385 0 0	0 6 per ct.	None	None	

The only sum lent from the Fund since the 4th September, 1844, is £12 10s. to William Amiot, a Pilot, sick and in distress. This amount to bear interest after twelve months.

The balance in the hands of the Treasurer the 29th day of January, 1845, waiting for a proper investment, is £3623 5s. 6d. Currency.

TRINITY HOUSE, QUEBEC,  
29th January, 1845.

E. B. LINDSAY,  
Treasurer, Trinity House, Quebec.

Appendix  
(C. C.)

No. 5.—MONIES DUE to the QUEBEC DECAYED PILOT FUND, the 28th January, 1845, and bearing interest at the rate of 6 per cent. per annum.

Appendix  
(C. C.)

3d February.

3d February.

Names of Debtors.	Date of Mortgages.	Amount due.	Remarks.
		£ s. d.	
J. Bte. Lionnais ... ..	26th February, 1822 ...	200 0 0	
Ant. C. Taschereau ... ..	13th October, 1823 ...	300 0 0	
F. Delage and others ... ..	8th November, do ...	50 0 0	
Estate of L. F. De Lagorgendière ... ..	14th January, 1828 ...	300 0 0	
Estate of Hon. J. Dessaulles ... ..	17th January, 1832 ...	500 0 0	
Charles H. Têtu... ..	17th March, do ...	400 0 0	
Archibald Ferguson ... ..	10th May, 1833 ...	500 0 0	
Estate of Jean Langlois ... ..	15th August, do ...	300 0 0	
Jos. Cary ... ..	2nd June, 1834 ...	300 0 0	
Estate Hon. H. W. Ryland ... ..	10th February, 1827 ...	400 0 0	
James Pendergast ... ..	13th September, 1834 ...	200 0 0	
Michel Sauvageau ... ..	26th January, 1836, and April, 1844 ...	875 0 0	
William Patton ... ..	30th September, 1836 ...	750 0 0	This loan was obtained by Mr. Patton before he was a Member of the Board.
Estate John Strang ... ..	29th August do ...	437 14 9	
Minister and Trustees of St. Andrew's Church	18th November, do ...	500 0 0	
Alexis Godbout & Uxor ... ..	27th December, 1837 ...	500 0 0	
Hon. A. G. Couillard... ..	26th December, 1838 ...	300 0 0	
John Jones ... ..	3rd April, 1839 ...	500 0 0	
Hon. Sir James Stuart ... ..	9th May, 1840 ...	1000 0 0	
E. L. Montizambert ... ..	21st May, 1839 ...	100 0 0	
Chambly Canal Debenture ... ..	Dated 1st May, 1841 ...	500 0 0	
Paul Lepper ... ..	6th October, 1843 ...	200 0 0	
William Amiot ... ..	7th January, 1844 ...	12 10 0	
		£9125 4 9	
<i>Pilots.</i>	<i>Due by Promissory Notes.</i>		
Thomas Dunford ... ..	1st February, 1837 ...	5 0 0	The amount due by Pilots under Promissory Notes were advanced to them when in distress, and do not bear interest.
Edward Marcoux ... ..	Balance ...	13 0 0	
Germain Marquis ... ..	17th April, 1838 ...	5 0 0	
Wife of J. B. Laroche ... ..	18th December, 1838 ...	10 0 0	
Joseph Pepin ... ..	26th November, 1839 ...	10 0 0	
Hubert Gauthier ... ..	10th February, 1843 ...	5 0 0	
Joseph Mercier ... ..	12th December, do ...	10 0 0	
		£9183 4 9	

E. B. LINDSAY,

Treasurer, Trinity House, Quebec.

TRINITY HOUSE, QUEBEC,  
29th January, 1845.

## R E T U R N

To an ADDRESS from the Legislative Assembly to His Excellency the Governor General, bearing date the 4th instant, requesting "an Account of the Harbour Dues collected at the Port of Toronto, during the years 1843 and 1844, together with an Abstract of the Account of the said Harbour with the Provincial Government, shewing the Balance of the said Harbour Dues unpaid at the end of the year 1843."

By Command,

D. DALY,  
*Secretary.*

SECRETARY'S OFFICE,  
10th February, 1845.

AN ACCOUNT of the HARBOUR DUES collected at the PORT OF TORONTO during the years 1843 and 1844, together with an Abstract of the Account of the said Harbour with the Provincial Government, shewing the Balance of the said Harbour Dues unpaid at the end of the year 1843; furnished pursuant to an Address from the Honourable the Legislative Assembly, of the 4th February, 1845.

YEAR.	AMOUNT COLLECTED DURING THE QUARTER ENDED				Total Collected during the Year.	Expense of, Collection.	Net Revenue.
	5th April.	5th July.	5th October.	5th January.			
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
1843	... ..	130 18 5	{ 36 5 8 } { 101 3 9 }	303 7 2	571 15 0	94 13 5	477 1 7
1844	61 10 10	226 16 8	201 0 10	222 15 4	712 9 8	121 10 11	590 12 9

Appendix  
(D. D.)  
10th February.

ABSTRACT of the ACCOUNT of the TORONTO HARBOUR with the GOVERNMENT, shewing the Balance of the Harbour Dues unpaid at the end of the year 1843.

AMOUNT EXPENDED BY THE GOVERNMENT.				AMOUNT OF TOLLS COLLECTED.																								
Date.	Amount.		Authority.	Interest to		1837.		1838.		1839.		1840.		1841.		1842.		1843.		Total. Currency.								
	£ s. d.	£ s. d.		31st December, 1843.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.									
26th June, 1843	500	0	0	315	9	0	133	19	6	365	12	9	374	1	8½	554	19	9	629	2	6	571	15	0	3017	9	8½	
14th August, do	500	0	0	311	8	5	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
18th October, do	500	0	0	306	1	7	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
9th December, do	500	0	0	301	16	2	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
7th September, 1837	500	0	0	189	9	0	£120	11	7	329	1	5½	323	13	6½	449	3	2	516	4	3	477	1	7	2564	18	3½	
21st October, do	500	0	0	185	16	8	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
10th February, 1838	500	0	0	176	12	7	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
1st October, do	1000	0	0	314	19	2	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
				866	17	5	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
				2101	12	7	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
				463	5	9½	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
				£	2564	18	3½	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
				4500	0	0	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
				£	4500	0	0	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Total				£	4500	0	0	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Balance in favor of the Harbour, on account of interest, 31st December, 1843				...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Total amount expended by the Government, brought down				...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Balance of interest brought down				...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Balance remaining due by the Harbour, 31st December, 1843				...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Total				£	4500	0	0	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	

Appendix  
(D. D.)  
10th February.

INSPECTOR GENERAL'S OFFICE,  
MONTREAL, 7th February, 1845.

## R E P O R T.

THE SELECT COMMITTEE to which was referred the Petition of Joseph Donegani, the of City of Montreal, Merchant, praying to be secured in his Title to certain Property, have agreed to the following REPORT:—

Your Committee have attentively examined the Petition of Joseph Donegani, of the City of Montreal, referred to them by your Honourable House, and perused the Documentary Evidence submitted in support thereof.

The Petitioner has convinced your Committee of the truth of the statements contained in his Petition, viz.: that his father, John Donegani, an Italian by birth, emigrated to Lower Canada with his family, and among other members of it, the said Joseph Donegani the Petitioner; and that the said John Donegani settled at Montreal, where he resided until the year 1802, having in the interval acquired considerable property.

By his last will, dated at Montreal, the 23rd July, 1800, and a codicil bearing subsequent date, he constituted his three sons, one of whom is the Petitioner, his residuary legatees, and left to his daughter Thérèse Donegani, who had intermarried in Canada, a bequest of Five hundred pounds, as her share in his Estate. The Testator, John Donegani, departed this life at Moltrazio, in Italy, in or about the year 1809. Under the will and codicil above mentioned, the Petitioner took possession of the property real and personal which had been bequeathed to him, and enjoyed the same uninterruptedly until the month of February, 1827, when a suit was commenced against him in the Court of King's Bench at Montreal, by his nephews, J. A. Donegani, Joseph Donegani, and Guillaume Benjamin Donegani, the children of his sister Thérèse Donegani, born in Lower Canada, issue of the marriage between her and the late Joseph Donegani her husband, both deceased; by which suit, the nephews, as grand children and heirs at law of their grandfather John Donegani, claimed to the prejudice of Petitioner, the whole of the real estate which he had taken under the said will, testament and codicil of his father.

This claim was made to rest upon the fact that your Petitioner was born in Italy, out of the allegiance of the Crown of Great Britain, and was precluded from taking and holding the real property of his father under the said will and codicil, being an alien born.

The said nephews of the Petitioner prevailed in their suit, and the real estate held by him under the will and codicil of his father, was awarded to them, together with the rents, issues and profits, by a judgment given in the said Court of King's Bench, on the 18th of June, 1831.

The Petitioner appealed from this judgment to the Provincial Court of Appeals, which Court, on the 30th April, 1832, affirmed the judgment.

The Petitioner again appealed to the King in Council from both of these judgments, but he was again unsuccessful in this appeal, in this last resort; the Report of their Lordships composing the Judicial Committee of the Privy Council, recommending the affirmance of the two judgments of the Canadian Courts, having been confirmed by His Ma-

esty on the 17th of February, 1835. In making their report their Lordships adverted to the arguments urged by the Counsel for the Petitioner, and derived from the sanction to the Statute of the first William IV. cap. 53, hereinafter mentioned, which had been given subsequently to the rendering of judgment in the King's Bench; but their Lordships conceived that sitting as a Court of Appellate Jurisdiction merely, they were precluded from giving to the Petitioner the benefit of that Act.

Previously to the rendering of judgment in the King's Bench at Montreal, a Bill, intituled, "An Act to secure to and confer upon certain inhabitants of this Province the civil and political rights of natural-born British subjects," being the Act above referred to, passed both branches of the Legislature of Lower Canada, and was presented for His Majesty's assent, and reserved for the signification of His Majesty's pleasure thereon: this was on the 31st March, 1831. His Majesty's assent was given to the Bill on the 12th April, 1832, and signified by Proclamation on the 5th of June, 1832. The Petitioner, after the return of the proceedings at Law from the Cockpit, applied to the Court of King's Bench for redress, under the Statute first William IV. cap. 53; but his proceedings, which were in the nature of an *audita querela*, were again unsuccessful.

It is necessary to advert now to the scope and object of this Statute, which stands on the Statute book as the first William IV. cap. 53. It commences with a recital, that "it is expedient to remove by Law, doubts that may have arisen as to the civil rights and titles to real estate of some of the persons hereinafter mentioned," viz., "all persons who have at any time received grants of land in this Province from the Crown, and all persons who have held any public office in the Province under the Great Seal of the Province, or under the Seal at Arms and Sign Manual of the Governor, Lieutenant Governor, or person administering the Government of the Province, and all persons who have taken the oath of allegiance, or being of the persons who by the Laws of this Province are allowed to affirm in civil cases, have made the affirmation of allegiance to His Majesty, or His Majesty's predecessors, before any person duly authorized to administer such oath or affirmation, and all persons who had their settled place of abode in this Province before the year of our Lord 1823, and are still resident therein, shall be, and are hereby admitted and confirmed in all the privileges of British birth, and shall be deemed, adjudged, and taken to be, and so as respects their capacity at any time heretofore, to take, hold, possess, enjoy, claim, recover, convey, devise, impart, or transmit any real estate in the Province of Lower Canada, or any right, title, privilege, or appurtenance thereto, or any interest therein, to have been natural-born subjects of His Majesty, to all intents, constructions, and purposes whatsoever, as if they, and every of them, had been born in His Majesty's United Kingdom of Great Britain and Ireland, and that the children,



Appendix  
(E. E.)

17th February.

"or more remote descendants of any person or persons of either of the foregoing descriptions, who may be dead, shall be, and are hereby admitted to the same privileges which such parents or ancestors, if living, would claim under this Act." The words "deemed, adjudged, and taken to be," as respects their capacity at any time heretofore to take, hold, and possess any real estate, as natural-born subjects of His Majesty, to all intents, constructions, and purposes whatsoever, as if they, and every of them, had been born in His Majesty's United Kingdom of Great Britain and Ireland, prove, beyond the possibility of doubt, that the Legislature of Lower Canada, in passing this Act, intended that its operation should be retrospective.

There is abundant proof before your Committee of the long residence of the Petitioner in Lower Canada prior to 1823, and of his full compliance with the provisions of the Statute, to qualify him for naturalization.

The proceedings before the Courts of Justice, notwithstanding the express terms of this Statute, will have the effect of depriving the Petitioner of the rights of a British subject, to which he is by Law as fully entitled as if he had been born in the United Kingdom, and of ousting him of the possession of land, of which he had been in the peaceful enjoyment for nearly twenty years.

Independently of the Statute, and to view the position of the Petitioner as at Law, it can be considered only as one of extreme hardship. The claims of his nephews to defeat their grandfather's will, and to demand for themselves that which he earned by his labor, and which he bequeathed and designed to give to his son, their uncle, and not to them, is iniquitable on its front, and repugnant to the common principles of justice. But, whatever might have been the hardship of the case, your Committee would not have deemed it competent to them to recommend the intervention of the Legislature in his behalf, if the Statute of 1st William IV. cap. 53, had not passed both Branches of the Legislature before the rendering of judgment against the Petitioner by the Court at Montreal, and if it had not actually been proclaimed and sanctioned before the affirmance by the Privy Council of that judgment.

The Statute is declaratory of the law, and is confirmatory of the past. Unlike other reserved Statutes, it did not commence to take effect from and after the Proclamation by the Governor, but it related back to the very day of the birth of the Petitioner, and made him a British subject in contemplation of law, instead of an Italian, as he was born in point of fact.

Your Committee, after full consideration, conceive that the case of the Petitioner affords one of the few exceptions to the rule, that the Legislature ought not to interfere with the rights of parties litigant before the ordinary tribunals of the country. If technical forms are not only insufficient to give due protection to the rights of the Petitioner, when not only equitable and strongly based on natural justice, but confirmed by an Act of Parliament; and if, as is the case with the Petitioner, these technical forms oppose an insurmountable barrier to redress from the ordinary Courts of Justice, your Committee consider that the Legislature is called upon to interfere, and to meet the justice of the case, by carrying out the intention of the Lawgiver in framing the Statute.

Your Committee would therefore respectfully recommend that the prayer of the Petition should be granted, and that the titles of all parties naturalized according to the true intent and meaning of the Statute of 1st William IV. cap. 53, should be quieted by

a new Legislative enactment. But as legal expenses have been incurred to a large amount, and an award of costs has been made by the several Courts against the Petitioner, your Committee consider it to be equitable and just that these costs should be borne by the Petitioner, and that the remedy of his nephews for their recovery be left open to them, as well as to all other parties who may be similarly circumstanced.

The whole nevertheless humbly submitted.

T. C. AYLWIN,

Chairman.

17th February, 1845.

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## MINUTES OF EVIDENCE.

THOMAS CUSHING AYLWIN, Esquire, in the Chair.

Thursday 9th January, 1845.

Alexander M. Delisle, Esquire, Clerk of the Peace for the District of Montreal, called in; and examined:—

1. Are you in possession of any Register or Record of Oaths of Allegiance taken pursuant to the Statute of the Province of Canada, 1st Will. IV. cap. 53; and if so, state in what capacity?—I am in possession of a Register kept under the Act above mentioned, in my capacity of Clerk of the Peace, and I now produce the same.

2. Are you acquainted with Joseph Donegani of Montreal, the Petitioner, and do you know his hand-writing?—Yes.

3. Is there any entry in the Register which you have produced to the Committee, of the taking of the Oath of Allegiance by the said Joseph Donegani?—Yes, there is an entry in my own hand-writing, in the words following: "Joseph Donegani, Montreal, Trader, Joseph Donegani, 25th January, 1833, No. "2." (Signed,) "Delisle & Delisle, Clk. P." I was the person who administered the oath to the said Petitioner: the signature "Joseph Donegani," in the entry, of which the above is a copy, is the signature of the Petitioner, which was written in my presence.

4. Are you in possession of the Registers of Oaths of Allegiance taken by Pedlars and Tavern-keepers, under the Act 35th George III. cap. 8, for the years 1808 and 1809?—No, I am not: they were burned when the Court House was destroyed by fire last year; but I recollect seeing an entry in my late father's hand-writing, certifying that the Petitioner did take the Oaths of Allegiance in those years. My father was Clerk of the Peace at that time.

5. How long have you known the Petitioner, and what was his calling?—I have known him for upwards of 20 years, during most of which time he was employed as a Tavern-keeper.

André Jobin, Esquire, a member of the Committee, examined:—

6. How long have you known the Petitioner, and what was his calling?—I have known him for upwards of 40 years, during all which time he has resided in Montreal; and his calling has been that of a Tavern-keeper, and a dealer in Looking Glasses.

The Chairman laid before the Committee certified copies of the Records of the proceedings had in the

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Court of King's Bench, and in the Court of Appeals, in the case of Jean Antoine Donegany *et al.*: vs. Joseph Donegany, and, also, in the case of Joseph Donegany vs. Jean Antoine Donegany *et al.*: received in pursuance of an order of the Committee of the 18th December, 1844. See APPENDIX, Nos. 1 and 2.

The Chairman also laid before the Committee, copies of Notices, certified to have been posted and affixed at the door of the Parish Church at the City of Montreal, and also to have been published in two of the Montreal newspapers, of Mr. Joseph Donegany's intention to make his present application to the Legislature, received from W. C. H. Coffin, Esquire, Joint Prothonotary of the Court of Queen's Bench, Montreal. See APPENDIX, No. 3.

APPENDIX, No. 1.

(WRIT OF SUMMONS.)

Province of Lower Canada, }  
District of Montreal. } **G**EOURGE the  
Fourth, by the  
Grace of God, of the United King-  
dom of Great Britain and Ireland,  
KING, Defender of the Faith.

(L. S.)

To the Sheriff of the district of Montreal,  
in our Province of Lower Canada,  
GREETING:—

We command you, that you summon Joseph Donegany, of Montreal, in the district of Montreal, Merchant, to be and appear before us, at the Court House, in our city of Montreal, on Tuesday, the twentieth day of February instant, at nine of the clock in the forenoon, to answer Jean Antoine Donegany, otherwise called Jean Donegany, of Montreal, in the county and district of Montreal, Merchant, Joseph Donegany, son of the late Joseph Donegany of the same place, also Merchant, and Joseph Maximilien Bonacina, of the same place, Merchant, Tutor in due form of law appointed to Guillaume Benjamin Donegany, a minor, issue of the marriage of the said late Joseph Donegany, in his lifetime of Montreal aforesaid, Merchant, with the late Thérèse Donegany, of a Plea, as contained in the annexed Declaration, and have you then and there this Writ.

Witness the Honorable James Reid, Esquire, Chief Justice of our Court of King's Bench, at Montreal, this seventeenth day of February, one thousand eight hundred and twenty-seven, and the eighth year of our Reign.

(Signed,) LEVESQUE, MONK & MORROGH,  
Prothonotary.

(True Copy,)

MONK, COFFIN & PAPINEAU,  
P. B. R.

(SHERIFF'S RETURN.)

By virtue of this Writ to me directed, I have caused the within named Joseph Donegany to be summoned, to be and appear on the day, and at the place within contained, to answer, as the said Writ demands and requires, by leaving a copy of the said Writ and of the Declaration thereunto annexed, on the seventeenth day of February instant, before seven of the clock in the afternoon, with the said Joseph

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Donegany, in person, at his domicile, in the parish of Montreal, in my district, as within I am commanded; and I further certify the distance from the Court House in the city of Montreal, to the said domicile of the said Defendant, to be within one mile.

(Signed,) F. W. ERMATINGER,  
Sheriff.

20th February, 1827.

(True Copy,)

MONK, COFFIN & PAPINEAU,  
P. B. R.

(DECLARATION.)

(Translation.)

No. 461.

Montreal—King's Bench, February Term, 1827.

JEAN ANTOINE DONEGANY *et al.*:  
vs. *Plaintiffs,*  
JOSEPH DONEGANY,  
*Defendant.*

Jean Antoine Donegany, otherwise called Jean Donegany, of Montreal, in the county and district of Montreal, Merchant, Joseph Donegany, son of the late Joseph Donegany, of Montreal aforesaid, also Merchant, and Joseph Maximilien Bonacina, of Montreal aforesaid, Merchant, tutor duly elected and appointed in law to Guillaume Benjamin Donegany, a minor, issue of the lawful marriage of the said late Joseph Donegany in his lifetime of Montreal aforesaid, Merchant, and of the late Thérèse Donegany, Plaintiffs, against Joseph Donegany, of Montreal aforesaid, Merchant, Defendant,—

Represent that Jean Donegany, Merchant and Tavern-keeper, and Marie Gally, otherwise called Marie Galla, his wife, father and mother of the said Thérèse Donegany, did settle at Montreal aforesaid, in or about the year one thousand seven hundred and eighty-four, and lived therein until the year one thousand eight hundred and two.

That the said Jean Donegany during his marriage with the said Marie Gally, did acquire moveable and immoveable property to a considerable amount, especially the moveable property hereafter described,—that is to say:—

1st, An *emplacement* situate in the Town of Montreal, on the line of St. Louis Street, otherwise called Rue Capitale, bounded on one side by the lands of Solomon Mittleberger represented by George M. Kenzie; on the other side by the lands of the representatives of Cazelet, now Joseph Athanase Normandeau; in front by St. Louis Street, aforesaid, and in the rear by the 'Chemin de Ronde,' in the said Town of Montreal, to wit, by the lot of land hereafter described as number three, with a stone house and other buildings thereon erected.

2dly, Another *emplacement* situate in the said City of Montreal, on the line of St. Louis Street aforesaid, opposite the house erected on the first above described *emplacement*, and which was formerly used as the yard of the above mentioned house, bounded on one side by the lands of Sieur Ignace Hubert, represented by Noël Dorion or his representatives; on the other side by Chageamigon Street; in front by St. Louis Street aforesaid, and in depth by the lands of the representatives of Ignace Giasson, now those of Pierre Berthelot, Esquire.

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3dly, All the land between the depth of the *emplacement* first above described, and the road which runs along the river; the said lot of land being bounded in front by the said road; in the rear by the *emplacement* first above described; on one side by the lands of the said George McKenzie, and on the other side by the lands of the said Joseph Athanase Normandeau; and that the said Jean Donegany, husband of the said Marie Gally, after having acquired the immovable property above described, did make several improvements thereon and considerable additions thereto, and in particular did build and erect a two story stone house on the secondly above described *emplacement*, and did erect a vault or two story stone building partly on the *emplacement* first above described, and partly on that thirdly above described.

That on the twenty-fifth day of September, one thousand seven hundred and ninety-seven, at Montreal aforesaid, the said Thérèse Donegany, daughter of the said Jean Donegany and of the said Marie Gally, was joined in lawful wedlock to Joseph Donegany, tavern-keeper, son of the late Jean Antoine Donegany and of the late Marthe Donegany, which said marriage was solemnized at Montreal aforesaid, on the said twenty-fifth day of September, one thousand seven hundred and ninety-seven.

That on the sixteenth day of May, one thousand eight hundred and seven, the said Thérèse Donegany, otherwise called Marie Thérèse Donegany, daughter of the said Jean Donegany and of the said Marie Gally, departed this life at Montreal aforesaid, leaving as her sole and only heirs three children, issue of her marriage with the said Joseph Donegany, which said children were all born at Montreal aforesaid, to wit, the said Jean Antoine Donegany, Joseph Donegany, and Guillaume Benjamin Donegany, the Plaintiffs in this cause, and grandsons of the said Jean Donegany and of the said Marie Gally his wife.

That the said Joseph Donegany, widower of the said Thérèse Donegany, and father of the said Plaintiffs, having departed this life at Montreal aforesaid, on the sixth day of July, one thousand eight hundred and seventeen, the said Joseph Maximilien Bonacina was, on the twentieth day of August, one thousand eight hundred and sixteen, duly appointed tutor to the minor children issue of the marriage of the said late Joseph Donegany and of the said late Thérèse Donegany, to wit, to the said Jean Antoine Donegany and Joseph Donegany, two of the said Plaintiffs who were then minors, but who have long since attained the age of majority, to wit, the age of twenty-one years, and to the said Guillaume Benjamin Donegany who is yet a minor.

That the said Jean Donegany, husband of the said Marie Gally and grandfather of the said Jean Antoine Donegany, Joseph Donegany and Guillaume Benjamin Donegany, the Plaintiffs in this cause, departed this life at Moltrazio, in Lombardy, on the Continent of Europe, on or about the sixteenth day of March, one thousand eight hundred and nine, leaving as his sole and only lawful heirs the said Plaintiffs, to wit, the said Jean Antoine Donegany, Joseph Donegany, and Guillaume Benjamin Donegany, his grandsons, and sons of the said Thérèse Donegany, his daughter, and leaving at Montreal aforesaid, moveable and immovable property of considerable value, and in particular, the *emplacements* and lots of land above described; leaving also at Moltrazio aforesaid, other moveable and immovable property of the value of about Three thousand pounds current money of the Province of Lower Canada.

That the said Marie Gally, widow of the said late Jean Donegany, and grandmother of the said Jean Antoine Donegany, Joseph Donegany, and Guillaume Benjamin Donegany, the said Plaintiffs, departed this life at Moltrazio aforesaid, in the year one thousand eight hundred and fifteen, leaving also as her sole heirs the said Plaintiffs, to wit, the said Jean Antoine Donegany, Joseph Donegany, and Guillaume Benjamin Donegany, her grandsons, and sons of the said Thérèse Donegany, and leaving at Montreal aforesaid, moveable and immovable property of considerable value.

That the said Joseph Donegany, the Defendant in this cause, did immediately after the decease of the said late Jean Donegany, grandfather of the said Plaintiffs, to wit, at Montreal aforesaid, take possession without any right whatever, of all the moveable and immovable property left at Montreal aforesaid by the said Jean Donegany at the time of his decease, and did in particular take possession of the *emplacements* and lots of land above described, and of all their appurtenances, and make use of all the moveables, monies, and claims left by the said late Jean Donegany, and did receive the rents and revenues arising from the said *emplacements* and lots of land above described and their appurtenances, and convert the same to his own use and advantage.

That the said Joseph Donegany, the Defendant in this cause, immediately after the decease of the said Marie Gally, grandmother of the said Plaintiffs, to wit, at Montreal aforesaid, in the year one thousand eight hundred and fifteen, did also take possession of all the moveable and immovable property left at Montreal aforesaid by the said Marie Gally at the time of her decease, and did receive the rents and revenues arising therefrom, and convert the same to his own use.

That although the said Defendant hath been often required by the said Plaintiffs to return and give up to the said Plaintiffs the said moveable and immovable property left by the said late Jean Donegany and the said late Marie Gally, together with the rents, revenues and profits arising therefrom, the said Defendant hath always refused, and doth still unjustly refuse so to do, for which reason the said Plaintiffs do institute their action against him.

Wherefore the said Plaintiffs pray that the said Defendant be condemned to give up and return to the said Plaintiffs all the property, moveable and immovable, left at Montreal aforesaid by the said late Jean Donegany and Marie Gally his wife, at the time of their decease, and whereof the said Defendant has taken possession as aforesaid, and in particular of the *emplacements* and lots of land above described, and all their appurtenances, together with the rents, revenues, and interest of the said moveable and immovable property; and that, moreover, the said Defendant be condemned to indemnify the said Plaintiffs for the waste which he has done to the said moveable or immovable property, to restore to the said Plaintiffs the debts which he has collected and received from the debtors of the said deceased persons; and, finally, to indemnify the said Plaintiffs of all the losses he may have made them sustain, and all the damages he has caused them by reason of his retaining possession of the said property; the whole with interest and costs.

(Signed.) Jos. BEDARD,  
Attorney for the said Plaintiffs.

Montreal, 15th February, 1827.

(True Copy.)

MONK, COFFIN, AND RAPINEAU,  
P. B. R.

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(Endorsed.)

No. 461.

King's Bench—February Term, 1827.

*Declaration.*

JEAN ANTOINE DONEGANY *et al:*  
*vs.* *Plaintiffs,*  
 JOSEPH DONEGANY,  
*Defendant.*

A—filed 20th February, 1827.

(Signed,) L. M. & M.  
P.

(True Copy.)

MONK, COFFIN & PAPINEAU,  
P. B. R.*(Défenses.)*

Montreal—Court of King's Bench,  
 February Term, 1827.

JEAN ANTOINE DONEGANY *et al:*  
*vs.* *Plaintiffs,*  
 JOSEPH DONEGANY,  
*Defendant.*

The Defendant for answer to the action of the said Plaintiffs, saith that their demand is unfounded, and that the allegations in their said Declaration contained are untrue.

Wherefore the said Defendant prays that the action of the said Plaintiffs may be dismissed with costs.

(Signed,) ROLLAND & MONDELET,  
*Attornies for Defendant.*

The Defendant, without waiving the *défense* above pleaded, and without admitting any of the allegations of the said Plaintiffs in their said Declaration to be true, further saith: that he is the son of the said late Jean Donegany mentioned in the Declaration, by the marriage of the said Jean Donegany with the late Marie Catherine Galla also mentioned in the said Declaration as Marie Gally.

That the said late Jean Donegany in his lifetime, to wit, on the twenty-third day of July, in the year one thousand eight hundred, then residing in the town of Montreal, in the district of Montreal, in the Province of Lower Canada, made and executed his last will and testament by an *Acte* passed before Joseph Papineau and Thomas Barron, Notaries, at Montreal aforesaid, by which said last will and testament he did give and bequeath to Jean Donegany his son, brother of the said Defendant, the sum of five shillings, current money of the said Province; to Daniel Donegany, his other son, one-fourth of all the property which he might leave at the time of his decease; to Thérèse Donegany, his daughter, also one-fourth of all his property; and to the Defendant, one-half of all his property, both moveable and immoveable, which he might leave at the time of his decease, subject to the charge and condition that his said children should allow Marie Catherine Galla, their mother, to enjoy, during her lifetime, the usufruct of all the property bequeathed to them.

That by a codicil and testamentary disposition, whereof *Acte* was passed before the said Joseph

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Papineau and Louis Guy, Notaries, dated at Montreal aforesaid, the seventh day of August, in the year one thousand eight hundred and two, the said Jean Donegany, then residing at Montreal aforesaid, did revoke the legacy which he had made in and by his said will to the said Thérèse Donegany, his daughter, leaving to her in lieu thereof the sum of five hundred pounds, current money of the Province, to be paid once; revoking also the legacy of five shillings which he had made in and by his said will to the said Jean Donegany, his son, and bequeathing to him in lieu thereof one-fourth of the property which he might leave at the time of his decease; the said testator declaring the said Daniel, Joseph, and Jean Donegany to be his universal legatees, substituting the said Jean Donegany, his son, in lieu of the said Thérèse Donegany, to manage and dispose of his property, subject to the conditions and restrictions contained and imposed in and by his said will and codicil; declaring also that if any one of the said legatees should contest the payment of the above rent, he should be deprived of his legacy for the benefit of the persons named in the said will, and in the order therein mentioned.

That, therefore, if the said Defendants have a right to be considered as heirs of Thérèse Donegany, sister of the Defendant above mentioned, (all which the Defendant does not admit,) they cannot claim from the succession of the said Jean Donegany anything but the legacy of five hundred pounds currency, bequeathed to her by the said Jean Donegany in his codicil, bearing date the seventh day of August, one thousand eight hundred and two; which said legacy the said Defendant and his said brothers, as universal legatees of their father, have offered to the said Plaintiffs ever since the year one thousand eight hundred and eleven.

That as to the said Marie Catherine Galla, mother of the said Defendant, she departed this life in Italy, and left no moveable or immoveable property at her decease, either in the said town of Montreal or elsewhere, and that she has never been the proprietor of the immoveable property in the Declaration of the Plaintiffs described.

Wherefore and whereas the Plaintiffs cannot, as heirs of their mother, claim anything else from the estate and succession of the said late Jean Donegany, their pretended grandfather, than the sum of five hundred pounds, currency, as a legacy, for which they have an action against the universal legatees named in the last will and testament and codicil of the said late Jean Donegany, and whereas their action is quite as unfounded with reference to the property belonging to the estate and succession of the said Marie Catherine Galla their pretended grandmother, the Defendant prays that the *demande* of the said Plaintiffs be dismissed with costs.

(Signed,) ROLLAND & MONDELET,  
*Attornies for Defendant.*

The Defendant, without waiver of his *défenses* and exceptions above pleaded, and without admitting that the Plaintiffs have any right of property in the immoveables in their said Declaration mentioned and described, further saith, that the said immoveables belong to and are in the possession of him the said Defendant, jointly with his father the said Jean Donegany, and that he, the said Defendant, has incurred considerable expense, and made great improvements on the said immoveable property, since he has enjoyed the same jointly with the said Jean Donegany, all which he can justify when and where it may be thought necessary.

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Wherefore the Defendant reserves to himself all right of action which he may now or might hereafter have for or by reason of the same.

(Signed,) ROLLAND & MONDELET,  
*Attornies for Defendant.*

Montreal, 30th March, 1827.

(True Copy,)

MONK, COFFIN & PAPINEAU,  
*P. B. R.*

(Endorsed.)

No. 461.

K. B. Montreal—February, 1827.

*Défenses.*

JEAN ANTOINE DONEGANY *et al*:  
*vs.* *Plaintiffs,*  
JOSEPH DONEGANY,  
*Defendant.*

B—filed 2nd April, 1827.

(Paraphe,) L. M. & M.  
*P.*

(True Copy,)

MONK, COFFIN & PAPINEAU,  
*P. B. R.*

(*Replication to Défenses et fins de non recevoir, to peremptory exceptions.*)

Montreal—King's Bench,  
April Term, 1827.

JEAN ANTOINE DONEGANY *et al*:  
*vs.* *Plaintiffs,*  
JOSEPH DONEGANY,  
*Defendant.*

And the said Plaintiffs, by their undersigned Attorney, for answer to the *défenses* first pleaded by the Defendant, to the action and *demande* of the said Plaintiffs in this cause, say, that their action and *demande* is well-founded, and that the allegations in the declaration of the said Plaintiffs in this cause filed, contained, are true.

Wherefore the said Plaintiffs persist in the conclusions of their said Declaration, with costs.

(Signed,) JOS. BEDARD,  
*Attorney for said Plaintiffs.*

And the said Plaintiffs not admitting, but on the contrary denying all and every the allegations, matters and things in the said peremptory exceptions secondly pleaded by the said Defendant contained, which are neither true nor founded in fact, for answer and exception to the said peremptory exceptions, say, that when the said Jean Donegany, and the said Marie Galla his wife, maternal grandfather and grandmother of the said Plaintiffs, came to this country, and settled at Montreal, in or about the year one thousand seven hundred and ninety-four, they were and did continue to be until their decease, aliens and foreigners, born of foreign parents and in a foreign country, to wit, in the Milanese Territory, Austrian Lombardy, in Europe, in the dominions and

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under the allegiance of the Emperor of Austria, and out of the dominions and allegiance of His late Majesty George the Third, then Our Sovereign Lord and King.

That the said Jean Donegany, husband of the said Marie Galla, and maternal grandfather of the said Plaintiffs, being an alien and a foreigner, was incapable in law of disposing by last will and testament of the property which he held in this country, and especially of the moveable property in the said Declaration of the said Plaintiffs in this cause mentioned and described, or of any part thereof, to the prejudice of the said Plaintiffs, who, being natural born subjects of Our Sovereign Lord the King, were at the time of the decease of the said Jean Donegany, their grandfather, his sole heirs capable of succeeding him in the property which he held in this country, and in any other part of the dominions of His late Majesty George the Third, Our Sovereign Lord the King. And the said Plaintiffs therefore say that the last will and testament of the said Jean Donegany, maternal grandfather of the said Plaintiffs, made and executed before Maitres Joseph Papineau and Thomas Barron, Notaries, at Montreal aforesaid, on the twenty-third of July one thousand eight hundred, and the codicil of the said Jean Donegany made before Maitres Joseph Papineau and Louis Guy, Notaries, at Montreal aforesaid, on the seventh of August, one thousand eight hundred and two, and upon which are founded the said peremptory exceptions secondly pleaded by the said Defendant, are null and void in law, and ought to be declared null and void by the judgment of this Honorable Court, and as such laid aside; and that the said Defendant cannot have or maintain the said peremptory exceptions by him secondly pleaded.

Wherefore the said Plaintiffs persist in the conclusions of their said declaration, and pray that by the judgment of this Honorable Court the said last will and testament of the twenty-third of July, one thousand eight hundred, and the said codicil of the seventh of August, one thousand eight hundred and two, be declared null and void, and as such laid aside; and that moreover the said peremptory exceptions secondly pleaded by the said Defendant, be dismissed with costs.

(Signed,) JOS. BEDARD,  
*Attorney for said Plaintiffs.*

(True Copy,)

MONK, COFFIN & PAPINEAU,  
*P. B. R.*

And the said Plaintiffs without waiver of the preceding exception by them pleaded, but, on the contrary, reserving to themselves all the benefit or advantage thereof, for further answer and exception to the said peremptory exceptions secondly pleaded by the said Defendant, say that the said Jean Donegany and the said Marie Galla his wife, maternal grandfather and grandmother of the said Plaintiffs, were, at the time they came to this country and settled at Montreal aforesaid, in or about the year one thousand seven hundred and ninety-four, and did continue to be, until the time of their decease, aliens and foreigners, born of foreign parents and in a foreign country, to wit, in the Milanese Territory aforesaid, in the dominions and under the allegiance of the Emperor of Austria, and out of the dominions and allegiance of His late Majesty George the Third, then our Sovereign Lord and King, and that the said Jean Donegany and Marie Galla his wife, settled as aforesaid in Montreal, in order to carry on trade and commerce at that place, with the intention of returning to their native country.

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That the said Jean Donegany, husband of the said Marie Galla, being an alien and foreigner, born in a foreign country, out of the dominions and out of the allegiance of our Sovereign Lord the King, to wit, of His late Majesty George the Third, was incapable in Law of disposing, by any will or testament made and executed either in this or in his native country, of any portion of the property which he held in this country, and especially of any portion of the immoveable property in the Declaration of the said Plaintiffs in this cause mentioned and described, but that the said Jean Donegany, husband of the said Marie Galla, had a right to and could dispose by last will or testament made and executed in his native country, of the property which he held in his native country, and had also the right of revoking by a last will or testament made and executed in his native country, any will or testament made by him, either in this or in his native country.

And the said Plaintiffs further say and aver, that the said Jean Donegany and the said Marie Galla, did return to their native country in the Milanese Territory aforesaid, in or about the year one thousand eight hundred and two, and did reside there until the time of their decease.

That the said Jean Donegany, husband of the said Marie Galla, residing in his native country, and being a subject and under the domination and allegiance of Napoleon the First, Emperor of the French, and King of Italy, who was then at open war with His late Majesty George the Third, then our Sovereign Lord and King, and being therefore an enemy of our Sovereign Lord the King, to wit, on the sixth day of March, one thousand eight hundred and nine, in the *Commune* of Moltrazio, in the second Canton in the first district of Como, made and dictated according to the formalities required in the said *Commune* of Moltrazio, before Doctor Jacques Phillippe Clérice, Notary of the department of Lario, at Como, and in the presence of four witnesses, his will and testament by a public instrument, and in and by the said will and testament disposed of his property, and especially of that which he held in the *Commune* of Moltrazio, and of that which he held in Montreal aforesaid, and in particular of the immoveable property in the declaration of the said Plaintiffs in this cause contained, in favor and to the advantage of his three sons issue of his marriage with the said Marie Galla, and who were then and are still aliens and foreigners, as their father and mother were during their lifetime; that the said late Jean Donegany in and by his will and testament lastly above mentioned, revoked and annulled every other will or testament theretofore made, and in particular the will and testament bearing date at Montreal, the seventh of August, one thousand eight hundred and two, by a public instrument made and executed before Jean Baptiste Papineau, Notary, meaning his codicil mentioned in the said peremptory exceptions, and made and executed before the said Joseph Papineau and Louis Guy, Notaries, at Montreal aforesaid, on the seventh day of August, one thousand eight hundred and two, the said Plaintiffs proving that the said Maitre Joseph Papineau is the only person of that name who has been a Notary at Montreal, for more than forty years, and that the said codicil of the seventh of August, one thousand eight hundred and two, in the said exceptions mentioned, is the only last will made and executed before the said Joseph Papineau; the said Plaintiffs alleging that it is only by error that in the will made before the said Jean Baptiste lastly mentioned, it has been stated that the Christian name of the said Joseph Papineau is Jean Baptiste, and that doubtless this error arises from the abridged signature of the Christian name of Maitre Joseph Papineau at the foot of an authentic copy of the said codicil, given by the

said Joseph Papineau, to wit, the letters J. P. having been taken for J. B., and as meaning Jean Baptiste, while these letters are J. P., and mean Joseph, of which last will and testament of the said Jean Donegany lastly mentioned, the said Plaintiffs produce a true copy hereunto annexed.

And the said Plaintiffs further say and humbly maintain that the disposition of the said Jean Donegany, grandfather of the said Plaintiffs, contained in his last mentioned will of the said sixth day of March, one thousand eight hundred and nine, wherein and whereby he did dispose of the property which he held at Montreal aforesaid, and in particular of the immoveable property in the Declaration of the said Plaintiffs in this cause described, is null, and ought for the above-mentioned reasons, by the judgment of this Honorable Court, to be declared null and void; but that the other dispositions therein contained, in so far as they do not exceed the power of disposing by will, granted by the Laws of the place wherein the last-mentioned will of the said Jean Donegany was made, to wit, by the Code of the French, commonly called *Code Napoléon*, and in particular the disposition whereby the said Jean Donegany repealed, revoked, and annulled every other last will or testament, are valid, and that the will of the said Jean Donegany dated the said twenty-third day of July, one thousand eight hundred, and the codicil of the said Jean Donegany dated the seventh of August, one thousand eight hundred and two, mentioned in the said peremptory exceptions secondly pleaded by the said Defendant, and upon which the said Defendant founds the said peremptory exceptions by him secondly pleaded, are repealed, revoked, and annulled by the will of the said Jean Donegany, dated the said sixth day of March, one thousand eight hundred and nine, and hereinabove mentioned; and the said Plaintiffs say, that in consequence of the above facts the said Defendant cannot have or maintain the said peremptory exceptions by him secondly pleaded.

Wherefore the said Plaintiffs persist in the conclusions of their declaration in this cause, and pray that it may please this Honorable Court, for the above reasons, to adjudge and declare by its judgment,—1st. That the disposition of the said Jean Donegany, grandfather of the said Plaintiffs, contained in the said will of the said Jean Donegany, dated the said sixth day of March, one thousand eight hundred and nine, and whereby the said Jean Donegany did dispose of all the property which he held at Montreal aforesaid, and in particular of the immoveable property in the said declaration of the said Plaintiffs described, is null, and that it cannot therefore have any effect whatever.

2dly. That the will of the said Jean Donegany of the twenty-third of July, one thousand eight hundred, and the codicil of the said late Jean Donegany of the seventh of August, one thousand eight hundred and two, mentioned in the said peremptory exceptions secondly pleaded by the said Defendant, have been repealed, revoked, and annulled by the said will of the said Jean Donegany dated the said sixth day of March, one thousand eight hundred and nine, and that the said will of the twenty-third of July, one thousand eight hundred, and the said codicil of the seventh of August, one thousand eight hundred and two, and upon which are founded the said peremptory exceptions, are therefore null, and cannot have any further effect whatever; the said Plaintiffs therefore pray that the said peremptory exceptions secondly pleaded by the said Defendant, be dismissed with costs.

(Signed,) Jos. BEDARD,  
Attorney for said Plaintiffs.

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And the said Plaintiffs without waiver of the exceptions hereinbefore by them pleaded, and whereof they reserve to themselves the whole benefit and advantage, for replication to the *défenses* thirdly pleaded by the said Defendant, say, that it is the said Defendant who has taken possession of the property left at Montreal aforesaid, by the said Jean Donegany, grandfather of the said Plaintiffs, at the time of his decease, and who has received and enjoyed all the rents and revenues, and turned them to his own use. The said Plaintiffs moreover alleging that Jean Donegany mentioned in the said *défenses* secondly pleaded, was not at Montreal aforesaid, at the time of the decease of the aforesaid Jean Donegany, grandfather of the said Plaintiffs, and that it is only lately that the said Jean Donegany mentioned in the said *défenses* thirdly pleaded, came to this country.

Wherefore the said Plaintiffs persist in the conclusions of their said declaration in this cause, with costs.

(Signed,) JOS. BEDARD,  
*Attorney for said Plaintiffs.*

Montreal, 7th April, 1827.

(True Copy,)

MONK, COFFIN & PAPINEAU,  
*P. B. R.*

(Endorsed,)

No. 461.

K. B. Montreal—1827.

Replication to *défenses et fins de non recevoir* to peremptory exceptions.

JEAN ANTOINE DONEGANY *et al*:

*vs.*

JOSEPH P. DONEGANY.

C—filed 9th April, 1827.

(Signed,) L. M. & M.

(True Copy,)

MONK, COFFIN & PAPINEAU,  
*P. B. R.*

(Replication to peremptory exceptions pleaded by the Defendant.)

Montreal—King's Bench, April Term, 1827.

JEAN ANTOINE DONEGANY *et al*:

*vs.*

JOSEPH DONEGANY, *Plaintiffs,*

*Defendant.*

The Defendant for answer to the *fins de non recevoir* by the said Plaintiffs pleaded to the peremptory exceptions by him pleaded in answer to their *demande*, without admitting any of the allegations of the said Plaintiffs, say, that the said *fins de non recevoir* cannot be maintained, and are unfounded in fact and in law, and that the Plaintiffs cannot plead them in the present cause; that they have therefore no right to maintain the conclusions therein contained.

The Defendant further saith, that the Plaintiffs have no interest in pleading the pretended incapacities of the said late Jean Donegany, their grandfather, which, if they had existed as the Plaintiffs

pretend, were of a nature not only to prevent the said Jean Donegany from being capable to dispose of his property in Canada, but also to prevent him from possessing any immoveable property within the dominions of His Britannic Majesty, and from transmitting his moveable or immoveable property by succession, so that the Plaintiffs cannot plead these pretended incapacities of their grandfather, without doing away with their pretensions to the property left in Canada by their said grandfather, and in particular to the immoveable property in their Declaration described, so much the more so as their mother, whom they pretend to be a daughter of the said late Jean Donegany, was herself born in a foreign country.

Wherefore the Defendant persists in his peremptory exceptions to the *demande* of the Plaintiffs, and prays that the said Plaintiffs be declared incapable of pleading the said *fins de non recevoir* to the said peremptory exceptions, and that the said *fins de non recevoir* be dismissed as being unfounded, with costs.

(Signed,) ROLLAND & MONDELET,  
*Attornies for Defendant.*

28th May, 1827.

(True Copy,)

MONK, COFFIN & PAPINEAU,  
*P. B. R.*

(Endorsed.)

461.

K. B. Montreal—June, 1827.

Replication to peremptory exceptions pleaded by the Defendant.

JEAN ANTOINE DONEGANY *et al*:

*vs.*

JOSEPH DONEGANY,

*Plaintiffs,*

*Defendant.*

D—Filed the 4th of June, 1827.

(Signed,) L. M. & M.,  
*Prothy.*

(True Copy,)

MONK, COFFIN & PAPINEAU,  
*P. B. R.*

(Replication to the Answers to aux *fins de non recevoir*, pleaded by the Plaintiffs.)

District of Montreal—King's Bench,

June Term, 1827.

JEAN ANTOINE DONEGANY *et al*:

*vs.*

JOSEPH DONEGANY,

*Plaintiffs,*

*Defendant.*

And the said Plaintiffs for Replication to the answers of the said Defendant to the *fins de non recevoir* by them pleaded in this cause to the peremptory exceptions of the said Defendant to the *demande* and action of the said Plaintiffs, say, that the said *fins de non recevoir* are well founded in fact and in law, and that the conclusions by them taken in the

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said *fin de non recevoir* ought to be maintained, and that the said conclusions ought to be granted to them by this Honourable Court, with costs.

Wherefore the said Plaintiffs persist in the conclusions of their said *fin de non recevoir*, with costs.

And the said Plaintiffs for further Replication to the said answers of the said Defendant to the said *fin de non recevoir* by them pleaded in this cause, say, that they are interested, and have a just cause in pleading the incapacity of the said late Jean Donegany, their grandfather.

That the said late Jean Donegany, their grandfather, although a foreigner, and born within the dominions and allegiance of His Britannic Majesty, was, during his lifetime, capable under the law at all times in force in this country, of acquiring and holding moveable and immovable property situate in Canada, to wit, at Montreal aforesaid, in the said district of Montreal; but the said Plaintiffs say, that the said late Jean Donegany, being a stranger, and born out of the dominions and allegiance of His Britannic Majesty, was incapable in law of disposing by testament or last will of the moveable and immovable property appertaining to him at the day and moment of his decease, and situated at Montreal aforesaid, or of any part thereof, and in particular could not dispose by last will or testament, made and executed in a foreign country, of any portion of the moveable and immovable property to him appertaining at the time of his decease, and situate at Montreal aforesaid, to the prejudice of the said Plaintiffs.

That although the mother of the said Plaintiffs was herself a foreigner, as well as the said late Jean Donegany, her father, the said Plaintiffs who are born subjects of His Britannic Majesty, are nevertheless the lawful heirs of the said late Jean Donegany, their grandfather, and have nevertheless succeeded the said late Jean Donegany in all the property situate at Montreal aforesaid, and belonging to him at the day and moment of his decease.

Wherefore the said Plaintiffs persist in the conclusions of their said *fin de non recevoir*, with costs.

(Signed,) JOS. BEDARD,  
*Attorney for Plaintiffs.*

Montreal, 7th June, 1827.

(True copy,)

MONK, COFFIN & PAPINEAU,  
*P. B. R.*

(Endorsed.)

No. 461.

King's Bench, June Term, 1827.

Replication to the Answers to the *fin de non recevoir* pleaded by the Plaintiffs.

JEAN ANTOINE DONEGANY *et al:*  
*vs.* Plaintiffs,  
JOSEPH DONEGANY,  
*Defendant.*

E—Filed the 8th June, 1827.

(Signed,) L. M. & M.  
*P. K. B.*

(True Copy,)

MONK, COFFIN & PAPINEAU,  
*P. B. R.*

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17th February.

(Rule for *Faits et Articles* to be submitted to the Defendant.)

Province of Lower Canada—District of Montreal.

Friday, the 20th day of June, 1828.

No. 461.

JEAN ANTOINE DONEGANY *et al:*  
*vs.* Plaintiffs,

JOSEPH DONEGANY,  
*and* Defendant.

GUILLAUME BENJAMIN DONEGANY,  
*Intervening party, and Plaintiff*  
*by reprise d'instance.*

Present:

The Honorable The CHIEF JUSTICE,  
" " Mr. JUSTICE FOUCHER,  
" " Mr. JUSTICE UNIACKE.

No. 461.

On motion of the Plaintiffs, the Court permits them to interrogate the Defendant in this cause, on *faits et articles* pertinent to this cause; and doth in consequence order the said Defendant to appear before two of the Justices of the said Court on Saturday, the twenty-seventh day of the month of September, 1828, at nine o'clock in the morning, to answer to such Interrogatories upon *faits et articles* pertinent to this cause, which shall be previously communicated to him.

By the Court.

(Signed,) MONK & MORROGH.

(True Copy,)

MONK, COFFIN & PAPINEAU,  
*P. B. R.*

(Endorsed.)

In the King's Bench.

No. 461.

J. A. DONEGANY *et al:*  
*vs.* Plaintiffs,

JOSEPH DONEGANY,  
*and* Defendant.

G. B. DONEGANY,  
*Intervening party, and Plaintiff*  
*by reprise d'instance.*

Rule for *Faits et Articles* to be submitted to the Defendant.

(True Copy,)

MONK, COFFIN & PAPINEAU,  
*P. B. R.*

(Certificate of Service of the preceding Rule.)

I, the undersigned Bailiff, do hereby certify that I did serve a copy of the present Rule, and a copy of the *faits et articles* hereunto annexed, on the Defendant, Joseph Donegany, above-mentioned, speaking to himself at his domicile, at a quarter-past eight in the morning, Montreal, the 29th day of September, 1828.

(Signed,) C. A. LABERGE,  
*H. B. R.*

(True Copy,)

MONK, COFFIN & PAPINEAU,  
*P. B. R.*



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17th February.

(Interrogatories upon *Faits et Articles*.)

District of Montreal—King's Bench,

Vacation of June Term, 1828.

No. 461.

JEAN ANTOINE DONEGANY *et al* :*vs.* Plaintiffs,

JOSEPH DONEGANY,

*and* Defendant.

GUILLAUME BENJAMIN DONEGANY,

*Intervening party, and Plaintiff*  
*by reprise d'instance.*

*Faits and Articles* upon which Jean Antoine Donegany, Joseph Donegany, and Guillaume Benjamin Donegany, the Plaintiffs in this cause, are desirous of interrogating and examining Joseph Donegany, the Defendant in this cause:—

1st Interrogatory—He shall be asked, What is his name, age, profession or occupation, and place of residence?

2d. If it be not true that he has been well acquainted with the said Jean Antoine Donegany, Joseph Donegany, and Guillaume Benjamin Donegany, the Plaintiffs in this cause, ever since their birth, and that he is well acquainted with the place of their birth?

3d. If it be not true that he is personally or otherwise aware that the said Jean Antoine Donegany, Joseph Donegany, and Guillaume Benjamin Donegany, the said Defendants, were born in this city, to wit, at Montreal, in the district of Montreal, in the Province of Lower Canada?

4th. The *Actes* or certificates of baptism filed in this cause, and being the numbers three, four, and five of the Exhibits filed in this cause by the said Plaintiffs, shall be shewn and exhibited to the said Defendant, and read to him if he should require it; and thereupon the said Defendant shall be asked, if it be not true, to the best of his knowledge and belief, that the said *Actes* or certificates of baptism are the *Actes* or certificates of baptism of the said Jean Antoine Donegany, Joseph Donegany, and Guillaume Benjamin Donegany, respectively, or of any and of which of them?

5th. If the said Defendant should answer in the negative to the third and fourth interrogatories above written, or to any part thereof, the said Defendant shall be required to state, if, and in what manner, he is acquainted with the place at which the said Jean Antoine Donegany, Joseph Donegany, and Guillaume Benjamin Donegany, the said Plaintiffs, respectively, were born, and if it be not true that he is acquainted with their place of birth, and if it be not true that he has seen and has been acquainted with the said Jean Antoine Donegany, Joseph Donegany, and Guillaume Benjamin Donegany, since the day of their birth, or a few days after their birth, and at what time, and how many days after their birth, respectively; and if it be not true that he is aware, and in what manner he is aware, that they were born in a country which, at the time of their respective birth, was within the dominions and under the allegiance of His late Britannic Majesty George the Third, of happy memory, to wit, in the said Province of Canada; and if it be not true, to the best of his knowledge and belief, that Montreal aforesaid is the place of their birth, or of the birth of any, and of which of them? if the said Defendant should answer in the negative to the present interrogatory, he shall be required to declare in as simple a manner as if he were specially interrogated, which is, to the best of his knowledge and belief, the place of birth of the

said Jean Antoine Donegany, Joseph Donegany, and Guillaume Benjamin Donegany, the said Plaintiffs, or of any and of which of them, and if the place of their birth was within the dominions and under the allegiance of His said Britannic Majesty?

6th. If it be not true that he has been well acquainted with the late Jean Donegany and Marie Gally, otherwise called Marie Galla, his wife, mentioned in the Declaration of the said Plaintiffs, and in the other pleadings in this cause filed, and grandfather and grandmother of the said Jean Antoine Donegany, Joseph Donegany, and Guillaume Benjamin Donegany, the Plaintiffs in this cause?

7th. If it be not true that he has been just as well acquainted with the late Thérèse Donegany mentioned in the said Declaration, and a daughter issue of the lawful marriage of the late Jean Donegany with the said late Marie Gally, otherwise called Marie Galla?

8th. If it be not true that, to the best of his knowledge and belief, the said Thérèse Donegany was joined in lawful wedlock at Montreal aforesaid, to the said late Joseph Donegany in the said Declaration mentioned, and that the said Jean Antoine Donegany, Joseph Donegany, and Guillaume Benjamin Donegany, the said Plaintiffs, are children issue of the lawful marriage of the said late Joseph Donegany and Thérèse Donegany?

9th. If it be not true that, to the best of his knowledge and belief, the said late Joseph Donegany and Thérèse Donegany have ever since, and during the whole time they were married, constantly resided at Montreal aforesaid, and that all the children issue of their marriage were born at Montreal aforesaid?

10th. The *Acte* or certificate of marriage filed in this cause, and being number two of the Exhibits filed in this cause by the said Plaintiffs, shall be shewn and exhibited to the said Defendant, and read to him should he require it; and he shall thereupon be asked, if it be not true, to the best of his knowledge and belief, that the said *Acte* or certificate of marriage is the *Acte* or certificate of the marriage of the said late Thérèse Donegany, in her lifetime daughter of the said late Jean Donegany and Marie Gally, or Marie Galla, with the late Joseph Donegany, both the said Joseph Donegany and Thérèse Donegany being the father and mother of the said Plaintiffs?

11th. The pretended will of the said late Jean Donegany, dated the twenty-third day of July, one thousand eight hundred, and his pretended codicil, dated the seventh day of August, one thousand eight hundred and two, filed in this cause by the said Defendant, and marked No. 1, shall be shewn and exhibited to the said Defendant, and read to him should he require it; and he shall thereupon be asked, if it be not true that the said late Thérèse Donegany, in her lifetime wife of the said late Joseph Donegany, is the very same person mentioned in the said pretended will under the name and description of Thérèse Donegany, his daughter, (to wit, the daughter of the said late Joseph Donegany,) wife of Joseph Donegany, and in the said pretended codicil mentioned under the name and description of "my daughter Thérèse Donegany," to wit, the daughter of the said late Jean Donegany?

12th. If it be not true that he the said Defendant is well acquainted with the place of his birth, from having heard it mentioned by his father and mother, by his godfathers and godmothers, by the curate of the place where he was baptized, and by several persons of his family, or by any or which of them, or from having seen and read his *Acte* or certificate of baptism, or in any other and in what manner?

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13th. If it be not true, to the best of his knowledge and belief, that he the said Defendant was born at Moltrazio, in Lombardy, on the continent of Europe, or in any other and in which place in Lombardy aforesaid; and if it be not true, to the best of his knowledge and belief, that he the said Defendant was born out of the dominions and the allegiance of His Britannic Majesty?

14th. If it be not true, to the best of his knowledge and belief, that he the said Defendant knows and in what manner he knows the place of birth of Jean Donegany, son of the said late Jean Donegany, and the birth-place of Daniel Donegany mentioned in the pleadings in this cause filed, and also in the pretended will and codicil of the said late Jean Donegany herein above mentioned?

15th. If it be not true, to the best of the knowledge and belief of the said Defendant, that the said late Jean Donegany and the said Daniel Donegany were born at Moltrazio aforesaid, or at any other and what place in Lombardy aforesaid, and if it be not true, to the best of his knowledge and belief, that the said Jean Donegany, son of the said late Jean Donegany, and the said Daniel Donegany were born out of the dominions and allegiance of His said Britannic Majesty?

16th. If it be not true that he the said Defendant is aware, and in what manner he is aware, that the said late Jean Donegany, and the said Marie Galli, otherwise called Marie Galla his wife, were born in a foreign country, and in what country, out of the dominions and allegiance of His Britannic Majesty, and if it be not true, to the best of his knowledge and belief, that the said Jean Donegany and the said Marie Galli, otherwise called Marie Galla, his wife, were born at Moltrazio aforesaid, or at any other and at what place in Lombardy, out of the dominions and allegiance of His Britannic Majesty?

17th. If it be not true that he the said Defendant has been credibly informed, knows, and believes to the best of his knowledge, that the said late Jean Donegany, the husband of the said Marie Galli, otherwise called Marie Galla, departed this life on or about the sixteenth day of March, one thousand eight hundred and nine, or at any other and at what time, at Moltrazio aforesaid, after having disposed of his property by a will made and executed at Moltrazio aforesaid, on or about the sixth of the said month of March, one thousand eight hundred and nine, before Doctor Jean Philippe Clerici, Notary, and the witnesses therein named?

18th. If it be not true that he the said Defendant is familiar with the Italian language, and can read and understand papers written in that language?

19th. The exhibit No. 9, filed in this cause by the said Plaintiffs, and being a copy of the will of the late Jean Donegany made and executed in the Italian language, in the *Commune* of Moltrazio, in Italy, shall be shewn and exhibited to the said Defendant; and he shall thereupon be asked if it be not true, to the best of his knowledge, that the body of the said Exhibit commencing at the first line of the first page of the first leaf, and finishing at the fifteenth line of the second page of the third leaf, is a true copy of the will of the said late Jean Donegany mentioned in the seventeenth Interrogatory above written?

20th. If it be not true that the said Defendant has in his possession a duly certified copy of the will of the said late Jean Donegany, made and executed at Moltrazio aforesaid, on or about the said sixth day of March, one thousand eight hundred and nine, before the said Jean Philippe Clerici?

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21st. If the Defendant should answer in the affirmative to the twentieth Interrogatory above written, the Defendant shall be required to compare the copy in his possession with the body of the said Exhibit, number nine above mentioned; and after having compared them, he shall be asked, if it be not true that the body of the said Exhibit number nine, is a true copy of the will of the said late Jean Donegany mentioned in the eighteenth Interrogatory?

22nd. If it be not true, that he is aware and in what manner he is aware that the said late Jean Donegany, the husband of the said Marie Galli, was, at the time of his decease and long before, proprietor of moveable and immoveable property to a considerable amount, and situate at Moltrazio, or at any other and what place in Lombardy aforesaid, and in particular of the immoveable property mentioned and described in his last mentioned will, made and executed at Moltrazio aforesaid?

23rd. If it be not true, to the best of his knowledge and belief, that the immoveable property belonging to the said late Jean Donegany, husband of the said Marie Galli; at the time of his decease and long before, was worth at least a sum of Two thousand five hundred pounds current money of the Province of Lower Canada, or any other and what sum?

24th. If it be not true, to the best of his knowledge and belief, that the moveable property, to wit, the furniture, cattle, and other moveable effects, the gold and silver both coined and not coined, and the debts, which belonged and were owing to the said Jean Donegany, the husband of the said Marie Galli, at and before the time of his decease, were worth and amounted to a sum of at least One thousand pounds current money aforesaid, or to any other and what sum, to the best of his knowledge?

25th. If it be not true that he is aware, and in what manner he is aware, that the said Marie Galli, otherwise called Galla, departed this life widow of the said late Jean Donegany at Moltrazio aforesaid, in Lombardy aforesaid, in the year one thousand eight hundred and fifteen, or in any and what year?

26th. If it be not true that the said Marie Galli, otherwise called Marie Galla, was at and before the time of her decease, proprietor of moveable and immoveable property situate at Moltrazio aforesaid, or at any other place in Lombardy aforesaid, of considerable value, to wit, of the value of at least a sum of Three thousand pounds current money, or any other and what sum, to the best of his knowledge?

(Signed,) JOS. BEDARD,  
*Attorney for Plaintiffs.*

Montreal, 20th September, 1828.

(True Copy,)

MONK, COFFIN & PAPINEAU,  
*P. B. R.*

(Endorsed,)

No. 461.

Montreal, King's Bench—Vacation of June Term,  
1828.

Interrogatories upon *Fails et Articles.*

JEAN ANTOINE DONEGANY *et al.*

vs.

*Plaintiffs,*

JOSEPH DONEGANY,

and

*Defendant,*

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GUILLAUME BENJAMIN DONEGANY,  
*Intervening party and Plaintiff*  
*by reprise d'instance.*

Filed the 27th September, 1828.

(Signed,) M. & M.

(True Copy,)

MONK, COFFIN & PAPINEAU,  
P. B. R.

(Answers to the Interrogatories on *Faits et Articles*.)

Province of Lower Canada—District of Montreal.

Court of King's Bench, October Term, 1828.

No. 461.

JEAN ANTOINE DONEGANY *et al*:  
*vs.* Plaintiffs,  
JOSEPH DONEGANY,  
*Defendant.*

*and*  
GUILLAUME BENJAMIN DONEGANY,  
*Intervening party and Plaintiff*  
*by reprise d'instance.*

On the sixth day of October, one thousand eight hundred and twenty-eight, sitting the Court, came and appeared Joseph Donegany, the Defendant in this cause, who, being duly sworn, answered as follows to the Interrogatories upon *faits et articles* proposed to him by the Plaintiffs in this cause, to wit:—

*To the first Interrogatory.* He answers:—My name is Joseph Donegany, I am forty-seven years of age or thereabouts, and I am a Trader at Montreal, where I reside.

*To the second.* He answers:—I have known them from their infancy.

*To the third.* He answers:—I am not personally aware that such is the case, but I have understood it so.

*To the fourth.* He answers:—I suppose they are.

*To the fifth.* He answers:—I do not remember having seen them a few days after their birth; all I can say is, that I know they were born at Montreal.

*To the sixth.* He answers:—I was well acquainted with them, as they were my father and mother.

*To the seventh.* He answers:—I knew her well, she was my sister.

*To the eighth.* He answers:—I believe so.

*To the ninth.* He answers:—I believe so.

*To the tenth.* He answers:—I believe so; I was not present at the marriage.

*To the eleventh.* He answers:—I knew no other than her; she was my sister.

*To the twelfth.* He answers:—At the age of reason, I found myself at Moltrazio on the Continent of Europe. I have understood that I was born there, and I think I have seen my certificate of baptism, but I have it not with me.

*To the thirteenth.* He answers:—I do not know in what Province or Department is my birth-place, but I have always understood that my brothers and myself, and my sister, the said Thérèse Donegany, were born at Moltrazio aforesaid, on the Continent of Europe, near Switzerland.

*To the fourteenth.* He answers:—They are my brothers. I have mentioned in my preceding answer what I know respecting their birth.

*To the fifteenth.* He answers:—I can make no further answer.

*To the sixteenth.* He answers:—I can say nothing on this subject, as I have no knowledge whatever thereof.

*To the seventeenth.* He answers:—I have heard it said, but I have no personal knowledge thereof.

*To the eighteenth.* He answers:—I understand it a little, and can read it, but not perfectly.

*To the nineteenth.* He answers:—I cannot say whether it is a copy thereof, as I have never seen the original.

*To the twentieth.* He answers:—I have a paper in my possession which was sent to me as a copy of my father's will, but I cannot say whether it be really his will, as I have never seen the original.

*To the twenty-first.* He answers:—I can give no further answer than the preceding.

*To the twenty-second.* He answers:—I have understood that he had property, but not to a considerable amount; and as to the will, I know nothing further than what I have above stated.

*To the twenty-third.* He answers:—No, I do not think so from what I have heard said.

*To the twenty-fourth.* He answers:—No, what he left, to my knowledge, was certainly not worth that sum.

*To the twenty-fifth.* He answers:—I have understood it so, but I have no knowledge thereof, as I have always resided in Montreal ever since the year one thousand eight hundred and five.

*To the twenty-sixth.* He answers:—She had no property to my knowledge; from what I understood she only enjoyed a rent.

And the said Joseph Donegany further saith not. The above answers having been read to the said Joseph Donegany, he saith that they contain the truth, persists therein, and hath signed.

(Signed,) JOS. DONEGANY.

Sworn, sitting the Court, this aforesaid 6th day of October, 1828.

(Signed,) MONK & MORROGH,  
P. B. R.

(True Copy,)

MONK, COFFIN & PAPINEAU,  
P. B. R.

(Endorsed.)

No. 461.

Answer to the Interrogatories on *Faits et Articles*.

DONEGANY *et al*:  
*vs.* Plaintiffs,  
DONEGANY,  
*Defendant.*

Filed this 6th October, 1828.

(Signed,) M. & M.

(True Copy,)

MONK, COFFIN & PAPINEAU,  
P. B. R.

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(Copy of Judgment.)

Province of Lower Canada—District of Montreal.

Court of King's Bench.

Monday, the eighteenth day of April, one thousand eight hundred and thirty-one.

Present:

The Honorable CHIEF JUSTICE REID,  
 “ “ Mr. JUSTICE PYKE,  
 “ “ Mr. JUSTICE UNIACKE.

No. 461.

JEAN ANTOINE DONEGANY, otherwise called Jean Donegany, of Montreal, in the county and district of Montreal, Merchant, Joseph Donegany, son of the late Joseph Donegany, of the same place, also Merchant, and Joseph Maximilien Bonacina, of the same place, Merchant, tutor duly appointed in law to Guillaume Benjamin Donegany, a minor, issue of the marriage of the said late Joseph Donegany in his lifetime, of Montreal aforesaid, Merchant, with the late Thérèse Donegany,

vs. Plaintiffs,

JOSEPH DONEGANY, of Montreal, Merchant,  
 and Defendant,

The said GUILLAUME BENJAMIN DONEGANY,  
 Plaintiff by reprise d'instance.

The Court after having heard the parties by their Counsel, and examined the record, exhibits, evidence and admissions of the said parties, and having maturely deliberated thereon, considering that the Plaintiffs as natural subjects of His Majesty, born in this country, have a right to claim the property left to them in this country by the late Jean Donegany and Marie Gally his wife, at the time of their decease, grandfather and grandmother of the said Plaintiffs, and that the said late Jean Donegany could not by last will or testament dispose of the said property in favour of the said Defendant or of any other person, and that the said Defendant, being an alien, can have no title to the said property, condemns the said Defendant to restore and deliver up to the said Plaintiffs the said immoveable property so left by the said late Jean Donegany and Marie Gally his wife, at the time of their decease, and whereof the Defendant has taken possession, to wit: 1st. An *emplacement* situate in the town of Montreal, on the line of St. Louis Street, otherwise called Rue Capitale, bounded on one side by the lands of Solomon Mittleberger represented by George M'Kenzie; on the other side by the lands of the representatives of Cazelet, now Joseph Athanase Normandeau; in front by St. Louis Street aforesaid, and in the rear by the "Chemin de Ronde," in the said town of Montreal, to wit, by the lot of land hereafter described as number three, with a stone house and other buildings thereon erected. 2ndly. Another *emplacement*, situate in the said city of Montreal, on the line of St. Louis Street aforesaid, opposite the house erected on the first above described *emplacement*, and which was formerly used as the yard of the above mentioned house, bounded on one side by the lands of Sieur Ignace Hubert, represented by Noël Dorion or his representatives; on the other side by Chagdamigon street; in front by St. Louis street aforesaid, and in depth by the lands of the representatives of Ignace Giasson, now those of Pierre Berthelot, Esquire. 3rdly. All the land between the depth of the *emplacement* first above described, and the road which runs along the river; the said lot of land being bounded in front by the said road; in the rear by the *emplacement* first above described,—on one side by

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the lands of the said George M'Kenzie, and on the other side by the lands of the said Joseph Athanase Normandeau, with a two story stone house erected by the said Jean Donegany, husband of the said Marie Gally, on the secondly above described *emplacement*, and a vault or two story stone building erected by the said Jean Donegany, partly on the *emplacement* first above described, and partly on that thirdly above described.

The Court also condemns the said Defendant to restore and give up to the said Plaintiffs the rents, issues, profits and revenues of the said property, received by him since he has been in possession thereof, and orders that, by *Experts* to be agreed upon by the parties, or in default to be appointed by the Court, it shall be ascertained whether the said Plaintiff has done any damage to or made any improvements, and to what amount, on the said immoveable property since it has been in his possession; the Court reserving the right of deciding after the report shall have been made by the said *Experts*; and the Court also condemns the Defendant to pay the costs.

(True Copy,)

MONK, COFFIN & PAPINEAU,  
 P. B. R.

(Copy of Judgment of the Court of Appeals.)

Province of Lower Canada.—Court of Appeals.

30th April 1832.

JOSEPH DONEGANY,  
 and Appellant,  
 JEAN ANT. DONEGANY et al:  
 Respondents.

The Court having heard the parties by their Counsel, it is considered and adjudged that the Judgment of the Court of King's Bench for the district of Montreal, made and rendered in this cause on the eighteenth day of June, one thousand eight hundred and thirty-one, be and the same is hereby affirmed with costs to the Respondents; and, on motion of Messrs. Ogden and Buchanan, *distriction de frais* is awarded to them as the Attornies of the said Respondents. It is further ordered that the record be remitted to the said Court of King's Bench.

Certified,

(Signed,) E. DESBARATS,  
 C. C. A.

(A true Copy,)

MONK, COFFIN & PAPINEAU,  
 P. B. R.

We, the joint Prothonotary of Her Majesty's Court of Queen's Bench for the district of Montreal, in the Province of Canada, do hereby certify that the foregoing papers, to wit: Declaration with Writ of Summons, and the Sheriff's Return annexed thereto; *Défenses*; *Replication*; *Repliques sur Exception péremptoire plaidée par le Défendeur*; *Repliques aux réponses aux fins de non recevoir plaidées par les Demandeurs*; *Interrogatoires sur Faits et Articles* submitted by the Plaintiffs to the Defendant; Answers of the Defendant *sur faits et articles*; Judgment in

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the Court of King's Bench, dated the eighteenth day of April, one thousand eight hundred and thirty-one, and the Judgment of the Honorable the Court of Appeals, dated the thirtieth day of April, one thousand eight hundred and thirty-two, are true copies taken from and compared with the originals filed and remaining of record in a certain Cause heretofore pending in the said Court of King's Bench under the number 461, wherein Jean Antoine Donegany, otherwise called Jean Donegany, of Montreal, in the county and district of Montreal, Merchant, Joseph Donegany, son of the late Joseph Donegany of the same place, also Merchant; and Joseph Maximilien Bonacina, of the same place, Merchant, Tutor in due form of law appointed to Guillaume Benjamin Donegany, a minor, issue of the marriage of the said late Joseph Donegany in his lifetime of Montreal aforesaid, Merchant, with the late Thérèse Donegany, were Plaintiffs, and Joseph Donegany, of Montreal, Merchant, was Defendant, and the said Guillaume Benjamin Donegany was Plaintiff *par reprise d'instance*.

And we further certify that one word, to wit, "cent," appears to have been omitted in the fourth line of the ninth page in the original Replication filed in the above cause.

Given at Montreal, this thirtieth day of December, one thousand eight hundred and forty-four.

MONK, COFFIN & PAPINEAU,  
P. B. R.

## APPENDIX No. 2.

No. 2561. *Action en restitution.*

(Translation.)

Province of Lower Canada, } WILLIAM the  
District of Montreal. } Fourth, by the  
Grace of God, of the United Kingdom  
of Great Britain and Ireland, King,  
Defender of the Faith.

To the Sheriff of the District of Montreal, in our Province of Lower Canada, Greeting:—

We command you that you summon Jean Antoine Donegany otherwise called Jean Donegany, Merchant, of Montreal, in the district of Montreal, Joseph Donegany son of the late Joseph Donegany, Merchant, of the same place, and Guillaume Benjamin Donegany, gentleman, of the same place, to be and appear before us at the Court House, at Montreal, on Friday the sixteenth day of October instant, at nine of the clock in the forenoon, to answer unto the *demande* of Joseph Donegany, Merchant, of the same place, for the causes mentioned in the Declaration hereunto annexed. And have you then and there this Writ.

Witness the Honorable James Reid, Chief Justice of our said Court of King's Bench for the district of Montreal.—Montreal, this twelfth day of October, one thousand eight hundred and thirty-five, in the sixth year of our Reign.

MONK & MORROGH,  
P. K. B.

(Endorsed.)

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By virtue of this Writ to me directed, I have caused the within named Jean Antoine Donegany, otherwise called Jean Donegany, Joseph Donegany, and Guillaume Benjamin Donegany, to be summoned, to be and appear on the day, and at the place within contained, to answer as the said Writ demands and requires, by leaving a copy of the said Writ, and of the Declaration thereunto annexed, on the fourteenth day of October instant, at the hour of eight of the clock in the forenoon, with said Jean Antoine Donegany in person, at his domicile, in the parish of Montreal; and, on the said day, and at the same hour, I caused other copies of said Writ and Declaration to be served upon the said Joseph Donegany and Guillaume Benjamin Donegany, respectively, by leaving the same with grown persons of the respective families of said Joseph Donegany and Guillaume Benjamin Donegany, at the respective domiciles of the said Joseph Donegany, and Guillaume Benjamin Donegany, in the parish of Montreal, in my district, as within I am commanded. The distance from this Court House to the respective places of service is less than a mile.

L. GUGY,  
Sheriff.

16th October, 1835.

(Declaration.)

Montreal—King's Bench, October Term, 1835.

JOSEPH DONEGANY,  
vs. *Plaintiff,*  
JEAN ANT. DONEGANY *et al:*  
*Defendants.*

Joseph Donegany, Merchant, of Montreal, district of Montreal, Plaintiff, against Jean Antoine Donegany otherwise called Jean Donegany, Merchant, of the same place, Joseph Donegany son of the late Joseph Donegany, Merchant, of the same place, and Guillaume Benjamin Donegany, gentleman, of the same place, Defendants.

Declare that in the Term of the month of February, one thousand eight hundred and twenty-seven, the Defendants, to wit, the said Jean Antoine Donegany and Joseph Donegany, son of the late Joseph Donegany, and Joseph Maximilien Bonacina, in his quality of Tutor to the said Guillaume Benjamin Donegany, then a minor, brought an action against the said Defendant, returnable in this Honorable Court on the twentieth day of February of the said year one thousand eight hundred and twenty-seven, in which action the Declaration or *demande* was in the following terms:—

"Jean Antoine Donegany, otherwise called Jean Donegany, of Montreal, in the county and district of Montreal, Merchant, Joseph Donegany, son of the late Joseph Donegany, of Montreal aforesaid, also Merchant, and Joseph Maximilien Bonacina, of Montreal aforesaid, Merchant, tutor duly elected and appointed in law to Guillaume Benjamin Donegany, a minor, issue of the lawful marriage of the said late Joseph Donegany in his lifetime of Montreal aforesaid, Merchant, and of the late Thérèse Donegany, Plaintiffs, against Joseph Donegany, of Montreal aforesaid, Merchant, Defendant,—

"Represent that Jean Donegany, Merchant and Tavern-keeper, and Marie Gally, otherwise called

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Marie Galla, his wife, father and mother of the said Thérèse Donegany, did settle at Montreal aforesaid, in or about the year one thousand seven hundred and eighty-four, and lived therein until the year one thousand eight hundred and two.

"That the said Jean Donegany during his marriage with the said Marie Gally, did acquire moveable and immoveable property to a considerable amount, especially the moveable property hereafter described,—that is to say:—

"1st, An *emplacement* situate in the Town of Montreal, on the line of St. Louis Street, otherwise called Rue Capitale, bounded on one side by the lands of Solomon Mittleberger represented by George M'Kenzie; on the other side by the lands of the representatives of Cazlet, now Joseph Athanase Normandau; in front by St. Louis Street, aforesaid, and in the rear by the 'Chemin de Ronde,' in the said Town of Montreal, to wit, by the lot of land hereafter described as number three, with a stone house and other buildings thereon erected.

"2dly, Another *emplacement* situate in the said City of Montreal, on the line of St. Louis Street aforesaid, opposite the house erected on the first above described *emplacement*, and which was formerly used as the yard of the above mentioned house, bounded on one side by the lands of Sieur Ignace Hubert, represented by Noël Dorion or his representatives; on the other side by Chagcamigon Street; in front by St. Louis Street aforesaid, and in depth by the lands of the representatives of Ignace Giasson, now those of Pierre Berthelot, Esquire.

"3dly, All the land between the depth of the *emplacement* first above described, and the road which runs along the river; the said lot of land being bounded in front by the said road; in the rear by the *emplacement* first above described; on one side by the lands of the said George M'Kenzie, and on the other side by the lands of the said Joseph Athanase Normandau; and that the said Jean Donegany, husband of the said Marie Gally, after having acquired the immoveable property above described, did make several improvements thereon and considerable additions thereto, and in particular did build and erect a two story stone house on the secondly above described *emplacement*, and did erect a vault or two story stone building partly on the *emplacement* first above described, and partly on that thirdly above described.

"That on the twenty-fifth day of September, one thousand seven hundred and ninety-seven, at Montreal aforesaid, the said Thérèse Donegany, daughter of the said Jean Donegany and of the said Marie Gally, was joined in lawful wedlock to Joseph Donegany, tavern-keeper, son of the late Jean Antoine Donegany and of the late Marthe Donegany, which said marriage was solemnized at Montreal aforesaid, on the said twenty-fifth day of September, one thousand seven hundred and ninety-seven.

"That on the sixteenth day of May, one thousand eight hundred and seven, the said Thérèse Donegany, otherwise called Marie Thérèse Donegany, daughter of the said Jean Donegany and of the said Marie Gally, departed this life at Montreal aforesaid, leaving as her sole and only heirs three children, issue of her marriage with the said Joseph Donegany, which said children were all born at Montreal aforesaid, to wit, the said Jean Antoine Donegany, Joseph Donegany, and Guillaume Benjamin Donegany, the Plaintiffs in this cause, and grandsons of the said Jean Donegany and of the said Marie Gally his wife.

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"That the said Joseph Donegany, widower of the said Thérèse Donegany, and father of the said Plaintiffs, having departed this life at Montreal aforesaid, on the sixth day of July, one thousand eight hundred and seventeen, the said Joseph Maximilien Bonacina was, on the twentieth day of August, one thousand eight hundred and sixteen, duly appointed tutor to the minor children issue of the marriage of the said late Joseph Donegany and of the said late Thérèse Donegany, to wit, to the said Jean Antoine Donegany and Joseph Donegany, two of the said Plaintiffs who were then minors, but who have long since attained the age of majority, to wit, the age of twenty-one years, and to the said Guillaume Benjamin Donegany who is yet a minor.

"That the said Jean Donegany, husband of the said Marie Gally and grandfather of the said Jean Antoine Donegany, Joseph Donegany and Guillaume Benjamin Donegany, the Plaintiffs in this cause, departed this life at Moltrazio, in Lombardy, on the Continent of Europe, on or about the sixteenth day of March, one thousand eight hundred and nine, leaving as his sole and only lawful heirs the said Plaintiffs, to wit, the said Jean Antoine Donegany, Joseph Donegany, and Guillaume Benjamin Donegany, his grandsons, and sons of the said Thérèse Donegany, his daughter, and leaving at Montreal aforesaid, moveable and immoveable property of considerable value, and in particular, the *emplacements* and lots of land above described; leaving also at Moltrazio aforesaid, other moveable and immoveable property of the value of about Three thousand pounds current money of the Province of Lower Canada.

"That the said Marie Gally, widow of the said late Jean Donegany, and grandmother of the said Jean Antoine Donegany, Joseph Donegany, and Guillaume Benjamin Donegany, the said Plaintiffs, departed this life at Moltrazio aforesaid, in the year one thousand eight hundred and fifteen, leaving also as her sole heirs the said Plaintiffs, to wit, the said Jean Antoine Donegany, Joseph Donegany, and Guillaume Benjamin Donegany, her grandsons, and sons of the said Thérèse Donegany, and leaving at Montreal aforesaid, moveable and immoveable property of considerable value.

"That the said Joseph Donegany, the Defendant in this cause, did immediately after the decease of the said late Jean Donegany, grandfather of the said Plaintiffs, to wit, at Montreal aforesaid, take possession without any right whatever, of all the moveable and immoveable property left at Montreal aforesaid by the said Jean Donegany at the time of his decease, and did in particular take possession of the *emplacements* and lots of land above described, and of all their appurtenances, and make use of all the moveables, monies, and claims left by the said late Jean Donegany, and did receive the rents and revenues arising from the said *emplacements* and lots of land above described and their appurtenances, and convert the same to his own use and advantage.

"That the said Joseph Donegany, the Defendant in this cause, immediately after the decease of the said Marie Gally, grandmother of the said Plaintiffs, to wit, at Montreal aforesaid, in the year one thousand eight hundred and fifteen, did also take possession of all the moveable and immoveable property left at Montreal aforesaid by the said Marie Gally at the time of her decease, and did receive the rents and revenues arising therefrom, and convert the same to his own use.

"That although the said Defendant hath been often required by the said Plaintiffs to return and give up to the said Plaintiffs the said moveable and immoveable property left by the said late Jean Donegany and

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the said late Marie Gally, together with the rents, revenues and profits arising therefrom, the said Defendant hath always refused, and doth still unjustly refuse so to do, for which reason the said Plaintiffs do institute their action against him.

“Wherefore the said Plaintiffs pray that the said Defendant be condemned to give up and return to the said Plaintiffs all the property, moveable and immovable, left at Montreal aforesaid by the said late Jean Donegany and Marie Gally his wife, at the time of their decease, and whereof the said Defendant has taken possession as aforesaid, and in particular of the *emplacements* and lots of land above described, and all their appurtenances, together with the rents, revenues, and interest of the said moveable and immovable property; and that, moreover, the said Defendant be condemned to indemnify the said Plaintiffs for the waste which he has done to the said moveable or immovable property, to restore to the said Plaintiffs the debts which he has collected and received from the debtors of the said deceased persons; and, finally, to indemnify the said Plaintiffs of all the losses he may have made them sustain, and all the damages he has caused them by reason of his retaining possession of the said property; the whole with interest and costs.”

That to the said action, the Plaintiff in the present cause, and Defendant in the said action, replied by *défenses* and exceptions, in the following terms:—

“The Defendant for answer to the action of the said Plaintiffs, saith that their demand is unfounded, and that the allegations in their said Declaration contained are untrue.

“Wherefore the said Defendant prays that the action of the said Plaintiffs may be dismissed with costs.

“The Defendant, without waiving the *défense* above pleaded, and without admitting any of the allegations of the said Plaintiffs in their said Declaration to be true, further saith: that he is the son of the said late Jean Donegany mentioned in the Declaration, by the marriage of the said Jean Donegany with the late Marie Catherine Galla also mentioned in the said Declaration as Marie Gally.

“That the said late Jean Donegany in his lifetime, to wit, on the twenty-third day of July, in the year one thousand eight hundred, then residing in the town of Montreal, in the district of Montreal, in the Province of Lower Canada, made and executed his last will and testament by an *Acte* passed before Joseph Papineau and Thomas Barron, Notaries, at Montreal aforesaid, by which said last will and testament he did give and bequeath to Jean Donegany his son, brother of the said Defendant, the sum of five shillings, current money of the said Province; to Daniel Donegany, his other son, one-fourth of all the property which he might leave at the time of his decease; to Thérèse Donegany, his daughter, also one-fourth of all his property; and to the Defendant, one-half of all his property, both moveable and immovable, which he might leave at the time of his decease, subject to the charge and condition that his said children should allow Marie Catherine Galla, their mother, to enjoy, during her lifetime, the usufruct of all the property bequeathed to them.

“That by a codicil and testamentary disposition, whereof *Acte* was passed before the said Joseph Papineau and Louis Guy, Notaries, dated at Montreal aforesaid, the seventh day of August, in the year one thousand eight hundred and two, the said Jean Donegany, then residing at Montreal aforesaid, did revoke the legacy which he had made in and by his said will to the said Thérèse Donegany, his daughter, leaving to her in lieu thereof the sum of five hundred pounds, current money of the Province,

to be paid once; revoking also the legacy of five shillings which he had made in and by his said will to the said Jean Donegany, his son, and bequeathing to him in lieu thereof one-fourth of the property which he might leave at the time of his decease; the said testator declaring the said Daniel, Joseph, and Jean Donegany to be his universal legatees, substituting the said Jean Donegany, his son, in lieu of the said Thérèse Donegany, to manage and dispose of his property, subject to the conditions and restrictions contained and imposed in and by his said will and codicil; declaring also that if any one of the said legatees should contest the payment of the above rent, he should be deprived of his legacy for the benefit of the persons named in the said will, and in the order therein mentioned.

“That, therefore, if the said Defendants have a right to be considered as heirs of Thérèse Donegany, sister of the Defendant above mentioned, (all which the Defendant does not admit,) they cannot claim from the succession of the said Jean Donegany anything but the legacy of five hundred pounds currency, bequeathed to her by the said Jean Donegany in his codicil, bearing date the seventh day of August, one thousand eight hundred and two; which said legacy the said Defendant and his said brothers, as universal legatees of their father, have offered to the said Plaintiffs ever since the year one thousand eight hundred and eleven.

“That as to the said Marie Catherine Galla, mother of the said Defendant, she departed this life in Italy, and left no moveable or immovable property at her decease, either in the said town of Montreal or elsewhere, and that she has never been the proprietor of the immovable property in the Declaration of the Plaintiffs described.

“Wherefore and whereas the Plaintiffs cannot, as heirs of their mother, claim anything else from the estate and succession of the said late Jean Donegany, their pretended grandfather, than the sum of five hundred pounds, currency, as a legacy, for which they have an action against the universal legatees named in the last will and testament and codicil of the said late Jean Donegany, and whereas their action is quite as unfounded with reference to the property belonging to the estate and succession of the said Marie Catherine Galla their pretended grandmother, the Defendant prays that the *demande* of the said Plaintiffs be dismissed with costs.

“The Defendant, without waiver of his *défenses* and exceptions above pleaded, and without admitting that the Plaintiffs have any right of property in the immovables in their said Declaration mentioned and described, further saith, that the said immovables belong to and are in the possession of him the said Defendant, jointly with his father the said Jean Donegany, and that he, the said Defendant, has incurred considerable expense, and made great improvements on the said immovable property, since he has enjoyed the same jointly with the said Jean Donegany, all which he can justify when and where it may be thought necessary.

“Wherefore the Defendant reserves to himself all right of action which he may now or might hereafter have for or by reason of the same.”

And the said Jean Antoine Donegany, Joseph Donegany son of the late Joseph Donegany, and Joseph Maximilien Bonacina, answered to the exceptions and *défenses* pleaded by the said Joseph Donegany, Plaintiff in the present cause, in the following terms:—

“And the said Plaintiffs, by their undersigned Attorney, for answer to the *défenses* first pleaded by the

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Defendant, to the action and *demande* of the said Plaintiffs in this cause, say, that their action and *demande* is well-founded, and that the allegations in the Declaration of the said Plaintiffs in this cause filed, contained, are true.

"Wherefore the said Plaintiffs persist in the conclusions of their said Declaration, with costs.

"And the said Plaintiffs not admitting, but on the contrary denying all and every the allegations, matters and things in the said peremptory exceptions secondly pleaded by the said Defendant contained, which are neither true nor founded in fact, for answer and exception to the said peremptory exceptions, say, that when the said Jean Donegany, and the said Marie Galla his wife, maternal grandfather and grandmother of the said Plaintiffs, came to this country, and settled at Montreal, in or about the year one thousand seven hundred and ninety-four, they were and did continue to be until their decease, aliens and foreigners, born of foreign parents and in a foreign country, to wit, in the Milanese Territory, Austrian Lombardy, in Europe, in the dominions and under the allegiance of the Emperor of Austria, and out of the dominions and allegiance of His late Majesty George the Third, then Our Sovereign Lord and King.

"That the said Jean Donegany, husband of the said Marie Galla, and maternal grandfather of the said Plaintiffs, being an alien and a foreigner, was incapable in law of disposing by last will and testament of the property which he held in this country, and especially of the moveable property in the said Declaration of the said Plaintiffs in this cause mentioned and described, or of any part thereof, to the prejudice of the said Plaintiffs, who, being natural born subjects of Our Sovereign Lord the King, were at the time of the decease of the said Jean Donegany, their grandfather, his sole heirs capable of succeeding him in the property which he held in this country, and in any other part of the dominions of His late Majesty George the Third, Our Sovereign Lord the King. And the said Plaintiffs therefore say that the last will and testament of the said Jean Donegany, maternal grandfather of the said Plaintiffs, made and executed before Maitres Joseph Papineau and Thomas Barron, Notaries, at Montreal aforesaid, on the twenty-third of July one thousand eight hundred, and the codicil of the said Jean Donegany made before Maitres Joseph Papineau and Louis Guy, Notaries, at Montreal aforesaid, on the seventh of August, one thousand eight hundred and two, and upon which are founded the said peremptory exceptions secondly pleaded by the said Defendant, are null and void in law, and ought to be declared null and void by the judgment of this Honorable Court, and as such laid aside; and that the said Defendant cannot have or maintain the said peremptory exceptions by him secondly pleaded.

"Wherefore the said Plaintiffs persist in the conclusions of their said declaration, and pray that by the judgment of this Honorable Court the said last will and testament of the twenty-third of July, one thousand eight hundred, and the said codicil of the seventh of August, one thousand eight hundred and two, be declared null and void, and as such laid aside; and that moreover the said peremptory exceptions secondly pleaded by the said Defendant, be dismissed with costs.

"And the said Plaintiffs without waiver of the preceding exception by them pleaded, but, on the contrary, reserving to themselves all the benefit or advantage thereof, for further answer and exception to the said peremptory exceptions secondly pleaded by the said Defendant, say that the said Jean Donegany and the

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said Marie Galla his wife, maternal grandfather and grandmother of the said Plaintiffs, were, at the time they came to this country and settled at Montreal aforesaid, in or about the year one thousand seven hundred and ninety-four, and did continue to be, until the time of their decease, aliens and foreigners, born of foreign parents and in a foreign country, to wit, in the Milanese Territory aforesaid, in the dominions and under the allegiance of the Emperor of Austria, and out of the dominions and allegiance of His late Majesty George the Third, then our Sovereign Lord and King, and that the said Jean Donegany and Marie Galla his wife, settled as aforesaid in Montreal, in order to carry on trade and commerce at that place, with the intention of returning to their native country.

"That the said Jean Donegany, husband of the said Marie Galla, being an alien and foreigner, born in a foreign country, out of the dominions and out of the allegiance of our Sovereign Lord the King, to wit, of His late Majesty George the Third, was incapable in Law of disposing, by any will or testament made and executed either in this or in his native country, of any portion of the property which he held in this country, and especially of any portion of the immoveable property in the Declaration of the said Plaintiffs in this cause mentioned and described, but that the said Jean Donegany, husband of the said Marie Galla, had a right to and could dispose by last will or testament made and executed in his native country, of the property which he held in his native country, and had also the right of revoking by a last will or testament made and executed in his native country, any will or testament made by him, either in this or in his native country.

"And the said Plaintiffs further say and aver, that the said Jean Donegany and the said Marie Galla, did return to their native country in the Milanese Territory aforesaid, in or about the year one thousand eight hundred and two, and did reside there until the time of their decease.

"That the said Jean Donegany, husband of the said Marie Galla, residing in his native country, and being a subject and under the domination and allegiance of Napoleon the First, Emperor of the French, and King of Italy, who was then at open war with His late Majesty George the Third, then our Sovereign Lord and King, and being therefore an enemy of our Sovereign Lord the King, to wit, on the sixth day of March, one thousand eight hundred and nine, in the *Commune* of Moltrazio, in the second Canton in the first district of Como, made and dictated according to the formalities required in the said *Commune* of Moltrazio, before Doctor Jacques Phillippe Clérice, Notary of the department of Lario, at Como, and in the presence of four witnesses, his will and testament by a public instrument, and in and by the said will and testament disposed of his property, and especially of that which he held in the *Commune* of Moltrazio, and of that which he held in Montreal aforesaid, and in particular of the immoveable property in the declaration of the said Plaintiffs in this cause contained, in favor and to the advantage of his three sons issue of his marriage with the said Marie Galla, and who were then and are still aliens and foreigners; that the said late Jean Donegany in and by his will and testament lastly above mentioned, revoked and annulled every other will or testament theretofore made, and in particular the will and testament bearing date at Montreal, the seventh of August, one thousand eight hundred and two, by a public instrument made and executed before Jean Baptiste Papineau, Notary, meaning his codicil mentioned in the said peremptory exceptions, and made and executed before the said



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Joseph Papineau and Louis Guy, Notaries, at Montreal aforesaid, on the seventh day of August, one thousand eight hundred and two, the said Plaintiffs proving that the said Maitre Joseph Papineau is the only person of that name who has been a Notary at Montreal, for more than forty years, and that the said codicil of the seventh of August, one thousand eight hundred and two, in the said exceptions mentioned, is the only last will made and executed before the said Joseph Papineau; the said Plaintiffs alleging that it is only by error that in the will made before the said Jean Baptiste lastly mentioned, it has been stated that the Christian name of the said Joseph Papineau is Jean Baptiste, and that doubtless this error arises from the abridged signature of the Christian name of Maitre Joseph Papineau at the foot of an authentic copy of the said codicil, given by the said Joseph Papineau, to wit, the letters J. P. having been taken for J. B., and as meaning Jean Baptiste, while these letters are J. P., and mean Joseph, of which last will and testament of the said Jean Donegany lastly mentioned, the said Plaintiffs produce a true copy hereunto annexed.

“And the said Plaintiffs further say and humbly maintain that the disposition of the said Jean Donegany, grandfather of the said Plaintiffs, contained in his last mentioned will of the said sixth day of March, one thousand eight hundred and nine, wherein and whereby he did dispose of the property which he held at Montreal aforesaid, and in particular of the immoveable property in the Declaration of the said Plaintiffs in this cause described, is null, and ought for the above-mentioned reasons, by the judgment of this Honorable Court, to be declared null and void; but that the other dispositions therein contained, in so far as they do not exceed the power of disposing by will, granted by the Laws of the place wherein the last-mentioned will of the said Jean Donegany was made, to wit, by the Code of the French, commonly called *Code Napoléon*, and in particular the disposition whereby the said Jean Donegany repealed, revoked, and annulled every other last will or testament, are valid, and that the will of the said Jean Donegany dated the said twenty-third day of July, one thousand eight hundred, and the codicil of the said Jean Donegany dated the seventh of August, one thousand eight hundred and two, mentioned in the said peremptory exceptions secondly pleaded by the said Defendant, and upon which the said Defendant founds the said peremptory exceptions by him secondly pleaded, are repealed, revoked, and annulled by the will of the said Jean Donegany, dated the said sixth day of March, one thousand eight hundred and nine, and hereinabove mentioned; and the said Plaintiffs say, that in consequence of the above facts the said Defendant cannot have or maintain the said peremptory exceptions by him secondly pleaded.

“Wherefore the said Plaintiffs persist in the conclusions of their Declaration in this cause, and pray that it may please this Honorable Court, for the above reasons, to adjudge and declare by its judgment,—  
1st. That the disposition of the said Jean Donegany, grandfather of the said Plaintiffs, contained in the said will of the said Jean Donegany, dated the said sixth day of March, one thousand eight hundred and nine, and whereby the said Jean Donegany did dispose of all the property which he held at Montreal aforesaid, and in particular of the immoveable property in the said declaration of the said Plaintiffs described, is null, and that it cannot therefore have any effect whatever.

“2dly. That the will of the said Jean Donegany of the twenty-third of July, one thousand eight hundred, and the codicil of the said late Jean Donegany of the seventh of August, one thousand eight hundred

and two, mentioned in the said peremptory exceptions secondly pleaded by the said Defendant, have been repealed, revoked, and annulled by the said will of the said Jean Donegany dated the said sixth day of March, one thousand eight hundred and nine, and that the said will of the twenty-third of July, one thousand eight hundred, and the said codicil of the seventh of August, one thousand eight hundred and two, and upon which are founded the said peremptory exceptions, are therefore null, and cannot have any further effect whatever; the said Plaintiffs therefore pray that the said peremptory exceptions secondly pleaded by the said Defendant, be dismissed with costs.

“And the said Plaintiffs without waiver of the exceptions hereinbefore by them pleaded, and whereof they reserve to themselves the whole benefit and advantage, for replication to the *défenses* thirdly pleaded by the said Defendant, say, that it is the said Defendant who has taken possession of the property left at Montreal aforesaid, by the said Jean Donegany, grandfather of the said Plaintiffs, at the time of his decease, and who has received and enjoyed all the rents and revenues, and turned them to his own use. The said Plaintiffs moreover alleging that Jean Donegany mentioned in the said *défenses* secondly pleaded, was not at Montreal aforesaid, at the time of the decease of the aforesaid Jean Donegany, grandfather of the said Plaintiffs, and that it is only lately that the said Jean Donegany mentioned in the said *défenses* thirdly pleaded, came to this country.

“Wherefore the said Plaintiffs persist in the conclusions of their said Declaration in this cause, with costs.”

And the Plaintiff in the present cause, to wit, the said Joseph Donegany, Defendant in the aforesaid action, answered to the pleading last above recited, in the following terms:—

“The Defendant for answer to the *fin de non recevoir* by the said Plaintiffs pleaded to the peremptory exceptions by him pleaded in answer to their *demande*, without admitting any of the allegations of the said Plaintiffs, say, that the said *fin de non recevoir* cannot be maintained, and are unfounded in fact and in law, and that the Plaintiffs cannot plead them in the present cause; that they have therefore no right to maintain the conclusions therein contained.

“The Defendant further saith, that the Plaintiffs have no interest in pleading the pretended incapacities of the said late Jean Donegany, their grandfather, which, if they had existed as the Plaintiffs pretend, were of a nature not only to prevent the said Jean Donegany from being capable to dispose of his property in Canada, but also to prevent him from possessing any immoveable property within the dominions of His Britannic Majesty, and from transmitting his moveable or immoveable property by succession, so that the Plaintiffs cannot plead these pretended incapacities of their grandfather, without doing away with their pretensions to the property left in Canada by their said grandfather, and in particular to the immoveable property in their Declaration described, so much the more so as their mother, whom they pretend to be a daughter of the said late Jean Donegany, was herself born in a foreign country.

“Wherefore the Defendant persists in his peremptory exceptions to the *demande* of the Plaintiffs, and prays that the said Plaintiffs be declared incapable of pleading the said *fin de non recevoir* to the said peremptory exceptions, and that the said *fin de non recevoir* be dismissed as being unfounded, with costs.”

To which pleading of the Plaintiff in the present cause, Defendant in the aforesaid action, the said Jean Antoine Donegany, Joseph Donegany son of

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Joseph Donegany, and Joseph Maximilien Bonacina in his quality aforesaid, replied as follows:—

“And the said Plaintiffs for Replication to the answers of the said Defendant to the *fin de non recevoir* by them pleaded in this cause to the peremptory exceptions of the said Defendant to the *demande* and action of the said Plaintiffs, say, that the said *fin de non recevoir* are well founded in fact and in law, and that the conclusions by them taken in the said *fin de non recevoir* ought to be maintained, and that the said conclusions ought to be granted to them by this Honourable Court, with costs.

“Wherefore the said Plaintiffs persist in the conclusions of their said *fin de non recevoir*, with costs.

“And the said Plaintiffs for further Replication to the said answers of the said Defendant to the said *fin de non recevoir* by them pleaded in this cause, say, that they are interested, and have a just cause in pleading the incapacity of the said late Jean Donegany, their grandfather.

“That the said late Jean Donegany, their grandfather, although a foreigner, and born within the dominions and allegiance of His Britannic Majesty, was, during his lifetime, capable under the law at all times in force in this country, of acquiring and holding moveable and immoveable property situate in Canada, to wit, at Montreal aforesaid, in the said district of Montreal; but the said Plaintiffs say, that the said late Jean Donegany, being a stranger, and born out of the dominions and allegiance of His Britannic Majesty, was incapable in law of disposing by testament or last will of the moveable and immoveable property appertaining to him at the day and moment of his decease, and situated at Montreal aforesaid, or of any part thereof, and in particular could not dispose by last will or testament, made and executed in a foreign country, of any portion of the moveable and immoveable property to him appertaining at the time of his decease, and situate at Montreal aforesaid, to the prejudice of the said Plaintiffs.

“That although the mother of the said Plaintiffs was herself a foreigner, as well as the said late Jean Donegany, her father, the said Plaintiffs who are born subjects of His Britannic Majesty, are nevertheless the lawful heirs of the said late Jean Donegany, their grandfather, and have nevertheless succeeded the said late Jean Donegany in all the property situate at Montreal aforesaid, and belonging to him at the day and moment of his decease.

“Wherefore the said Plaintiffs persist in the conclusions of their said *fin de non recevoir*, with costs.”

That on the twentieth day of June, one thousand eight hundred and twenty-eight, the said Guillaume Benjamin Donegany having attained the age of majority, did revive the suit in the said cause in his own name, in lieu and in stead of the said Joseph Maximilien Bonacina.

And the said Plaintiff, to wit, the said Joseph Donegany, Plaintiff in the present cause, further saith, that various other proceedings were had in the said cause, and that after the said cause had been heard on the merits, on the fourteenth day of April, one thousand eight hundred and thirty-one, this Honourable Court did, on the eighteenth day of June, one thousand eight hundred and thirty-one, render the following Judgment:—

“The Court after having heard the parties by their Counsel, and examined the record, exhibits, evidence and admissions of the said parties, and having maturely deliberated thereon, considering that the Plaintiffs as natural subjects of His Majesty, born in

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this country, have a right to claim the property left to them in this country by the late Jean Donegany and Marie Gally his wife, at the time of their decease, grandfather and grandmother of the said Plaintiffs, and that the said late Jean Donegany could not by last will or testament dispose of the said property in favour of the said Defendant or of any other person, and that the said Defendant, being an alien, can have no title to the said property, condemns the said Defendant to restore and deliver up to the said Plaintiffs the said immoveable property, so left by the said late Jean Donegany and Marie Gally his wife, at the time of their decease, and whereof the Defendant has taken possession, to wit: 1st. An *emplacement* situate in the town of Montreal, on the line of St. Louis Street, otherwise called Rue Capitale, bounded on one side by the lands of Solomon Mittleberger represented by George M'Kenzie; on the other side by the lands of the representatives of Cazelet, now Joseph Athanase Normandeau; in front by St. Louis Street aforesaid, and in the rear by the “Chemin de Ronde,” in the said town of Montreal, to wit, by the lot of land hereafter described as number three, with a stone house and other buildings thereon erected. 2ndly. Another *emplacement*, situate in the said city of Montreal, on the line of St. Louis Street aforesaid, opposite the house erected on the first above described *emplacement*, and which was formerly used as the yard of the above mentioned house, bounded on one side by the lands of Sieur Ignace Hubert, represented by Noël Dorion or his representatives; on the other side by Chagomigon Street; in front by St. Louis Street aforesaid, and in depth by the lands of the representatives of Ignace Giasson, now those of Pierre Berthelot, Esquire. 3rdly. All the land between the depth of the *emplacement* first above described, and the road which runs along the river; the said lot of land being bounded in front by the said road; in the rear by the *emplacement* first above described,—on one side by the lands of the said George M'Kenzie, and on the other side by the lands of the said Joseph Athanase Normandeau, with a two story stone house erected by the said Jean Donegany, husband of the said Marie Gally, on the secondly above described *emplacement*, and a vault or two story stone building, erected by the said Jean Donegany, partly on the *emplacement* first above described, and partly on that thirdly above described.

“The Court also condemns the said Defendant to restore and give up to the said Plaintiffs the rents, issues, profits and revenues of the said property, received by him since he has been in possession thereof, and orders that, by *Experts* to be agreed upon by the parties, or in default to be appointed by the Court, it shall be ascertained whether the said Plaintiff has done any damage to or made any improvements, and to what amount, on the said immoveable property since it has been in his possession; the Court reserving the right of deciding after the report shall have been made by the said *Experts*; and the Court also condemns the Defendant to pay the costs.”

That the Plaintiff, to wit, the said Joseph Donegany, Plaintiff in the present action, appealed from the Judgment of this Honourable Court, to the Provincial Court of Appeals, which Court, after having heard the parties, on the thirtieth day of April, one thousand eight hundred and thirty-two, rendered Judgment in the following terms:—

“JOSEPH DONEGANY,  
and Appellant,  
JEAN ANTOINE DONEGANY *et al.*  
Respondents.

“The Court having heard the parties by their Counsel, it is considered and adjudged, that the

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Judgment of the Court of King's Bench for the district of Montreal, made and rendered in this cause, on the eighteenth day of June, one thousand eight hundred and thirty-one, be and the same is hereby affirmed, with costs to the Respondents; and, on motion of Messrs. Ogden and Buchanan, *distraction de frais* is awarded to them as the Attornies of the said Respondents. It is further ordered, that the record be remitted to the said Court, King's Bench."

That the said Plaintiff having appealed from the latter Judgment to His Majesty in Council, and the said Appeal having been granted, the said Plaintiff, to wit, the said Joseph Donegany, Plaintiff in the present cause, by his humble petition to His Majesty, prayed that the Judgments of the said Court of Appeals, rendered on the thirtieth day of April one thousand eight hundred and thirty-one, and of the said Court of King's Bench, rendered on the eighteenth day of June, one thousand eight hundred and thirty-one, should be reversed, and such other order made as to His Majesty should seem just.

That the Lords composing the Judicial Committee of the said Privy Council, to whom His Majesty had referred the Petition of the said Plaintiff in the report by them made to His Majesty, stated that, in obedience to the order of reference given by His Majesty, they had taken into consideration the said case in Appeal, and that after having heard Counsel on both sides on the said petition, they had agreed to report to His Majesty, as their humble opinion, that the Judgment of the Court of Appeals for the Province of Lower Canada, rendered on the thirtieth of April, one thousand eight hundred and thirty-two, ought to be confirmed, and the Appeal dismissed; and that in case His Majesty should be pleased to confirm the said Judgment, and dismiss the said Appeal, their Lordships would order that the sum of Two hundred and one pounds, five shillings and sixpence sterling, be paid by the Appellant to the Respondents.

That on the seventh day of February, one thousand eight hundred and thirty-five, His Majesty having taken the said Report into consideration, was pleased, by and with the advice of His Privy Council, to sanction the said Report and to order as in the said Report is ordered, that the Judgment of the Court of Appeals for the Province of Lower Canada, of the thirtieth of April, one thousand eight hundred and thirty-two, should be confirmed, and the said Appeal dismissed from the said Council, with costs amounting to the said sum of Two hundred and one pounds, five shillings and sixpence sterling, whereof the Governor, Lieutenant Governor, or Commander in Chief of the Province of Lower Canada was directed to take notice and act accordingly.

And the Plaintiff, to wit, the said Joseph Donegany, Plaintiff in the present cause, doth allege and state that he took the oath of allegiance to His late Majesty George the Third, before a person authorized to administer such oath, on or about the fifteenth day of March, one thousand eight hundred and eight, and also to His late Majesty George the Fourth, on the first day of April, one thousand eight hundred and twenty-nine, in conformity with the provisions of a Provincial Statute of the thirty-fifth year of the reign of His said late Majesty George the Third, chapter eight, intituled, "An Act for granting to His Majesty Duties on Licences to hawkers, pedlars and petty chapmen, and for regulating their trade; and for granting additional Duties on licences to persons for keeping houses of public entertainment, or for retailing wine, brandy, rum, or other spirituous liquors in this Province, and for regulating the same; and for repealing the Act or Ordinance therein mentioned."

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And that he has also under the description of "Joseph Donegani, of the City of Montreal, in the said district, Trader," taken the oath of allegiance to His present Majesty William the Fourth, on the twenty-fifth of January, one thousand eight hundred and thirty-three, in conformity with the provisions of an Act of the Legislature of Lower Canada, passed in the first year of the reign of His Majesty William the Fourth, chapter fifty-three, intituled, "An Act to secure and confer upon certain inhabitants of this Province the Civil and Political Rights of natural born British Subjects," and that in conformity with the provisions of the said last mentioned Act, he did on the said twenty-fifth day of January, one thousand eight hundred and thirty-three, swear that he had resided during seven years in the dominions of His Majesty, without having been during that time a stated resident in any foreign country, and that he would be faithful and bear true allegiance to the Sovereign of the United Kingdom of Great Britain and Ireland, and of the said Province of Lower Canada as dependent thereon.

And the said Plaintiff doth allege and aver that he had been actually domiciled in this Province before the year of our Lord one thousand eight hundred and twenty-three, to wit, since the fifteenth day of March, one thousand eight hundred and eight, and that since the said fifteenth day of March, one thousand eight hundred and eight, he has always resided and is still a resident therein, and that moreover he is the son of the late Jean Donegany in his lifetime of Montreal, Tavern Keeper, who had himself taken the oath of allegiance to His late Majesty George the Third, King of the United Kingdom of Great Britain and Ireland, and had an actual domicile in this Province, to wit, at Montreal aforesaid, before the year one thousand eight hundred and twenty-three, and has since departed this life, and that he ought therefore to be, and is, by the Law of the country, admitted to and confirmed in all the privileges of a British subject by birth, and that he ought to be considered and declared, so far as respects his capacity at any time heretofore, to have been capable of holding, possessing, enjoying, recovering, conveying, devising, imparting, or transmitting every description of immoveable property in this Province of Lower Canada, as well as all rights, titles, privileges and appurtenances thereunto attached, and interest therein, and that the said Plaintiff ought in like manner to be considered as having been born a Subject of His Majesty, to all intents and purposes whatever, in the same manner as if he had been born in His Majesty's United Kingdom of Great Britain and Ireland.

That in consequence of the above, the said Plaintiff, notwithstanding the Judgment of the Court of King's Bench for the district of Montreal, confirmed by the Judgment of the Court of Appeals, on the thirtieth day of April, one thousand eight hundred and thirty-two, and by His Majesty in His Privy Council, on the seventh day of February, one thousand eight hundred and thirty-five, has not ceased to have the right of holding and possessing every description of real property in this Province, as well as all rights, titles, privileges, or things thereunto belonging, and in particular the immoveable property left by the said late Jean Donegany and Marie Gally his wife, at the time of their decease, which said property is described at full length in the Judgment of the Court of King's Bench for the district of Montreal, of the eighteenth day of June, one thousand eight hundred and thirty-one; and that he has never ceased to be entitled to the rents and revenues arising from the said immoveable property, and that the said Plaintiff is entitled to be relieved from the said Judgments, and to be restored in so far as need may

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be, to his rights, and to be reinstated and to remain in the condition in which he was before the date of the said Judgments.

Wherefore the said Plaintiff prays, that by the Judgment of this Honourable Court, it be declared that he is admitted and entitled to all the privileges of a British Subject by birth, and that in so far as respects his capacity at any time heretofore, he be considered and declared to have been capable of taking, holding, possessing, enjoying, claiming, recovering, conveying, devising, imparting or transmitting every description of real property whatever in the Province of Lower Canada, as well as all rights, titles, privileges, or appurtenances thereto attached, and all interest therein, and that he may be declared and considered as having been born a subject of His Majesty to all intents and purposes whatsoever, in the same manner as if he had been born in His Majesty's United Kingdom of Great Britain and Ireland; and that this Honourable Court be pleased to relieve him, in so far as need may be, from the said Judgments rendered against him at the suit of the Defendants, to wit, the said Jean Antoine Donegani, Joseph Donegani son of the late Joseph Donegani and Guillaume Benjamin Donegani, in this Honourable Court, in the Provincial Court of Appeals, and before His Majesty in His Privy Council, and that he may be wholly indemnified from the effect thereof, as well direct as indirect; and thereupon that this Honourable Court may be pleased by its Judgment to reinstate the said Plaintiff in the condition in which he was before the rendering of the said Judgments, and more especially to declare that he is the incommutable proprietor of the said immovable property mentioned in the said Judgment of the eighteenth of June, one thousand eight hundred and thirty-one, and also of the rents and revenues arising from the said property, and that no proceedings be had in execution of the said Judgments, on pain of paying all costs, damages and interest; and the Plaintiff prays for the costs of the present action.

D. MONDELET,  
*Attorney for Plaintiff.*

Montreal, 12th October, 1835.

(Endorsed.)

No. 2561—King's Bench, Montreal, October Term  
1835—Declaration.

JOSEPH DONEGANY,  
*vs.* *Plaintiff,*  
JEAN ANT. DONEGANY *et al:*  
*Defendants.*

A—*Restitutio in integrum.*  
Filed 16th October, 1835.

M. & M.  
*P. B. R.*

(Pleas.)

Montreal—King's Bench.  
JOSEPH DONEGANY,  
*vs.* *Plaintiff,*  
JEAN ANT. DONEGANY *et al:*  
*Defendants.*

And the said Defendants in this cause, for Peremptory or Perpetual Exception to the action of the said Plaintiff, say, that the said Plaintiff ought not to have or maintain his said action against the said

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Defendants, because they say, that heretofore, to wit, in the Term of February, in the year of our Lord one thousand eight hundred and twenty-seven, the said Jean Antoine Donegany, and Joseph Donegany, two of the said Defendants, and Joseph Maximilien Bonacina, Tutor of the said Guillaume Benjamin Donegany, the other Defendant, then a minor, did implead the said Plaintiff in an action returned in the said Court on the twentieth day of February in the year aforesaid, in which said action they the said Jean Antoine Donegany, Joseph Donegany, and Joseph Maximilien Bonacina, Tutor as aforesaid, did, in the French language, declare and set forth their cause and causes of action in that behalf, in the terms following, that is to say:—

“Jean Antoine Donegany, otherwise called Jean Donegany, of Montreal, in the county and district of Montreal, Merchant, Joseph Donegany, son of the late Joseph Donegany, of Montreal aforesaid, also Merchant, and Joseph Maximilien Bonacina, of Montreal aforesaid, Merchant, tutor duly elected and appointed in law to Guillaume Benjamin Donegany, a minor, issue of the lawful marriage of the said late Joseph Donegany in his lifetime of Montreal aforesaid, Merchant, and of the late Thérèse Donegany, Plaintiffs, against Joseph Donegany, of Montreal aforesaid, Merchant, Defendant,—

“Represent that Jean Donegany, Merchant and Tavern-keeper, and Marie Gally, otherwise called Marie Galla, his wife, father and mother of the said Thérèse Donegany, did settle at Montreal aforesaid, in or about the year one thousand seven hundred and eighty-four, and lived therein until the year one thousand eight hundred and two.

“That the said Jean Donegany during his marriage with the said Marie Gally, did acquire moveable and immovable property to a considerable amount, especially the moveable property hereafter described,—that is to say:—

“1st, An *emplacement* situate in the Town of Montreal, on the line of St. Louis Street, otherwise called Rue Capitale, bounded on one side by the lands of Solomon Mittleberger represented by George M'Kenzie; on the other side by the lands of the representatives of Cazelet, now Joseph Athanase Normandean; in front by St. Louis Street, aforesaid, and in the rear by the ‘Chemin de Ronde,’ in the said Town of Montreal, to wit, by the lot of land hereafter described as number three, with a stone house and other buildings thereon erected.

“2dly, Another *emplacement* situate in the said City of Montreal, on the line of St. Louis Street aforesaid, opposite the house erected on the first above described *emplacement*, and which was formerly used as the yard of the above mentioned house, bounded on one side by the lands of Sieur Ignace Hubert, represented by Noël Dorion or his representatives; on the other side by Chageamigon Street; in front by St. Louis Street aforesaid, and in depth by the lands of the representatives of Ignace Giasson, now those of Pierre Berthelot, Esquire.

“3dly, All the land between the depth of the *emplacement* first above described, and the road which runs along the river; the said lot of land being bounded in front by the said road; in the rear by the *emplacement* first above described; on one side by the lands of the said George M'Kenzie, and on the other side by the lands of the said Joseph Athanase Normandean; and that the said Jean Donegany, husband of the said Marie Gally, after having acquired the immovable property above described, did make several improvements thereon

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and considerable additions thereto, and in particular did build and erect a two story stone house on the secondly above described *emplacement*, and did erect a vault or two story stone building partly on the *emplacement* first above described, and partly on that thirdly above described.

“That on the twenty-fifth day of September, one thousand seven hundred and ninety-seven, at Montreal aforesaid, the said Thérèse Donegany, daughter of the said Jean Donegany and of the said Marie Gally, was joined in lawful wedlock to Joseph Donegany, tavern-keeper, son of the late Jean Antoine Donegany and of the late Marthe Donegany, which said marriage was solemnized at Montreal aforesaid, on the said twenty-fifth day of September, one thousand seven hundred and ninety-seven.

“That on the sixteenth day of May, one thousand eight hundred and seven, the said Thérèse Donegany, otherwise called Marie Thérèse Donegany, daughter of the said Jean Donegany and of the said Marie Gally, departed this life at Montreal aforesaid, leaving as her sole and only heirs three children, issue of her marriage with the said Joseph Donegany, which said children were all born at Montreal aforesaid, to wit, the said Jean Antoine Donegany, Joseph Donegany, and Guillaume Benjamin Donegany, the Plaintiffs in this cause, and grandsons of the said Jean Donegany and of the said Marie Gally his wife.

“That the said Joseph Donegany, widower of the said Thérèse Donegany, and father of the said Plaintiffs, having departed this life at Montreal aforesaid, on the sixth day of July, one thousand eight hundred and seventeen, the said Joseph Maximilien Bonacina was, on the twentieth day of August, one thousand eight hundred and sixteen, duly appointed tutor to the minor children issue of the marriage of the said late Joseph Donegany and of the said late Thérèse Donegany, to wit, to the said Jean Antoine Donegany and Joseph Donegany, two of the said Plaintiffs who were then minors, but who have long since attained the age of majority, to wit, the age of twenty-one years, and to the said Guillaume Benjamin Donegany who is yet a minor.

“That the said Jean Donegany, husband of the said Marie Gally and grandfather of the said Jean Antoine Donegany, Joseph Donegany and Guillaume Benjamin Donegany, the Plaintiffs in this cause, departed this life at Moltrazio, in Lombardy, on the Continent of Europe, on or about the sixteenth day of March, one thousand eight hundred and nine, leaving as his sole and only lawful heirs the said Plaintiffs, to wit, the said Jean Antoine Donegany, Joseph Donegany, and Guillaume Benjamin Donegany, his grandsons, and sons of the said Thérèse Donegany, his daughter, and leaving at Montreal aforesaid, moveable and immoveable property of considerable value, and in particular, the *emplacements* and lots of land above described; leaving also at Moltrazio aforesaid, other moveable and immoveable property of the value of about Three thousand pounds current money of the Province of Lower Canada.

“That the said Marie Gally, widow of the said late Jean Donegany, and grandmother of the said Jean Antoine Donegany, Joseph Donegany, and Guillaume Benjamin Donegany, the said Plaintiffs, departed this life at Moltrazio aforesaid, in the year one thousand eight hundred and fifteen, leaving also as her sole heirs the said Plaintiffs, to wit, the said Jean Antoine Donegany, Joseph Donegany, and Guillaume Benjamin Donegany, her grandsons, and sons of the said Thérèse Donegany, and leaving at Montreal aforesaid, moveable and immoveable property of considerable value.

“That the said Joseph Donegany, the Defendant in this cause, did immediately after the decease of the said late Jean Donegany, grandfather of the said Plaintiffs, to wit, at Montreal aforesaid, take possession without any right whatever, of all the moveable and immoveable property left at Montreal aforesaid by the said Jean Donegany at the time of his decease, and did in particular take possession of the *emplacements* and lots of land above described, and of all their appurtenances, and make use of all the moveables, monies, and claims left by the said late Jean Donegany, and did receive the rents and revenues arising from the said *emplacements* and lots of land above described and their appurtenances, and convert the same to his own use and advantage.

“That the said Joseph Donegany, the Defendant in this cause, immediately after the decease of the said Marie Gally, grandmother of the said Plaintiffs, to wit, at Montreal aforesaid, in the year one thousand eight hundred and fifteen, did also take possession of all the moveable and immoveable property left at Montreal aforesaid by the said Marie Gally at the time of her decease, and did receive the rents and revenues arising therefrom, and convert the same to his own use.

“That although the said Defendant hath been often required by the said Plaintiffs to return and give up to the said Plaintiffs the said moveable and immoveable property left by the said late Jean Donegany and the said late Marie Gally, together with the rents, revenues and profits arising therefrom, the said Defendant hath always refused, and doth still unjustly refuse so to do, for which reason the said Plaintiffs do institute their action against him.

“Wherefore the said Plaintiffs pray that the said Defendant be condemned to give up and return to the said Plaintiffs all the property, moveable and immoveable, left at Montreal aforesaid by the said late Jean Donegany and Marie Gally his wife, at the time of their decease, and whereof the said Defendant has taken possession as aforesaid, and in particular of the *emplacements* and lots of land above described, and all their appurtenances, together with the rents, revenues, and interest of the said moveable and immoveable property; and that, moreover, the said Defendant be condemned to indemnify the said Plaintiffs for the waste which he has done to the said moveable or immoveable property, to restore to the said Plaintiffs the debts which he has collected and received from the debtors of the said deceased persons; and, finally, to indemnify the said Plaintiffs of all the losses he may have made them sustain, and all the damages he has caused them by reason of his retaining possession of the said property; the whole with interest and costs.”

And the said Defendants further say, that the said Plaintiff having appeared in the suit aforesaid, did, by way of Exceptions and Pleas to the said suit, answer, and set forth, in the French language, as follows, that is to say:—

“The Defendant for answer to the action of the said Plaintiffs, saith that their demand is unfounded, and that the allegations in their said Declaration contained are untrue.

“Wherefore the said Defendant prays that the action of the said Plaintiffs may be dismissed with costs.

“The Defendant, without waiving the *défense* above pleaded, and without admitting any of the allegations of the said Plaintiffs in their said Declaration to be true, further saith: that he is the son of the said late Jean Donegany mentioned in the Declaration, by the marriage of the said Jean Donegany with the late Marie Catherine Galla also mentioned in the said Declaration as Marie Gally.

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“That the said late Jean Donegany in his lifetime, to wit, on the twenty-third day of July, in the year one thousand eight hundred, then residing in the town of Montréal, in the district of Montreal, in the Province of Lower Canada, made and executed his last will and testament by an *Acte* passed before Joseph Papineau and Thomas Barron, Notaries, at Montreal aforesaid, by which said last will and testament he did give and bequeath to Jean Donegany his son, brother of the said Defendant, the sum of five shillings, current money of the said Province; to Daniel Donegany, his other son, one-fourth of all the property which he might leave at the time of his decease; to Thérèse Donegany, his daughter, also one-fourth of all his property; and to the Defendant, one-half of all his property, both moveable and immoveable, which he might leave at the time of his decease, subject to the charge and condition that his said children should allow Marie Catherine Galla, their mother, to enjoy, during her lifetime, the usufruct of all the property bequeathed to them.

“That by a codicil and testamentary disposition, whercof *Acte* was passed before the said Joseph Papineau and Louis Guy, Notaries, dated at Montreal aforesaid, the seventh day of August, in the year one thousand eight hundred and two, the said Jean Donegany, then residing at Montreal aforesaid, did revoke the legacy which he had made in and by his said will to the said Thérèse Donegany, his daughter, leaving to her in lieu thereof the sum of five hundred pounds, current money of the Province, to be paid once; revoking also the legacy of five shillings which he had made in and by his said will to the said Jean Donegany, his son, and bequeathing to him in lieu thereof one-fourth of the property which he might leave at the time of his decease; the said testator declaring the said Daniel, Joseph, and Jean Donegany to be his universal legatees, substituting the said Jean Donegany, his son, in lieu of the said Thérèse Donegany, to manage and dispose of his property, subject to the conditions and restrictions contained and imposed in and by his said will and codicil; declaring also that if any one of the said legatees should contest the payment of the above rent, he should be deprived of his legacy for the benefit of the persons named in the said will, and in the order therein mentioned.

“That, therefore, if the said Defendants have a right to be considered as heirs of Thérèse Donegany, sister of the Defendant above mentioned, (all which the Defendant does not admit,) they cannot claim from the succession of the said Jean Donegany anything but the legacy of five hundred pounds currency, bequeathed to her by the said Jean Donegany in his codicil, bearing date the seventh day of August, one thousand eight hundred and two; which said legacy the said Defendant and his said brothers, as universal legatees of their father, have offered to the said Plaintiffs ever since the year one thousand eight hundred and eleven.

“That as to the said Marie Catherine Galla, mother of the said Defendant, she departed this life in Italy, and left no moveable or immoveable property at her decease, either in the said town of Montreal or elsewhere, and that she has never been the proprietor of the immoveable property in the Declaration of the Plaintiffs described.

“Wherefore and whereas the Plaintiffs cannot, as heirs of their mother, claim anything else from the estate and succession of the said late Jean Donegany, their pretended grandfather, than the sum of five hundred pounds, currency, as a legacy, for which they have an action against the universal legatees named in the last will and testament and codicil of

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the said late Jean Donegany, and whereas their action is quite as unfounded with reference to the property belonging to the estate and succession of the said Marie Catherine Galla their pretended grandmother, the Defendant prays that the *demande* of the said Plaintiffs be dismissed with costs.

“The Defendant, without waiver of his *défenses* and exceptions above pleaded, and without admitting that the Plaintiffs have any right of property in the immoveables in their said Declaration mentioned and described, further saith, that the said immoveables belong to and are in the possession of him the said Defendant, jointly with his brother the said Jean Donegany, and that he, the said Defendant, has incurred considerable expense, and made great improvements on the said immoveable property, since he has enjoyed the same jointly with the said Jean Donegany, all which he can justify when and where it may be thought necessary.

“Wherefore the Defendant reserves to himself all right of action which he may now or might hereafter have for or by reason of the same.”

And the said Defendants further say, that the said Jean Antoine Donegany, Joseph Donegany, and Joseph Maximilien Bonacina, by way of answers and replications to the said Exceptions and Pleas, did plead and set forth, in the French language, as follows, that is to say:—

“And the said Plaintiffs, by their undersigned Attorney, for answer to the *défenses* first pleaded by the Defendant, to the action and *demande* of the said Plaintiffs in this cause, say, that their action and *demande* is well-founded, and that the allegations in the declaration of the said Plaintiffs in this cause filed, contained, are true.

“Wherefore the said Plaintiffs persist in the conclusions of their said Declaration, with costs.

“And the said Plaintiffs not admitting, but on the contrary denying all and every the allegations, matters and things in the said peremptory exceptions secondly pleaded by the said Defendant contained, which are neither true nor founded in fact, for answer and exception to the said peremptory exceptions, say, that when the said Jean Donegany, and the said Marie Galla his wife, maternal grandfather and grandmother of the said Plaintiffs, came to this country, and settled at Montreal, in or about the year one thousand seven hundred and ninety-four, they were and did continue to be until their decease, aliens and foreigners, born of foreign parents and in a foreign country, to wit, in the Milanese Territory, Austrian Lombardy, in Europe, in the dominions and under the allegiance of the Emperor of Austria, and out of the dominions and allegiance of His late Majesty George the Third, then Our Sovereign Lord and King.

“That the said Jean Donegany, husband of the said Marie Galla, and maternal grandfather of the said Plaintiffs, being an alien and a foreigner, was incapable in law of disposing by last will and testament of the property which he held in this country, and especially of the moveable property in the said Declaration of the said Plaintiffs in this cause mentioned and described, or of any part thereof, to the prejudice of the said Plaintiffs, who, being natural born subjects of Our Sovereign Lord the King, were at the time of the decease of the said John Donegany, their grandfather, his sole heirs capable of succeeding him in the property which he held in this country, and in any other part of the dominions of His late Majesty George the Third, Our Sovereign Lord the King. And the said Plaintiffs therefore say that the last will and testament of the said Jean

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Donegany, maternal grandfather of the said Plaintiffs, made and executed before Maitres Joseph Papineau and Thomas Barron, Notaries, at Montreal aforesaid, on the twenty-third of July one thousand eight hundred, and the codicil of the said Jean Donegany made before Maitres Joseph Papineau and Louis Guy, Notaries, at Montreal aforesaid, on the seventh of August, one thousand eight hundred and two, and upon which are founded the said peremptory exceptions secondly pleaded by the said Defendant, are null and void in law, and ought to be declared null and void by the judgment of the Honorable Court, and as such laid aside; and that the said Defendant cannot have or maintain the said peremptory exceptions by him secondly pleaded.

“Wherefore the said Plaintiffs persist in the conclusions of their said declaration, and pray that by the judgment of this Honorable Court the said last will and testament of the twenty-third of July, one thousand eight hundred, and the said codicil of the seventh of August, one thousand eight hundred and two, be declared null and void, and as such laid aside; and that moreover the said peremptory exceptions secondly pleaded by the said Defendant, be dismissed with costs.

“And the said Plaintiffs without waiver of the preceding exception by them pleaded, but, on the contrary, reserving to themselves all the benefit or advantage thereof, for further answer and exception to the said peremptory exceptions secondly pleaded by the said Defendant, say that the said Jean Donegany and the said Marie Galla his wife, maternal grandfather and grandmother of the said Plaintiffs, were, at the time they came to this country and settled at Montreal aforesaid, in or about the year one thousand seven hundred and ninety-four, and did continue to be, until the time of their decease, aliens and foreigners, born of foreign parents and in a foreign country, to wit, in the Milanese Territory aforesaid, in the dominions and under the allegiance of the Emperor of Austria, and out of the dominions and allegiance of His late Majesty George the Third, then our Sovereign Lord and King, and that the said Jean Donegany and Marie Galla his wife, settled as aforesaid in Montreal, in order to carry on trade and commerce at that place, with the intention of returning to their native country.

“That the said Jean Donegany, husband of the said Marie Galla, being an alien and foreigner, born in a foreign country, out of the dominions and out of the allegiance of our Sovereign Lord the King, to wit, of His late Majesty George the Third, was incapable in Law, of disposing by any will or testament, made and executed either in this or in his native country, of any portion of the property which he held in this country, and especially of any portion of the immoveable property in the Declaration of the said Plaintiffs in this cause mentioned and described, but that the said Jean Donegany, husband of the said Marie Galla, had a right to and could dispose by last will or testament made and executed in his native country, of the property which he held in his native country, and had also the right of revoking by a last will or testament made and executed in his native country, any will or testament made by him, either in this or in his native country.

“And the said Plaintiffs further say and aver, that the said Jean Donegany and the said Marie Galla, did return to their native country in the Milanese Territory aforesaid, in or about the year one thousand eight hundred and two, and did reside there until the time of their decease.

“That the said Jean Donegany, husband of the said Marie Galla, residing in his native country, and

being a subject and under the domination and allegiance of Napoleon the First, Emperor of the French, and King of Italy, who was then at open war with His late Majesty George the Third, then our Sovereign Lord and King, and being therefore an enemy of our Sovereign Lord the King, to wit, on the sixth day of March, one thousand eight hundred and nine, in the *Commune* of Moltrazio, in the second Canton in the first district of Como, made and dictated according to the formalities required in the said *Commune* of Moltrazio, before Doctor Jacques Philippe Clérice, Notary of the department of Lario, at Como, and in the presence of four witnesses, his will and testament by a public instrument, and in and by the said will and testament disposed of his property, and especially of that which he held in the *Commune* of Moltrazio, and of that which he held in Montreal aforesaid, and in particular of the immoveable property in the Declaration of the said Plaintiffs in this cause contained, in favor and to the advantage of his three sons issue of his marriage with the said Marie Galla, and who were then and are still aliens and foreigners, as their father and mother were during their lifetime; that the said late Jean Donegany in and by his will and testament lastly above mentioned, revoked and annulled every other will or testament theretofore made, and in particular the will and testament bearing date at Montreal, the seventh of August, one thousand eight hundred and two, by a public instrument made and executed before Jean Baptiste Papineau, Notary, meaning his codicil mentioned in the said peremptory exceptions, and made and executed before the said Joseph Papineau and Louis Guy, Notaries, at Montreal aforesaid, on the seventh day of August, one thousand eight hundred and two, the said Plaintiffs proving that the said Maitre Joseph Papineau is the only person of that name who has been a Notary at Montreal, for more than forty years, and that the said codicil of the seventh of August, one thousand eight hundred and two, in the said exceptions mentioned, is the only last will made and executed before the said Joseph Papineau; the said Plaintiffs alleging that it is only by error that in the will made by the said Jean Donegany lastly mentioned, it has been stated that the Christian name of the said Joseph Papineau is Jean Baptiste, and that doubtless this error arises from the abridged signature of the Christian name of Maitre Joseph Papineau at the foot of an authentic copy of the said codicil, given by the said Joseph Papineau, to wit, the letters “Jh.” having been taken for J. B., and as meaning Jean Baptiste, while these letters are “Jh.” and mean Joseph, of which last will and testament of the said Jean Donegany lastly mentioned, the said Plaintiffs produce a true copy hereunto annexed.

“And the said Plaintiffs further say and humbly maintain that the disposition of the said Jean Donegany, grandfather of the said Plaintiffs, contained in his last mentioned will of the said sixth day of March, one thousand eight hundred and nine, wherein and whereby he did dispose of the property which he held at Montreal aforesaid, and in particular of the immoveable property in the Declaration of the said Plaintiffs in this cause described, is null, and ought for the above-mentioned reasons, by the judgment of this Honorable Court, to be declared null and void; but that the other dispositions therein contained, in so far as they do not exceed the power of disposing by will, granted by the Laws of the place wherein the last-mentioned will of the said Jean Donegany was made, to wit, by the Code of the French, commonly called *Code Napoléon*, and in particular the disposition whereby the said Jean Donegany repealed, revoked, and annulled every other last will or testament, are valid, and that the will of the said Jean Donegany dated the said twenty-third day of July,

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one thousand eight hundred, and the codicil of the said Jean Donegany dated the seventh of August, one thousand eight hundred and two, mentioned in the said peremptory exceptions secondly pleaded by the said Defendant, and upon which the said Defendant founds the said peremptory exceptions by him secondly pleaded, are repealed, revoked, and annulled by the will of the said Jean Donegany, dated the said sixth day of March, one thousand eight hundred and nine, and hereinabove mentioned; and the said Plaintiffs say, that in consequence of the above facts the said Defendant cannot have or maintain the said peremptory exceptions by him secondly pleaded.

"Wherefore the said Plaintiffs persist in the conclusions of their Declaration in this cause, and pray that it may please this Honorable Court, for the above reasons, to adjudge and declare by its judgment,—  
1st. That the disposition of the said Jean Donegany, grandfather of the said Plaintiffs, contained in the said will of the said Jean Donegany, dated the said sixth day of March, one thousand eight hundred and nine, and whereby the said Jean Donegany did dispose of all the property which he held at Montreal aforesaid, and in particular of the immoveable property in the said declaration of the said Plaintiffs described, is null, and that it cannot therefore have any effect whatever.

"2dly. That the will of the said Jean Donegany of the twenty-third of July, one thousand eight hundred, and the codicil of the said late Jean Donegany of the seventh of August, one thousand eight hundred and two, mentioned in the said peremptory exceptions secondly pleaded by the said Defendant, have been repealed, revoked, and annulled by the said will of the said Jean Donegany dated the said sixth day of March, one thousand eight hundred and nine, and that the said will of the twenty-third of July, one thousand eight hundred, and the said codicil of the seventh of August, one thousand eight hundred and two, and upon which are founded the said peremptory exceptions, are therefore null, and cannot have any further effect whatever; the said Plaintiffs therefore pray that the said peremptory exceptions secondly pleaded by the said Defendant, be dismissed with costs.

"And the said Plaintiffs without waiver of the exceptions hereinbefore by them pleaded, and whereof they reserve to themselves the whole benefit and advantage, for replication to the *défenses* thirdly pleaded by the said Defendant, say, that it is the said Defendant who has taken possession of the property left at Montreal aforesaid, by the said Jean Donegany, grandfather of the said Plaintiffs, at the time of his decease, and who has received and enjoyed all the rents and revenues, and turned them to his own use. The said Plaintiffs moreover alleging that Jean Donegany mentioned in the said *défenses* secondly pleaded, was not at Montreal aforesaid, at the time of the decease of the aforesaid Jean Donegany, grandfather of the said Plaintiffs, and that it is only lately that the said Jean Donegany mentioned in the said *défenses* thirdly pleaded, came to this country.

"Wherefore the said Plaintiffs persist in the conclusions of their said Declaration in this cause, with costs."

And the said Defendants further say, that the said Plaintiff, by way of answer and replication to the said last above transcribed pleadings of the said Jean Antoine Donegany, Joseph Donegany, and Joseph Maximilien Bonacina, Tutor as aforesaid, did plead, in the French language, in manner following; that is to say:—

"The Defendant for answer to the *fin de non recevoir* by the said Plaintiffs pleaded to the peremptory exceptions by him pleaded in answer to their *de-*

*mande*, without admitting any of the allegations of the said Plaintiffs, say, that the said *fin de non recevoir* cannot be maintained, and are unfounded in fact and in law, and that the Plaintiffs cannot plead them in the present cause; that they have therefore no right to maintain the conclusions therein contained.

"The Defendant further saith, that the Plaintiffs have no interest in pleading the pretended incapacities of the said late Jean Donegany, their grandfather, which, if they had existed as the Plaintiffs pretend, were of a nature not only to prevent the said Jean Donegany from being capable to dispose of his property in Canada, but also to prevent him from possessing any immoveable property within the dominions of His Britannic Majesty, and from transmitting his moveable or immoveable property by succession, so that the Plaintiffs cannot plead these pretended incapacities of their grandfather, without doing away with their pretensions to the property left in Canada by their said grandfather, and in particular to the immoveable property in their Declaration described, so much the more so as their mother, whom they pretend to be a daughter of the said late Jean Donegany, was herself born in a foreign country.

"Wherefore the Defendant persists in his peremptory exceptions to the *demande* of the Plaintiffs, and prays that the said Plaintiffs be declared incapable of pleading the said *fin de non recevoir* to the said peremptory exceptions, and that the said *fin de non recevoir* be dismissed as being unfounded, with costs."

To which said last-mentioned pleading of the said Plaintiff in that behalf, the said Jean Antoine Donegany, Joseph Donegany, and Joseph Maximilien Bonacina, Tutor as aforesaid, did, in the French language, reply, as follows:—

"And the said Plaintiffs for Replication to the answers of the said Defendant to the *fin de non recevoir* by them pleaded in this cause to the peremptory exceptions of the said Defendant to the *demande* and action of the said Plaintiffs, say, that the said *fin de non recevoir* are well founded in fact and in law, and that the conclusions by them taken in the said *fin de non recevoir* ought to be maintained, and that the said conclusions ought to be granted to them by this Honourable Court, with costs.

"Wherefore the said Plaintiffs persist in the conclusions of their said *fin de non recevoir*, with costs.

"And the said Plaintiffs for further Replication to the said answers of the said Defendant to the said *fin de non recevoir* by them pleaded in this cause, say, that they are interested, and have a just cause in pleading the incapacity of the said late Jean Donegany, their grandfather.

"That the said late Jean Donegany, their grandfather, although a foreigner, and born within the dominions and allegiance of His Britannic Majesty, was, during his lifetime, capable under the law at all times in force in this country, of acquiring and holding moveable and immoveable property situate in Canada, to wit, at Montreal aforesaid, in the said district of Montreal; but the said Plaintiffs say, that the said late Jean Donegany, being a stranger, and born out of the dominions and allegiance of His Britannic Majesty, was incapable in law of disposing by testament or last will, of the moveable and immoveable property appertaining to him at the day and moment of his decease, and situated at Montreal aforesaid, or of any part thereof, and in particular could not dispose by last will or testament, made and executed in a foreign country, of any portion of the moveable and

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immovable property to him appertaining at the time of his decease, and situate at Montreal aforesaid, to the prejudice of the said Plaintiffs.

“That although the mother of the said Plaintiffs was herself a foreigner, as well as the said late Jean Donegany, her father, the said Plaintiffs who are born subjects of His Britannic Majesty, are nevertheless the lawful heirs of the said late Jean Donegany, their grandfather, and have nevertheless succeeded the said late Jean Donegany in all the property situate at Montreal aforesaid, and belonging to him at the day and moment of his decease.

“Wherefore the said Plaintiffs persist in the conclusions of their said *finis de non recevoir*, with costs.”

And the said Defendants further say, that the said Guillaume Benjamin Donegany having, on the twentieth day of June, in the year of our Lord one thousand eight hundred and twenty-eight, attained and surpassed the age of majority, did revive the said suit (*reprit d'instance*) in his own name, in lieu and in stead of the said Joseph Maximilien Bonacina, Tutor as aforesaid; and the said Defendants further say, that such proceedings were in the said suit had, that this Honourable Court, on the eighteenth day of June, which was in the year of our Lord one thousand eight hundred and thirty-one, did, in the said suit, make, render and pronounce its Judgment upon the merits thereof, in the words following, that is to say:—

“The Court after having heard the parties by their Counsel, and examined the record, exhibits, evidence and admissions of the said parties, and having maturely deliberated thereon, considering that the Plaintiffs as natural subjects of His Majesty, born in this country, have a right to claim the property left to them in this country by the late Jean Donegany and Marie Gally his wife, at the time of their decease, grandfather and grandmother of the said Plaintiffs, and that the said late Jean Donegany could not by last will or testament dispose of the said property in favour of the said Defendant or of any other person, and that the said Defendant, being an alien, can have no title to the said property, condemns the said Defendant to restore and deliver up to the said Plaintiffs the said immovable property, so left by the said late Jean Donegany and Marie Gally his wife, at the time of their decease, and whereof the Defendant has taken possession, to wit: 1st. An *emplacement* situate in the town of Montreal, on the line of St. Louis Street, otherwise called Rue Capitale, bounded on one side by the lands of Solomon Mittleberger represented by George M'Kenzie; on the other side by the lands of the representatives of Cazelet, now Joseph Athanase Normandean; in front by St. Louis Street aforesaid, and in the rear by the “Chemin de Ronde,” in the said town of Montreal, to wit, by the lot of land hereafter described as number three, with a stone house and other buildings thereon erected. 2ndly. Another *emplacement*, situate in the said city of Montreal, on the line of St. Louis Street aforesaid, opposite the house erected on the first above described *emplacement*, and which was formerly used as the yard of the above mentioned house, bounded on one side by the lands of Sieur Ignace Hubert, represented by Noël Dorion or his representatives; on the other side by Chagcamigon Street; in front by St. Louis Street aforesaid, and in depth by the lands of the representatives of Ignace Giasson, now those of Pierre Berthelot, Esquire. 3rdly. All the land between the depth of the *emplacement* first above described, and the road which runs along the river; the said lot of land being bounded in front by the said road; in the rear by the *emplacement* first above described,—on one side by

the lands of the said George M'Kenzie, and on the other side by the lands of the said Joseph Athanase Normandean, with a two story stone house erected by the said Jean Donegany, husband of the said Marie Gally, on the secondly above described *emplacement*, and a vault or two story stone building erected by the said Jean Donegany, partly on the *emplacement* first above described, and partly on that thirdly above described.

“The Court also condemns the said Defendant to restore and give up to the said Plaintiffs the rents, issues, profits and revenues of the said property, received by him since he has been in possession thereof, and orders that, by *Experts* to be agreed upon by the parties, or in default to be appointed by the Court, it shall be ascertained whether the said Plaintiff has done any damage to or made any improvements, and to what amount, on the said immovable property since it has been in his possession; the Court reserving the right of deciding after the report shall have been made by the said *Experts*; and the Court also condemns the Defendant to pay the costs.”

And the said Defendants further say, that the said Plaintiff having afterwards brought an Appeal to the Court of Appeals for the said Province, from the said Judgment of this Honourable Court, the said Provincial Court of Appeals did, afterwards, to wit, on the thirtieth day of April, which was in the year of our Lord one thousand eight hundred and thirty-two, render and pronounce Judgment in the following terms, that is to say:—“The Court having heard the parties by their Counsel, it is considered and adjudged, that the Judgment of the Court of King's Bench for the District of Montreal, made and rendered in this cause on the eighteenth day of June one thousand eight hundred and thirty-one, be, and the same is, hereby affirmed, with costs to the Respondents: And, on motion of Messrs. Ogden & Buchanan, *distriction de frais* is awarded to them as the Attornies of the Respondents. It is further ordered that the Record be remitted to the said Court of King's Bench.”

And the said Defendants further say, that the said Plaintiff having afterwards appealed from the said Judgment of this Honourable Court, and of the said Provincial Court of Appeals, to His Majesty in His Privy Council, His Majesty afterwards, on the seventh day of February in the present year of our Lord one thousand eight hundred and thirty-five, having taken into consideration the Report of the Judicial Committee of His said Privy Council, was pleased, by and with the advice of His said Privy Council, to approve of the said Report, and to order, and it was ordered in and by the Judgment, Sentence or Decree of His Majesty, in that behalf made and rendered, that the Judgment of the Court of Appeals for the Province of Lower Canada, of the thirtieth April one thousand eight hundred and thirty-two, (to wit, the Judgment of the Provincial Court of Appeals above described,) should be, and the same was, thereby affirmed; and that the Appeal therefrom should be and the same was thereby dismissed that Board, with the sum of Two hundred and one pounds five shillings and sixpence sterling, for costs, whereof the Governor, Lieutenant Governor, or Commander in Chief of the Province of Lower Canada for the time being, and all others whom it might concern, were to take notice and govern themselves accordingly.

And the said Defendants further say, that the parties Plaintiff and Defendant in the present suit, and the parties Plaintiff and Defendant in the aforesaid suit in which the said above transcribed or in part recited Judgments were made and rendered, were and are the same and identical, and not divers or different,

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and further, that the thing or things or subject matter in contest between the parties in this present suit, and the thing or things or subject matter in contest in the said suit wherein the hereinbefore transcribed or in part recited Judgments were rendered, is and are the same and identical, and not divers or different; and further, that the origin or cause and causes of action in this present suit, and the origin or cause and causes of action in the said suit wherein the hereinbefore transcribed or in part recited Judgments were rendered, is and are the same and identical, and not divers or different; by reason of which said several premises, and particularly of the said Judgments so rendered in this behalf aforesaid, the right and title of the said Defendants in and to the pieces or parcels of land, tenements, hereditaments and premises, and to the rents, issues and profit thereof, described and mentioned in the said Judgment of this Honorable Court rendered on the eighteenth day of June in the year of our Lord one thousand eight hundred and thirty-one, which said Judgment was so as aforesaid by the said Court of Appeals, and by His Majesty in His Privy Council, affirmed, became, and were absolute and indefeasible, and their right and title to the same and every part thereof, as between the said Plaintiff and them the said Defendants, became and were, and are, and will be forever incontrovertible (*chose jugée*), and that neither the said right and title of them the said Defendants in that behalf, nor the said Judgment of this Honorable Court, nor other the Judgments aforesaid, nor the effect or consequences of the said Judgment or Judgments (*chose jugée*) were, have, been, nor are, nor can be, divested, destroyed, set aside, annulled, altered, diminished or affected, by or in virtue of the said fifty-third chapter of the Statute, passed by the Legislative Council and Assembly of the said Province, in the first year of the Reign of His present Majesty, which came into force on the fifth day of June in the year of our Lord one thousand eight hundred and thirty-two, by the Proclamation of the Governor in Chief of the said Province in that behalf, nor by or in virtue of any oath or oaths taken and subscribed by the said Plaintiff, nor by any act, matter or thing done or performed by the said Plaintiff either under and in virtue of the said Statute, or at any time previous to the passage thereof: All which matters and things the said Defendants are ready to verify. Wherefore the said Defendants pray that the said action may be dismissed, with costs.

And the said Defendants for answer (*Défense au fonds en droit*) to the said action of the said Plaintiff, say, that the said Plaintiff ought not to have or maintain his said action against them the said Defendants, because they say that the allegations, matters and things in the Plaintiff's declaration in the said cause filed contained, are insufficient in Law to enable him to have and maintain his said action against the said Defendants. Wherefore the said Defendants pray that the said action may be dismissed with costs.

And the said Defendants for plea or answer to the said action, say, that all and every the allegations, matters and things (save and except the making and rendering of the Pleadings and Judgments in the said Declaration transcribed or in part recited) are false, untrue, and unfounded in fact. Wherefore, the said Defendants pray that the said action may be dismissed, with costs.

BUCHANAN & ANDREWS,  
For Defendants.

Montreal, 30th November, 1835.

(Endorsed.)

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(E. E.)

17th February.

No. 2561. Montreal, King's Bench. October Term, 1835. Joseph Donegany, Plaintiff, vs. Jean A. Donegany *et al*: Defendants. Peremptory Exceptions and Plea. Fyled, 5th January, 1836. M. & M., P. K. B.

(Answers to Pleas.)

Montreal, K. B.—February Term, 1836.

JOSEPH DONEGANY,

vs.

Plaintiff.

JEAN ANTOINE DONEGANY *et al*:

Defendants.

And the Plaintiff, for general answer to the Peremptory Exception and to the *Défense au fonds en droit*, pleaded by the Defendants, saith, that the allegations therein contained are not sufficient in law to prevent him from maintaining his action. Wherefore, he prays that the said Peremptory Exception and *Défense en droit*, be dismissed, with costs.

D. MONDELET,

Attorney for Plaintiff.

And the Plaintiff for replication to the *Défense au fonds en fait* pleaded by the said Defendants, saith, that the allegations in the Declaration contained are true and well founded in fact. Wherefore, the said Plaintiff persists in the conclusions of the said Declaration, with costs.

D. MONDELET,

Attorney for Plaintiff.

Montreal, 1st February, 1836.

(Endorsed.)

No. 2561. K. B. February Term, 1836. Joseph Donegany, Plaintiff, vs. Jean Antoine Donegany, Defendants. General Answer and Replication. Filed 1st February, 1836. M. & M., P. K. B.

(Judgment in K. B., Montreal.)

(Transcript, &amp;c.)

Court of King's Bench, Montreal.

No. 2561.

JOSEPH DONEGANY, Merchant, of Montreal, District of Montreal,

vs.

Plaintiff,

JEAN ANTOINE DONEGANY, otherwise called JEAN DONEGANY, Merchant, of the same place, JOSEPH DONEGANY, son of the late JOSEPH DONEGANY, Merchant, of the same place, and GUILLAUME BENJAMIN DONEGANY, gentleman, of the same place,

Defendants.

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17th February.

Saturday, the 18th February, 1837.

Present:

The Honourable CHIEF JUSTICE REID.  
 “ “ Mr. JUSTICE PYKE.  
 “ “ Mr. JUSTICE ROLLAND.  
 “ “ Mr. JUSTICE GALE.

The Court having heard the parties by their Counsel, examined the proceedings and evidence of record, and having duly deliberated thereon, it is considered and adjudged that this action be, and the same is hereby dismissed, with costs.

(Signed,) MONK & MORROGH,  
 P. K. B.

Province of Canada—Lower Canada, to wit:

I, the undersigned, Clerk of Her Majesty's Court of Appeals for that part of the Province of Canada called Lower Canada, do hereby certify that the ninety-eight preceding pages contain true and faithful copies of certain papers and documents, forming part of the Record in a certain cause now pending and undetermined in the said Court of Appeals, from the district of Montreal, in Lower Canada aforesaid, wherein one Joseph Donegany (Plaintiff in the Court below) is Appellant, and Jean Antoine Donegany, otherwise called Jean Donegany, Joseph Donegany, son of Joseph Donegany, and Guillaume Benjamin Donegany, (Defendants in the Court below,) are Respondents; that is to say, of the Writ of Summons *ad respondendum*, the Declaration, the Pleas, and the answers to said Pleas, also, the Judgment of the said Court of King's Bench for the district of Montreal, as extracted from the Transcript accompanying and forming part of the said Record; and during the pendency of which Appeal the Record and Proceedings in the said cause remain filed, and of record in my office.

In faith and testimony whereof, I have hereunto set my signature, and affixed the Seal of the said Court of Appeals.

Given, at the City of Quebec, in the said Province of Canada, this fifteenth day of September, in the year of our Lord one thousand eight hundred and forty-three, and of Her Majesty's Reign the seventh.

[L. S.] STEWART SCOTT,  
 C. C. A.

APPENDIX, No. 3.

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PUBLIC NOTICE is hereby given that the undersigned will apply at the ensuing Session of the Provincial Parliament, for leave to bring in a Bill to remove all doubts as to the construction of the Statute of Lower Canada of the 1st Will. IV. c. 53, intituled, "An Act to secure to and confer upon certain inhabitants of this Province, the civil and political rights of British Subjects," and to quiet the Titles to all estates and property, real and personal, belonging to the inhabitants of the Province described in the said Act, and intended to be relieved thereby, being such Titles as shall or may rest or be founded upon Will, Devise or Heirship, and also to vacate and annul all law proceedings contrary to the true intent and meaning of the aforesaid Act.

JOSEPH DONEGANI.

Montreal, 1st February, 1844.

I, the undersigned Bailiff of Her Majesty's Court of Queen's Bench for the District of Montreal, do hereby certify that on Sunday the fourth of February now last past, I posted and affixed at the door of the Parish Church, at the City of Montreal, true copies of the above notices in the French and English Languages.

Dated at the City of Montreal this sixteenth day of November, 1844.

AMABLE LOISELLE,  
 B. K. B.

I, the undersigned, Printer and Proprietor of "*La Minerve*," certify that the advertizement of Mr. Joseph Donegani annexed above, has been regularly inserted in the said Journal "*La Minerve*," from the 1st February, 1844, to the 28th November of the same year.

L. DUVERNAY.

Montreal, 29th November, 1844.

I, the undersigned, Proprietor of the Montreal Gazette, certify that the advertizement of Mr. Joseph Donegani annexed above, has been regularly inserted in the Montreal Gazette from the first day of February to the twenty-eighth day of November inclusive, in this year.

ROBT. ABRAHAM.

Montreal, 28th November, 1844.

## R E T U R N

To an Address of the Legislative Assembly to His Excellency the Governor General, praying that His Excellency would be pleased to cause the proper Officers to lay before the House, within the shortest possible delay, detailed Accounts of all sums of money expended and received by the Trustees of the TURNPIKE ROAD from LONGUEUIL to CHAMBLY, by virtue of the Ordinance of the Special Council, passed in the fourth year of Her Majesty's Reign, Chapter 16; and, also, detailed Statements of all transactions of the said Trustees, by virtue of the same authority, since the commencement of their Trust.

By Command,

D. DALY,  
*Secretary.*

SECRETARY'S OFFICE,  
14th February, 1845.

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- No. 1.—Report of the Trustees, dated Chambly, 22d December, 1842, with an Account Current from the 2nd July, 1841, to the 10th December, 1842.
- No. 2.—Petition of the Trustees, dated Chambly, 25th September, 1843, with a Supplementary Account Current, from the 10th December, 1842, to the 18th September, 1843.
- No. 3.—Report of the Trustees, dated Chambly, 24th January, 1845, with a General Account Current, from 18th September, 1843, to 16th December, 1844, and detailed Accounts of Monies received and expended on the Road and Ferry.
- No. 4.—Account of Commutation Tickets issued for the Road, and of the Monies received thereon from the 1st May, 1843, to the 18th December, 1844.
- No. 5.—Synopsis of Receipt and Expenditure of the Road Trust, shewing the nett balances reported each several term from the Road and Ferry.

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No. 1.—REPORT of the Trustees of the LONGUEUIL and CHAMBLY TURNPIKE ROAD, dated 22nd December, 1842, accompanied with an Account Current to 10th December, 1842.

To His Excellency The Right Honorable Sir  
CHARLES BAGOT, G. C. B., Governor  
General of British North America, &c.  
&c. &c.

The Report of the Proceedings of the undersigned  
Trustees of the Longueuil and Chambly  
Turnpike Road:—

MAY IT PLEASE YOUR EXCELLENCY,

The undersigned, duly appointed Trustees to carry into effect the provisions of the Ordinance 4 Victoria, cap. 16, intituled, "An Ordinance to establish and maintain better means of communication between the City of Montreal and Chambly," having resolved to effect this end by the improvement of the old line of Road, either by macadamizing or planking it, issued public notice, inviting tenders for both kinds of construction, and thus ascertained:—1. That the cost of macadamizing would greatly exceed the highest price of a wooden Road; 2. That a single-track plank Road, 8 feet 6 inches wide, would come within the means allowed by Law to be borrowed for the work, whereas a Road of greater width would exceed them.

They engaged the services, as Engineer, of Mr. John S. Killaly, and those of Mr. Charles Atherton, as Consulting Engineer, at a joint salary of £300 per annum.

They proceeded to issue the necessary advertizements for loans and wooden materials for the construction of the Road. No offers of money were received for several months, but His Excellency the late Governor General personally exerted himself to procure a loan of £2000 for one year.

The Trustees were fortunate in making a contract for timber, at rates which could not have been procured at any later period. Being now, at the beginning of July, 1841, prepared to commence their undertaking, and having a prospect, which they could have at no later period, of completing the work in the season of that year, it was, after mature deliberation, resolved to accept an offer made by the contractors for the materials, that they should undertake to execute the work at the lowest estimate of the Engineer, viz., for grading, ditching, and constructing a single-track planked Road, 8 feet 6 inches wide, and furnishing ragged spike, £275 per mile. This

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was considered an advantageous bargain, as other public works were in progress in the neighbourhood, and labourers' wages were high.

Considerable opposition was offered to the first proceedings of the Trustees, which were directed to a shortening of the old Road, by a cut, prescribed by the Ordinance, viz., from the south-western angle of the Basin of Chambly, to the Bridge over the Petite Rivière "and another Road from the said point on the River called La Petite Rivière, to a point in the place called the Canton of Chambly, within one hundred yards of the Fort," 4 Vict. cap. 16, Section 3; and an application was made to the Legislature by parties who considered their interests to be unfavourably affected by the new cut, but the alteration and shortening of the line (by 1173 yards) was so evidently an improvement and beneficial not only to the public but to the complaining parties themselves, that the opposition gradually subsided.

His Excellency the late Governor General having much at heart the success of the Trustees in their undertaking, was graciously pleased, in the month of August, to authorize the Trustees by virtue of a provision of the Ordinance, to borrow money at a rate of interest higher than the legal rate; and, accordingly, the necessary loans were raised, from time to time, with His Excellency's concurrence, at the (maximum) rate of seven and a half per cent.

The Contractors used great and praiseworthy diligence in the prosecution of the work, which was commenced late in July, and sanguine hopes were entertained by the Trustees that it would be completed in the working season of the year; but a disappointment arose from a quarter whence it was not expected: the waters of the Richelieu and the St. Lawrence fell lower than they had been known to fall during many years, and the navigation of the former was altogether impeded; the supply of material which had been often delayed, sometimes suspended for several days, ceased altogether; and the frost set in towards the close of November, when there still remained two miles and a half of road to be completed,—eleven miles and a half having been finished.

During the progress of the work, several Bridges were built, others repaired, and the Toll-gates and two Toll-houses were constructed. These, and the work generally, were secured from damage during the ensuing winter.

The original Contractors having failed to fulfil their contract on the 1st January, as specified in the contract, Messrs. Pierce & Son, of St. Johns, who had been their sureties, were, at the commencement of the year 1842, by mutual consent of all parties, permitted to assume it, under the express condition that they should guarantee its completion on or before the 1st July next ensuing; and as the first contracting parties had failed in respect of time chiefly, to bring the work to completion, more through the intervention of natural causes than through any neglect or other delinquency of their own, the Trustees thought it right to waive their claim to the penalties by which the undertakers were bound in the original agreement; taking care, however, to institute others in the memorandum of transfer, which should bind the new Contractors, as usual, to the strict fulfilment of their agreement.

The Road was completed, and Tolls were begun to be collected on 25th June.

The Trustees having, on a survey of the work which at the opening of the season remained to be done, and of the funds remaining at their disposal, resolved to establish a Ferry, as authorized by the Ordinance 4 Vict. cap. 16, section 18, over the River

St. Lawrence at the village of Longueuil, which was always held in view in the original plan of the undertaking, as the best support of the Road, advertized for tenders for the building of a single-hulled Steam Ferry Boat, of convenient size, and for a Steam Engine to propel it; and entered into contracts for their construction, respectively, with condition that they should be delivered fit for work on or before 15th August then next ensuing.

In the prosecution of their arrangements for the completion of this important branch of their Trust, they contemplated considerable difficulty in procuring a suitable landing place on the Montreal side of the River. Within the limits of the city, the price of land on the River was high, and without the limits, travellers passing less than half a mile along the Turnpike Road of the Montreal Trust, would be subjected to a Toll nearly equal to half of that which the Trustees are permitted to levy along the whole line from Chambly to Longueuil. Relief from this difficulty could be found only in providing a suitable landing at a point above the city limits, and such a point was found on the River, fronting the property of the heirs of the Honorable John Richardson, at a place called the Old East India Tea Store. On treating with the Executors of Mr. Richardson, it was found that a suitable descent could be secured at an annual rent of £25 currency, with the privilege of buying it at any time within five years, for £250 currency.

A detailed Account is annexed to this Report, shewing an expenditure of £15,100 2s. 5½d. for the objects of the Trust, including £793 14s. 1½d. for interest, and the corresponding vouchers accompanying the Statement.

A balance remains in the hands of the Trustees of £693 17s. 10¾d.; but £570 18s. 0¾d. remains due to the Contractors for the work; £933 6s. 8d. on the engine for the steam ferry-boat; £150 for land to proprietors who have refused, but will ultimately accept, the value of it; and about £195 17s. 4d. to other parties. A sum of £350 is required to pay for the land used as a descent to the Ferry-landing on the Island of Montreal, and for the erection of suitable wharves on both sides of the river.

A Schedule of these liabilities is appended, which shews a deficit of £1506 4s. 1¾d. To meet this and other unforeseen casualties, the Trustees propose to address a humble prayer to the Legislature to be enabled to raise £2000, with the same guarantee, and the same provisions which authorized and restricted the principal loan of £15,000.

The whole of which is respectfully submitted.

(Signed,) JOHN GLEN, *Manager*.  
GEO. CATHCART.  
JOHN YULE.  
LOUIS GAREAU.

CHAMBLY, 22d December, 1842.

SCHEDULE of the Liabilities, the Cash in hand and the Deficit.

	£	s.	d.
Due to the Contractors ... ..	570	18	0½
Due on the Steam Engine ... ..	933	6	8
Due for Land ... ..	150	0	0
Due to various parties ... ..	195	17	4
Ferry-landings ... ..	350	0	0
	2200	2	0½
Cash in hand ... ..	693	17	10¾
Deficit ... ..	£1506	4	1¾

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THE TRUSTEES of the LONGUEUIL and CHAMBLY TURNPIKE ROAD in Account  
Current with Her Majesty's Government of Canada.

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(F. F.)  
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		Cr.	Voucher.	£	s.	d.
July	2, 1841	William Wilson, Secretary, for salary...	1	27	10	0
do	do	John S. Killaly, Engineer, for salary	2	50	0	0
do	3, do	Alexander Stevenson, for surveying	3	5	0	0
do	do	Pierre Truchon, for land at the basin	A. n.	17	10	0
do	do	Widow Brosse, for land at the basin	A. b.	11	5	0
do	do	Messire P. M. Mignault, land at basin	A. c.	9	10	0
do	do	Jacques Lapointe, a Carter, for cartlage	4	0	6	6
do	7, do	Charles Atherton, Engineer, for salary	5	25	0	0
do	8, do	H. Pierce and L. H. Dunlop, for material	6	1000	0	0
do	12, do	Edward Choquette, for moving a building	7	5	0	0
do	24, do	Silas H. White, on account for fencing	8	150	0	0
do	30, do	William Wilson, Secretary, a bill of expenses	9	1	14	3
do	do	Edward M'Donald, for stationery	10	0	8	0
do	do	M. White & Co., for a tin box	11	1	5	0
August	3, do	Joseph Compton, for grubbing brush	12	1	0	0
do	16, do	Alexander Stevenson, for surveying	13	5	0	0
do	18, do	Charles Atherton, Engineer, services of his clerk	14	4	0	0
do	23, do	Alexander Stevenson, for surveying	15	2	10	0
do	do	The College at Chambly, land at the basin	A. d.	17	5	0
do	do	William Wilson, Secretary, for salary	16	12	10	0
September	1, do	John S. Killaly, Engineer, for salary	17	25	0	0
do	do	Charles Atherton, Engineer, for salary	18	12	10	0
do	20, do	H. Pierce and L. H. Dunlop, account of work	19	650	0	0
do	do	F. Compton, for grubbing brush	20	0	15	3
do	do	Madame Portier, for damage to her crops	21	3	0	0
do	22, do	H. Pierce and L. H. Dunlop, account of work	22	1000	0	0
do	23, do	Paul Kaunitz, services as arbitrator	23	6	5	0
October	1, do	Charles Kuper, services as Inspector	24	23	0	0
do	do	Post Master Dixon, for postage	25	0	13	8½
do	do	William Wilson, Secretary, a bill of expenses	26	4	0	0
do	do	Silas H. White, fencing on the new road	27	32	0	0
do	do	Regis Popin, damages to a building	B. a.	1	5	0
do	do	Baptiste LeRiche, damage to a building	B. b.	3	5	0
do	do	H. Pierce and L. H. Dunlop, account of material	28	500	0	0
do	6, do	do do account of work	29	841	17	5
do	9, do	Henry Guy, services as Inspector	30	11	10	0
do	20, do	Edward Choquette, line washing new fence	31	15	10	0
do	do	William Wilson, Secretary, for salary	32	15	0	0
do	22, do	Henry Guy, Inspector, to pay extra labour	33	15	0	0
do	25, do	Charles Kuper, services as Inspector	34	12	10	0
do	26, do	James Wash, carpenter work to a bridge	35	24	11	0
do	29, do	H. Pierce and L. H. Dunlop, account of work	36	907	10	0
do	30, do	Henry Guy, services as Inspector	37	6	1	0
November	10, do	Henry Guy, to pay extra labourers	38	22	1	0
do	do	Chester Wilkinson, damages to his crop	39	3	0	0
do	do	Charles Atherton, Engineer, salary	40	12	10	0
do	do	John S. Killaly, Engineer, salary	41	25	0	0
do	do	William Wilson, Secretary, salary	42	10	0	0
do	do	François Dubuc, damages	43	3	0	0
do	11, do	H. Pierce and L. H. Dunlop, account of material	44	600	0	0
do	17, do	do do account of work	45	400	0	0
do	18, do	Charles Thibeaud, building two toll houses	46	58	0	8
do	20, do	J. Potter, labourer on the road	47	2	0	0
do	22, do	J. Bunker, board of the Engineer	48	22	7	3
do	do	David Kyle, for stone	49	4	0	0
do	23, do	Alexander Stevenson, for surveying	50	6	10	0
do	24, do	Silas H. White, fencing on the new road	51	20	5	0
December	1, do	H. Pierce and L. H. Dunlop, account of materials	52	700	0	0
do	do	do do account of work	53	318	10	2
do	do	Bank of Montreal, interest six months of £2000.	a. 1	60	0	0
do	2, do	Charles Kuper, services as Inspector	54	10	8	0
do	do	J. B. Perrault and Samuel Ley, for stone	55	5	10	0
do	do	Charles Kuper, payment of night watching	56	10	17	0
do	do	John Halpin, labor of self and four men	57	5	10	8
do	3, do	James Wash, work at Booth's Bridge	58	44	8	0½
do	do	David Kyle, carting stone	59	6	9	8½
do	7, do	Pierre Truchon, hire of land at the basin	60	1	5	0
do	8, do	James Wash, work and materials, toll-gates, &c.	61	40	4	7
do	9, do	Henry Guy, services as Inspector	62	11	4	0
do	do	Louis Fortin, toll-boards	63	3	12	0
do	11, do	Henry Guy, extra labour and tolls	64	7	14	8½
do	20, do	Charles Atherton, Engineer, salary	65	25	0	0
do	do	John S. Killaly, Engineer, salary and expenses	66	74	0	0
do	do	John S. Killaly, labour paid for by him	67	27	14	8
do	do	Frederick Griffin, Sollaritor, a bill	68	24	6	8
do	do	Charles Lindsay, advertizement in the Courier	69	22	9	0
do	do	E. Weir, jun., advertizement in the Herald	70	23	0	3
do	do	Armour and Ramsay, account for stationery	71	1	10	8
do	do	Armour and Ramsay, advertizements in Gazette	72	18	10	3
do	do	Joseph Ross, timber for a bridge	73	8	1	10
do	do	William Wilson, Secretary, for salary	74	15	0	0
do	24, do	Augustus Kuper, land at the basin	A. e.	25	0	0
do	31, do	Joseph Fournier, land at the basin	A. f.	18	10	9
do	do	Marie Lamoureux, land at the basin	A. g.	8	17	7
do	do	Jean D'Yon, land at the basin	A. h.	18	6	8
do	do	Isidore Cognac, land at the basin	A. i.	15	18	8
January	4, 1842	William Wilson, Secretary, bill of expenses	75	8	7	6½
do	5, do	Pierre Truchon, damage to his crop	76	3	10	0
do	7, do	Joseph Masson, land at the basin	A. k.	2	10	11
do	8, do	Messire P. M. Mignault, damage to crop	77	3	10	0
Carried over					£6216	11 4½

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(F. F.)

THE TRUSTEES of the LONGUEUIL and CHAMBLY TURNPIKE ROAD, &c.—(Continued.)

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(F. F.)

17th February.				Brought over	Voucher.	£ s. d.	17th February.
January	8, 1842	Alexander Bigonosse, damage to crop	...	...	75	8216 11 4½	
do	do do	M. Sabuta Veuvo Brusse, damage to crop	...	...	70	0 0 0	
do	12, do	Charles Atherton, Engineer, bill of expenses	...	...	80	4 10 0	
do	do do	Theodore Doucet, Notary, a bill	...	...	81	10 0 0	
do	19, do	Charles Atherton, Engineer, a bill of expenses	...	...	82	49 10 0	
do	24, do	Samuel Luy, for stone	...	...	83	31 0 11	
do	26, do	Jason C. Pierce & Son, work and material	...	...	84	1 8 0	
February	2, do	Antoine Gauthier, for stone	...	...	85	1280 12 9	
do	10, do	William Wilson, salary and office rent	...	...	86	7 15 0	
March	8, do	C. Atherton, Engineer, salary	...	...	87	14 0 0	
do	9, do	Post Master Dixon, Postage	...	...	88	25 0 0	
do	10, do	William Wilson, salary and office rent	...	...	89	1 7 5	
do	16, do	David Vaughan, account of steamboat, first instalment	...	...	90	12 10 0	
do	do do	John Molson, account of steam engine, do	...	...	91	500 0 0	
do	do do	John Little, damage in breach of contract	...	...	92	466 13 4	
do	18, do	Interest on Debenture No. 6	...	...	b. 2	7 10 0	
do	do do	do on Debentures 23 to 32 inclusive	...	...	c. 3	8 15 0	
do	do do	do on Debenture No. 7	...	...	d. 4	49 10 4b	
do	do do	do on Debentures 8 and 9	...	...	e. 5	75 0 0	
do	27, do	do on Debentures 10, 11, 33, 34, 35, 36	...	...	f. 6	37 10 0	
do	30, do	David Lacroix, cartage of toll gates	...	...	93	67 8 7½	
April	13, do	Jason C. Pierce & Son, account of materials	...	...	94	1 0 0	
do	do do	C. Atherton, Engineer, salary	...	...	95	250 0 0	
May	11, do	David Vaughan, second instalment on the boat	...	...	96	25 0 0	
do	do do	William Wilson, two months salary and office rent	...	...	97	500 0 0	
do	19, do	C. Atherton, Engineer, salary	...	...	98	25 0 0	
do	23, do	Ant. Gauthier, for stone	...	...	99	25 0 0	
do	27, do	J. Starke & Co., Printers, a bill	...	...	100	2 5 0	
do	do do	H. Griffin, Notary, a bill	...	...	101	2 7 0	
do	28, do	John Halpin, to pay labourers	...	...	102	5 0 0	
June	2, do	J. C. Pierce & Son, account of work and materials	...	...	103	14 5 9	
do	9, do	C. Atherton, Engineer, salary	...	...	104	900 0 0	
do	11, do	Narcisse Laroque, repair of a bridge	...	...	105	25 0 0	
do	do do	William Wilson, salary and office rent	...	...	106	5 0 6	
do	23, do	J. C. Pierce & Son, account of work and material	...	...	107	12 10 0	
do	do do	Léon Lafontaine, setting up toll gates	...	...	108	500 0 0	
do	do do	Toussaint Linch, services as Inspector	...	...	109	10 15 2	
do	do do	Bazile Mignault, do	...	...	110	10 10 0	
July	1, do	Benjamin Haines, lettering toll boards	...	...	111	10 10 0	
do	7, do	C. Atherton, Engineer, salary	...	...	112	6 18 0	
do	do do	do do horse and cartage expenses	...	...	112	25 0 0	
do	11, do	John Halpin, to pay labourers	...	...	113	14 0 0	
do	do do	Interest on Debentures 2, 3, 4, 5, 10, 11, 33, 34, 35, 36, up to 30th June	...	...	g. 7	8 18 0½	
do	do do	do do 2, 3, 4, 5, to 1st June	...	...	h. 8	66 15 11½	
do	do do	do on Debentures 17, up to 29th April	...	...	i. 9	60 0 0	
do	do do	do on Debentures 15, 22, up to 29th April	...	...	k. 10	9 7 6	
do	do do	do do 15, 21, do do	...	...	l. 11	18 15 0	
do	do do	do on Debenture 7, up to 30th June	...	...	m. 12	16 17 6	
do	do do	do on Debentures 8 and 9, up to 30th June	...	...	n. 13	50 0 0	
do	do do	do do 23 to 32, inclusive, to 30th June...	...	...	o. 14	20 16 1	
do	do do	do do 6, 15, 17, 18, 21, 22, up to 30th June	...	...	r. 16	187 16 5½	
do	do do	do do 12, 13, 14, 16, 19, 20, do do	...	...	u. 21	24 9 9½	
do	16, do	J. C. Pierce & Son, account of work and materials	...	...	114	400 0 0	
do	20, do	B. Haines, building two toll houses	...	...	115	82 3 0	
do	21, do	William Wilson, a bill of expenses	...	...	116	7 17 6½	
do	22, do	David Vaughan, third instalment on the boat	...	...	117	500 0 0	
do	23, do	John Halpin, to pay labourers on the road	...	...	118	4 11 3	
do	25, do	John Ecutt, do do do	...	...	119	5 18 3	
August	3, do	Montreal Fire Assurance Company, assurance of boat	...	...	120	20 0 0	
do	10, do	Zob Bolleau Portier, rent of land	...	...	121	0 15 0	
do	12, do	William Wilson, Clerk, two months salary and rent	...	...	122	27 1 8	
do	do do	Pierre Truchon, land at the basin	...	...	C.	43 0 0	
do	17, do	C. Atherton, Engineer, 1 month's salary	...	...	123	25 0 0	
September	7, do	B. Haines, additions to toll houses	...	...	124	44 0 0	
do	17, do	A. Gauthier, for stone	...	...	125	5 10 0	
do	19, do	W. Wilson, Clerk, a bill of expenses	...	...	126	10 12 0½	
do	30, do	Post Master Dixon, postage	...	...	127	1 13 4	
October	3, do	Paul Kauntz, services as arbitrator	...	...	128	1 0 0	
do	24, do	Theod. Doucet, Notary, a bill	...	...	129	21 2 6	
November	3, do	John Snell, bill of expenses	...	...	130	10 0 0	
do	7, do	B. Haines, additions to toll houses	...	...	131	11 6 0	
do	do do	Jacob Glen, land at the basin	...	...	D.	17 10 0	
do	12, do	Armour & Ramsay, stationery and advertizing	...	...	132	5 18 5	
do	do do	F. Griffin, for legal counsel	...	...	133	2 6 8	
do	do do	F. Cinq-Mars, (Aurore) advertizing	...	...	134	2 11 2	
do	17, do	John Snell, paid for timber for wharves	...	...	135	22 16 2	
December	8, do	James Arliss, construction of a ramp	...	...	136	51 3 6½	
do	10, do	William Wilson, Clerk, a bill of expenses	...	...	137	10 13 4	
do	do do	do paid for stoves for toll houses	...	...	138	16 0 8	
do	do do	do completion of the road	...	...	139	33 9 0½	
do	do do	John Ecutt, earthwork at the ramp	...	...	140	13 6 6½	
do	do do	do do do	...	...	141	11 6 6	
						£15100 2 6½	

(Signed)

JOHN GLEN.  
WILLIAM WILSON,  
Secretary.

CHAMBLY, 20th December, 1842.

Appendix  
(F. F.)

ABSTRACT OF EXPENDITURE.

Appendix  
(F. F.)

17th February.

17th February.

	£	s.	d.
Material and work	10065	9	7½
Ferry	2066	6	1
Land and Damages	282	8	7
Engineering, Office expenses and Inspectors	665	11	8
Contingent expenses	877	12	5
	£14306	8	4½
Interest up to 30th June last	798	14	1½
	£15100	2	5½

ABSTRACT OF FUNDS.

	£	s.	d.
Sale of 35 Debentures	16000	0	0
Sale of refuse timber	0	6	8
Amount of Warrant on the Receiver General	798	14	1½
	£16794	0	4½
Net sum in the hands of the Trustees	£698	17	10½

No. 2.—PETITION of the Trustees of the Longueuil and Chambly Turnpike Road, dated 25th September, 1843, accompanied with a Supplementary Account Current, from the 10th December, 1842, to the 18th September, 1843.

To His Excellency the Right Honorable Sir  
CHARLES T. METCALFE, G. C. B., Go-  
vernor-General of British North America,  
&c. &c. &c.

The Petition of the Trustees of the Longueuil and  
Chambly Turnpike Road:—

HUMBLY REPRESENTS:

That Your Excellency's Petitioners were autho-  
rized, for the purposes of their Trust, to borrow  
£15,000, Currency, and that the whole sum was  
raised by the sale of 35 Debentures.

That after the completion of the Road, which was  
one object of their Trust, and payment in part of the  
cost of a Steam Ferry Boat contracted and agreed for  
by them, with a view to the establishment of a ferry over  
the river St. Lawrence, at Longueuil, which was the  
other object of their Trust, a balance remains in their  
hands of £76 8s. 8½d. Currency, as may be more  
fully seen in an Account Current, and accompanying  
vouchers, annexed to a Report heretofore addressed  
to Your Excellency's predecessor, and in a supple-  
mentary Account Current, with accompanying  
vouchers, continued up to this present date.

That sums still due for the Ferry Boat, and sums  
still due for the work of the Road, amounting in the  
aggregate to £2000 Currency, over and above the  
balance remaining in their hands, are necessary to  
complete the two-fold object of their Trust.

That they, therefore, humbly pray Your Excel-  
lency that you would graciously be pleased to autho-  
rize the borrowing of the sum of £2,500 Currency,  
under the same restrictions, and with the same gua-  
rantees, which were imposed and granted by the terms  
of the law under which the former loan was effected.

And your Petitioners as in duty bound will ever  
pray.

(Signed,)

JOHN GLEN.  
JOHN YULP.  
LOUIS GAREAU.  
E. H. FRECHETTE.  
JOHN BUNKER.  
T. F. ALLARD.  
P. SABOURIN.

CHAMBLY, 25th September, 1843.

THE TRUSTEES of the LONGUEUIL and CHAMBLY TURNPIKE ROAD in Account  
Current with Her Majesty's Government.

		Dr.	£	s.	d.	
December 10, 1842	...	To balance of account rendered (22d December, 1842)	693	17	10½	
	...	To net proceeds of tolls, from 25th June to 10th December, 1842	371	5	6½	
	...	To warrant of H. M. Government for the payment of interest, up to 31st December, 1842	190	11	11½	
June 30, 1843	...	To net proceeds of Turnpike Road Tolls, from 11th December, 1842, to 30th June, 1843	250	10	0½	
do do do	...	To net proceeds of Steam Ferry Boat, from 2nd May, 1843, to 30th June, 1843	298	13	11	
	...	To warrant of H. M. Government, for the payment of interest, to 30th June, 1843	93	18	6½	
			£1817	12	10½	
		Cr.	Voucher.	£	s.	d.
December 17, 1842	...	By J. Esautt, pay list of labourers at the ramp	1	23	17	1½
do 28, do	...	do do do do	2	12	19	8½
do do do	...	By J. Robb, 14 mile posts	3	5	12	0
January 2, 1843	...	By interest on Debentures, 2, 3, 4, 5, 10, 11, 33, 34, 35, 36, to December 31st, 1842	24	178	2	6
		Carried over		£220	11	4



Appendix  
(F. F.)

THE TRUSTEES of the LONGUEUIL and CHAMBLY TURNPIKE ROAD, &c.—(Continued.)

Appendix  
(F. F.)

17th February.

		Brought over		Voucher.	£	s.	d.
				...	220	11	4
January	12, 1843	By Jason C. Pierce and Son, account of contract	...	4	500	0	0
do	18, do	By interest on Debenture 7 to December 31st	...	35	75	0	0
do	26, do	By Louis Gareau, account for sundries	...	5	3	16	5½
do	28, do	By B. Laroque, Notary, a bill	...	6	2	6	3
February	18, do	By interest on Debentures, 23, 24, 25, to December 31st	...	37	56	5	0
do	do do	do do 26, 27, 28, 29, 30, 31, 32, to December 31st	...	38	131	5	0
do	do do	By William Neilson, advertizing in Quebec Gazette	...	7	11	16	0
do	do do	By T. Ryan, work about toll house	...	8	0	19	0
do	do do	By J. Ross, plank	...	9	5	5	6
do	do do	By G. Garth, 4 lanterns and fittings	...	10	11	5	0
March	24, do	By interest on Debenture 17 to December 31st	...	31	9	7	6
do	do do	do do 18 and 21 to December 31st	...	32	16	17	6
April	3, do	By J. DesLoges, land at gate No. 4	...	A.	5	0	0
do	7 do	By Louis Perrault, sawing sleepers	...	11	1	15	0
do	do do	By David Thompson, a survey	...	12	1	13	9
do	do do	By interest on Debenture 20, to December 31st	...	25	7	10	0
do	do do	do do 12, to December 31st	...	26	3	15	0
do	do do	do do 13, do	...	27	3	15	0
do	do do	do do 16, do	...	28	3	15	0
do	do do	do do 14, do	...	29	3	15	0
do	do do	do do 15 and 22, to December 31st	...	30	18	15	0
do	do do	do do 19, to December 31st	...	33	7	10	0
do	do do	do do 8 and 9, to December 31st	...	36	37	10	0
do	do do	do do 6, to December 31st	...	34	8	15	0
do	do do	By James Artiss, extra work to the ramp	...	13	7	10	0
do	do do	By Toussaint Lynch, work about toll house	...	14	0	15	11
do	do do	By J. B. Lasoude, cartage of stone	...	15	2	5	8
May	6, do	By J. Eacutt, pay list of labourers at the ramp	...	16	2	15	6½
do	do do	By John Eacutt, cartage and erection of mile posts	...	17	2	10	0
July	3, do	By interest on Debentures, 2, 3, 4, 5, 10, 11, 33, 34, 35, 36, to June 30th...	...	39	178	2	6
August	5, do	do do 18 and 21, to June 30th	...	47	16	17	6
do	do do	do do 23, 24, 25, to do	...	52	56	5	0
do	do do	do do 26, 27, 28, 29, 30, 31, 32, to June 30th	...	53	131	5	0
do	do do	do do 19, to June 30th	...	43	7	10	0
do	do do	do do 6, to do	...	49	8	15	0
do	do do	By Benjamin Haines, 330 feet fence	...	18	7	12	0
do	do do	By interest on Debenture, 20, to June 30th	...	40	7	10	0
do	do do	do do 12, do	...	41	3	15	0
do	do do	do do 13, do	...	42	3	15	0
do	do do	do do 16, do	...	43	3	15	0
do	do do	do do 14, do	...	44	3	15	0
do	do do	do do 15 and 22, to June 30th	...	45	18	15	0
do	do do	do do 17, to June 30th	...	46	9	7	6
do	do do	do do 7, do	...	50	75	0	0
do	do do	do do 8 and 9, to June 30th	...	51	37	10	0
do	do do	By T. M'Governan, out house to toll house...	...	19	3	13	7
do	do do	By T. Lynch, cook house at gate No. 4	...	20	1	5	10
do	do do	By E. G. & D. M'Donald, bill for sundries	...	21	2	14	10
do	do do	By balance in hand	...	...	76	8	8½
					£1817	12	10½

17th February.

(Signed,) JOHN GLEN,  
Manager.

CHAMBLY, 25th September, 1843.

No. 3.—REPORT of the Trustees of the Longueuil and Chambly Turnpike Road, dated 24th January, 1845, with an Account Current from 18th September, 1843, to 16th December, 1844, and other detailed Accounts.

To His Excellency, the Right Honorable SIR  
CHARLES T. METCALFE, Bart., G. C. B.,  
Governor General of British North America, &c. &c. &c.

A Report of the Trustees of the Longueuil and  
Chambly Turnpike Road.

MAY IT PLEASE YOUR EXCELLENCY:

Since the Report which the Trustees of the Longueuil and Chambly Turnpike Road had the honor to transmit to Your Excellency, 22nd December, 1842, two principal transactions appear upon the Records of the Trust which seem worthy of notice,—the opposition which the Steam-boat Ferry established by the Trustees, encountered from a private interest, which terminated in an amicable arrangement beneficial to both; and the redemption of the old Debentures, which were paid off with money borrowed at a lower rate of interest.

The first arose from a supposed collision of interests with the proprietors of the old horse-boats, who purchased a low-priced steamer, and succeeded in persuading a large portion of the community that the Ferry as established by the Trustees, was profitable to individuals, and not to the public. This delusion operated so forcibly on the public mind, that the Trustees, finding their receipts fallen to almost nothing, were compelled, out of a regard to the interest at stake, to enter into friendly arrangements with the opponent party, of which the beneficial effect appears in the issue of the operations of the last season,—a profit from the Ferry of £670 2s. 6d.

The second transaction worthy of notice was the redemption of the old Debentures bearing interest at 7½ per cent., and the re-issue (by permission of Your Excellency) of new Debentures, bearing a lower rate of interest, viz., 6 per cent., which produced a saving of £223 15s. per annum, in interest. The

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(F. F.)  
17th February.

operation was completed almost at once, and the Trustees did not find it necessary to avail themselves, to any extent, of the clause of the law which permitted them to borrow a surplus of £5000, to come and go upon.

The results of the season of 1844, clearly prove that the best interest and main support of the Road is the Ferry; and that part of the work confided to the Trustees is most important, and alone capable of insuring success and permanency to the whole, and of relieving Her Majesty's Government from the burthen of contributing in any way to its maintenance.

The Trustees herewith transmit a general Account Current, commencing 18th September, 1843, and

also detailed Accounts (with Vouchers) of monies received and expended by them on the Road and the Ferry since that date.

Appendix  
(F. F.)  
17th February.

The whole of which is respectfully submitted.

(Signed,) JOHN GLEN.  
LOUIS GAREAU.  
JOHN YULE.  
T. F. ALLARD.  
E. H. FRECHETTE.

CHAMBLY, 24th January, 1845.

THE TRUSTEES of the LONGUEUIL and CHAMBLY TURNPIKE ROAD in Account Current with H. M. Government.

		Dr.	£ s. d.
September 18, 1843	...	To balance in hand ...	76 8 8½
December 18, do	...	To net proceeds of Turnpike Road Tolls, from 1st July to 16th December, 1843 ...	378 9 10
	...	To warrant of H. M. Government for the payment of interest, up to 31st December ...	211 15 0½
	...	To warrant of H. M. Government, (a loan) ...	1000 0 0
June 29, 1844	...	To net proceeds of Turnpike Road Tolls, from 18th December, 1843, to 29th June, 1844 ...	310 5 2
do do do	...	To net proceeds of Steam Ferry Boat, from 19th April to 29th June, 1844 ...	95 14 2½
July 16, do	...	To warrant of H. M. Government for payment of interest, to 30th June, 1844 ...	155 18 1½
December 16, do	...	To net proceeds of Turnpike Road Tolls, from 29th June to 14th December, 1844 ...	371 1 7
do do do	...	To net proceeds of Steam Ferry Boat, from 29th June to 14th December, 1844 ...	574 8 4
			£3174 1 0¼

		Cr.	Voucher.	£ s. d.
September 18, 1843	...	By Dlle. M. Grizé, on account of land ...	A. x.	15 0 0
do 28, do	...	By W. Wilson, account of cash disbursed ...	1	12 15 3½
October 5, do	...	By A. & G. Demers, for land ...	A. d.	6 0 0
do do do	...	By M. Tuotte dit Duval, land at No. 3 ...	B.	8 0 0
do 13, do	...	By Louis Gareau, for land and damages ...	A. b.	22 0 0
do 14, do	...	By J. F. Allard, expenses to Kingston ...	2	8 17 6
do 27, do	...	By A. Hatt, for lumber ...	3	3 2 0
November 8, do	...	do do ...	4	2 17 1
December 18, do	...	By balance (loss) of Steamboat account ...	...	28 7 4½
do do do	...	By Eustache Soupras, Esquire, for land ...	A. c.	2 15 0
January 2, 1844	...	By interest on Debentures, 2, 3, 4, 5, 10, 11, 33, 34, 35, 36, to December 31st ...	54	178 2 6
do 20, do	...	do do 20, to December 31st ...	55	7 10 0
do do do	...	do do 12, do ...	56	3 15 0
do do do	...	do do 13, do ...	57	3 15 0
do do do	...	do do 16, do ...	58	3 15 0
do do do	...	do do 14, do ...	59	3 15 0
do do do	...	do do 15 and 22, to December 31st ...	60	18 15 0
do do do	...	do do 17, to December 31st ...	61	9 7 6
do do do	...	do do 18 and 21, to December 31st ...	62	16 17 6
do do do	...	do do 19, to December 31st ...	63	7 10 0
do do do	...	do do 6, do ...	64	8 15 0
do do do	...	do do 7, do ...	65	75 0 0
do do do	...	do do 8 and 9, to December, 31st ...	66	37 10 0
do do do	...	do do 23, 24, 25, to December 31st ...	67	56 5 0
do do do	...	do do 26 to 32, inclusive, to December 31st ...	68	131 5 0
April 29, do	...	By P. N. Dorion, surveys of the ferry landings ...	5	6 0 0
May 8, do	...	By Joseph Ross, square timber and deals ...	6	63 4 0
do do do	...	By J. Hautson, do do ...	7	73 7 4
do do do	...	do do pine deals ...	8	61 8 0
do do do	...	By Carter & Cowan, furniture for boat ...	9	117 4 0
do do do	...	By Charles Atherton, services as Engineer ...	10	25 0 0
do 10, do	...	By René Boileau, Esquire, land and damages ...	A. d.	75 0 0
do do do	...	do do for land ...	A. e.	22 1 0
do 17, do	...	By David Vaughan, extra work on steam boat ...	11	160 14 8
do do do	...	By John Molson, work at steam engine ...	12	38 18 0
do do do	...	do do labour and stores do ...	13	28 16 9
do do do	...	do do interest on Debentures, to 11th May, 1844 ...	14	89 2 9
do do do	...	do do on account of steam engine ...	15	163 2 6
June 10, do	...	Dlle. M. Grizé, for land, in full ...	A. x.	15 0 0
July 13, do	...	By interest on Debenture, 20, to June 30th ...	70	7 10 0
do do do	...	do do 12, do ...	71	3 15 0
do do do	...	do do 13, do ...	72	3 15 0
do do do	...	do do 16, do ...	73	3 15 0
do do do	...	do do 14, do ...	74	3 15 0
do do do	...	do do 15 and 22 to June 30th ...	75	18 15 0
do do do	...	do do 17, to June 30th ...	76	9 7 6
do do do	...	do do 18 and 21, to June 30th ...	77	16 17 6
do do do	...	do do 19, to June 30th ...	78	7 10 0
do do do	...	do do 6, do ...	79	8 15 0
do do do	...	do do 7, do ...	80	75 0 0
Carried over ...				£1749 5 9

Appendix (F. F.)

THE TRUSTEES of the LONGUEUIL and CHAMBLY TURNPIKE ROAD, &c.—(Continued.)

Appendix (F. F.)

17th February.

			Brought over			Voucher.	£ s. d.
July	13,	1844	By interest on Debentures, 8 and 9, to June 30th	...	...	81	1749 5 9
do	do	do	do do 23, 24 and 25, to June 30th	...	...	82	37 10 0
do	do	do	do on 26 to 32, inclusive, to June 30th	...	...	83	56 5 0
do	do	do	do on 3, 4, 5, 10, 11, 33, 34, 35, 36, to June 30th	...	...	84	131 5 0
do	do	do	do on Debenture, 2, to June 30th	...	...	85	159 7 6
do	19,	do	By Frothingham and Co., bill of sundries	...	...	16	18 15 0
August	31,	do	By interest on Debenture, 20, to August 31st	...	...	86	67 15 3
do	do	do	do do 12, do	...	...	87	2 10 0
do	do	do	do do 13, do	...	...	88	1 5 0
do	do	do	do do 16, do	...	...	89	1 5 0
do	do	do	do do 14, do	...	...	90	1 5 0
do	do	do	do do 7, do	...	...	92	25 0 0
do	do	do	do do 3, 4, 5, 10, 11, 33 to 36, to August 31st	...	...	93	53 2 6
September	9,	do	By C. B. DeGrosbois, services as Arbitrator	...	...	17	1 5 0
December	2,	do	do J. Eacutt, pay list, landing 9174 ps. plank	...	...	18	24 15 9
do	7,	do	By Pierre Jodoin, 5713 ps. plank and 16 cribs	...	...	19	196 16 3
do	16,	do	Balance in hand at this date	...	...	...	645 8 0½
							£3174 1 0½

17th February.

(Signed,) JOHN GLEN, Manager.

TURNPIKE ROAD.

			Dr.	Voucher.	£ s. d.
July	16,	1842	To Thomas Ryan, wages, one month	1	4 3 4
do	do	do	To James Sheehy, do do	2	4 3 4
do	do	do	To David Ferguson, do do	3	4 3 4
do	do	do	To William Johnson, do do	4	4 3 4
August	6,	do	To M. Girard, attending a gate, and iron work	5	0 14 4½
do	do	do	To Jos. Garepsey, account for cartage	6	0 4 0
do	9,	do	To William Johnson, wages for 27 days	7	3 15 0
do	13,	do	To Thomas Ryan, wages for one month	8	4 3 4
do	do	do	To John Sheehy, do do	9	4 3 4
do	do	do	To David Ferguson, do do	10	4 3 4
September	6,	do	To John Eacutt, wages and pay lists	11	16 19 3
do	7,	do	To Antoine Gauthier, for stone	12	5 17 4
do	9,	do	To John Halpin, wages and pay lists	13	10 18 7½
do	17,	do	To Thomas Ryan, wages, one month	14	4 3 4
do	do	do	To John Sheehy, do do	15	4 3 4
do	do	do	To Daniel Ferguson, do do	16	4 3 4
do	do	do	To Toussaint Lynch, do do and four days	17	4 15 0
do	19,	do	To William Wilson, Secretary, salary and office rent	18	13 10 10
October	12,	do	To D. Kilday, one month's superintendence of road	19	9 0 10½
do	do	do	To J. Eacutt, do do do	20	7 0 0
do	13,	do	To William Ginnis, on account of 180 cords of wood	21	44 0 0
do	15,	do	To Thomas Ryan, one month's wages	22	4 3 4
do	do	do	To John Sheehy, do do	23	4 3 4
do	do	do	To Daniel Ferguson, do do	24	4 3 4
do	do	do	To Toussaint Lynch, do do	25	4 3 4
do	do	do	To W. Wilson, Secretary, salary and office rent due 10th	26	13 10 10
do	22,	do	To L. Clopin, lodging Ferguson one month, and blacksmith's work	27	1 12 0
November	5,	do	To J. Eacutt, one month's superintendence of roads	28	7 0 0
do	do	do	do a pay list	29	1 6 0
do	8,	do	To D. Kilday, one month's superintendence of roads	30	9 0 10½
do	14,	do	To W. Wilson, Secretary, salary and office rent due 10th	31	13 10 10
do	19,	do	To Thomas Ryan, one month's wages	32	4 3 4
do	do	do	To John Sheehy, do do	33	4 3 4
do	do	do	To Daniel Ferguson, do do	34	4 3 4
do	do	do	To Toussaint Lynch, do do	35	4 3 4
December	3,	do	To Thomas Ryan, (deceased,) two-thirds of a month's wages	36	2 15 8
do	6,	do	To John Eacutt, one month's superintendence of roads	37	10 0 0
do	do	do	To Alexis Arcan, bushes (balises) for roads	38	2 5 0
do	do	do	To William Ginnis, account of 180 cords firewood	39	12 10 0
do	9,	do	To Daniel Kilday, one month's superintendence of roads	40	9 0 10½
do	10,	do	To William Wilson, salary and office rent due 10th	41	13 10 10
do	do	do	To Daniel Ferguson, a bill for oil	42	0 8 4
do	13,	do	To Toussaint Lynch, one month's wages	43	4 3 4
do	do	do	To Daniel Ferguson, do do	44	4 3 4
do	do	do	To John Sheehy, do do	45	4 3 4
do	do	do	To Terence M'Governan, one-third of a month's wages	46	1 7 9
do	do	do	To balance applicable to the payment of interest	...	371 5 6½
					£372 19 10
			Cr.	£ s. d.	£ s. d.
July	2,	1842	By collection of Tolls from 25th June:—		
			Gate No. 1	14 16 11½	
			do do 2	2 12 9	
			do do 3	5 16 0½	
			do do 4	10 13 9½	
					33 19 6½
Carried forward					£33 19 6½

Appendix (F. F.)		TURNPIKE ROAD.—(Continued.)		Appendix (F. F.)	
17th February.				17th February.	
			<i>Brought forward</i> ... ..	£ s. d.	£ s. d.
July	9, 1842	...	By collection of Tolls from 2nd July:—	...	33 19 6½
			Gate No. 1 ... ..	14 5 0	
			do do 2 ... ..	2 6 5	
			do do 3 ... ..	6 8 0	
			do do 4 ... ..	11 17 7½	34 17 0½
do	16, do	...	By collection of Tolls from 9th July:—		
			Gate No. 1 ... ..	16 18 3½	
			do do 2 ... ..	2 15 0	
			do do 3 ... ..	5 0 1	
			do do 4 ... ..	11 6 2	35 19 6½
do	23, do	...	By collection of Tolls from 16th July:—		
			Gate No. 1 ... ..	13 16 4½	
			do do 2 ... ..	3 5 7	
			do do 3 ... ..	5 9 11	
			do do 4 ... ..	10 4 10½	32 16 9
do	30, do	...	By collection of Tolls from 23rd July:—		
			Gate No. 1 ... ..	12 11 9½	
			do do 2 ... ..	2 16 1	
			do do 3 ... ..	5 3 5	
			do do 4 ... ..	10 5 6½	30 16 10
August	6, do	...	By collection of Tolls from 30th July:—		
			Gate No. 1 ... ..	9 2 4	
			do do 2 ... ..	2 8 7	
			do do 3 ... ..	3 16 0½	
			do do 4 ... ..	7 5 7½	22 12 7
do	13, do	...	By collection of Tolls from 6th August:—		
			Gate No. 1 ... ..	10 4 10½	
			do do 2 ... ..	2 3 1	
			do do 3 ... ..	3 12 4½	
			do do 4 ... ..	8 2 3½	24 2 7½
do	20, do	...	By collection of Tolls from 13th August:—		
			Gate No. 1 ... ..	11 8 11	
			do do 2 ... ..	2 9 4	
			do do 3 ... ..	4 4 6	
			do do 4 ... ..	8 13 9	26 16 6
do	27, do	...	By collection of Tolls from 20th August:—		
			Gate No. 1 ... ..	10 10 10½	
			do do 2 ... ..	3 2 3	
			do do 3 ... ..	5 1 11	
			do do 4 ... ..	10 13 4	29 8 4½
September	3, do	...	By collection of Tolls from 27th August:—		
			Gate No. 1 ... ..	12 6 2	
			do do 2 ... ..	2 6 10½	
			do do 3 ... ..	4 15 6	
			do do 4 ... ..	9 16 1	29 4 7½
do	10, do	...	By collection of Tolls from 3rd September:—		
			Gate No. 1 ... ..	10 3 9	
			do do 2 ... ..	2 12 9	
			do do 3 ... ..	4 17 0	
			do do 4 ... ..	8 13 8	26 7 2
do	17, do	...	By collection of Tolls from 10th September:—		
			Gate No. 1 ... ..	12 12 0½	
			do do 2 ... ..	2 1 3½	
			do do 3 ... ..	5 0 9	
			do do 4 ... ..	10 12 7	30 6 8
do	24, do	...	By collection of Tolls from 17th September:—		
			Gate No. 1 ... ..	13 5 11½	
			do do 2 ... ..	2 17 1	
			do do 3 ... ..	5 5 9	
			do do 4 ... ..	8 14 10	30 3 7½
October	1, do	...	By collection of Tolls from 24th September:—		
			Gate No. 1 ... ..	14 9 0	
			do do 2 ... ..	2 12 10½	
			do do 3 ... ..	6 10 2	
			do do 4 ... ..	11 5 6	34 17 6½
do	8, do	...	By collection of Tolls from 1st October:—		
			Gate No. 1 ... ..	13 19 2	
			do do 2 ... ..	3 6 4½	
			do do 3 ... ..	5 16 5	
			do do 4 ... ..	9 10 1	32 12 0½
			<i>Carried over</i> ... ..	...	£455 1 5½

Appendix  
(F. F.)  
17th February.

TURNPIKE ROAD.—(Continued.)

Appendix  
(F. F.)  
17th February.

			£ s. d.	£ s. d.
		<i>Brought over</i> ...	...	455 1 5½
October	15, 1842	By collection of Tolls from 8th October:—		
		Gate No. 1 ...	12 3 2	
		do do 2 ...	3 18 7	
		do do 3 ...	5 11 4	
		do do 4 ...	8 8 5	
				30 1 6
do	22, do	By collection of Tolls from 15th October:—		
		Gate No. 1 ...	10 13 7	
		do do 2 ...	3 9 7	
		do do 3 ...	6 5 7½	
		do do 4 ...	10 3 11	
				30 12 8½
do	29, do	By collection of Tolls from 22d October:—		
		Gate No. 1 ...	13 9 7	
		do do 2 ...	3 13 4	
		do do 3 ...	6 4 1½	
		do do 4 ...	8 16 4	
				32 3 4½
November	5, do	By collection of Tolls from 29th October:—		
		Gate No. 1 ...	12 1 5	
		do do 2 ...	3 14 6	
		do do 3 ...	7 3 5	
		do do 4 ...	9 7 4	
				32 6 8
do	12, do	By collection of Tolls from 5th November:—		
		Gate No. 1 ...	11 16 11½	
		do do 2 ...	3 11 4	
		do do 3 ...	6 1 0	
		do do 4 ...	9 2 10	
				30 12 1½
do	19, do	By collection of Tolls from 12th November:—		
		Gate No. 1 ...	6 17 11½	
		do do 2 ...	2 12 7	
		do do 3 ...	5 1 6	
		do do 4 ...	6 18 11	
				21 10 11½
do	26, do	By collection of Tolls from 19th November:—		
		Gate No. 1 ...	0 12 6	
		do do 2 ...	3 6 5½	
		do do 3 ...	5 1 0	
		do do 4 ...	7 14 7	
				22 14 3½
December	3, do	By collection of Tolls from 26th November:—		
		Gate No. 1 ...	2 11 10½	
		do do 2 ...	1 2 5	
		do do 3 ...	1 18 2½	
		do do 4 ...	2 11 4	
				8 3 10
do	10, do	By collection of Tolls from 3rd December:—		
		Gate No. 1 ...	3 10 4½	
		do do 2 ...	1 9 2	
		do do 3 ...	2 4 8½	
		do do 4 ...	2 8 8	
				9 12 11
				£672 19 10

		<i>Dr.</i>	Voucher.	£ s. d.
December	27, 1842	To Nicholas Purcell, for 2300 bushels ...	1	2 6 0
January	5, 1843	To Daniel Kilday, one month's superintendence ...	2	9 0 10½
do	6, do	To John Eacutt, do do ...	3	10 0 0
do	10, do	To William Wilson, Clerk, Secretary, rent and horse hire ...	4	13 10 10
do	14, do	To Terence M'Goveran, one month's wages ...	5	4 3 4
do	do do	To John Sheehy, do do ...	6	4 3 4
do	do do	To Daniel Ferguson, do do ...	7	4 3 4
do	do do	To Toussaint Lynch, do do ...	8	4 3 4
do	28, do	To Armour & Ramsay, for stationery ...	9	3 0 5
do	do do	To Starke and Co., for printing ...	10	8 1 6
do	do do	To C. Lindsay, (Montreal Courier,) for advertizing ...	11	2 9 10
do	do do	To Post Master Dixon, for postage to 13th December last ...	12	0 16 6
do	do do	To J. Williams, moving and stowing firewood ...	13	5 0 0
February	4, do	To John Eacutt, one month's superintendence ...	14	10 0 0
do	do do	To D. Kilday, do do ...	15	9 0 10½
do	10, do	To William Wilson, salary, rent and horse hire ...	16	13 10 10
do	18, do	To Terence M'Goveran, one month's wages ...	17	4 3 4
do	do do	To John Sheehy, do do ...	18	4 3 4
do	do do	To Daniel Ferguson, do do ...	19	4 3 4
do	do do	To Toussaint Lynch, do do ...	20	4 3 4
do	do do	To John Sheehy, oil... ...	21	0 16 8
March	6, do	To D. Kilday, one month's superintendence... ...	22	9 0 10½
do	7, do	To J. Eacutt, do do ...	23	10 0 0
do	10, do	To William Wilson, salary, rent and horse hire ...	24	13 10 10
do	13, do	To T. M'Goveran, one month's wages ...	25	4 3 4
		<i>Carried forward</i> ...		£157 16 0½

Appendix  
(F. F.)

TURNPIKE ROAD.—(Continued.)

Appendix  
(F. F.)

17th February.

17th February.

			<i>Brought forward</i>	Voucher.	£ s. d.
March	13, 1848	...	To J. Sheehy, one month's wages	26	157 16 0½
do	do do	...	To D. Ferguson, do do	27	4 3 4
do	do do	...	To Toussaint Lynch, do do	28	4 3 4
do	do do	...	do do oil	29	0 17 0
do	22, do	...	To William Ginnis, balance in full for 180 cords of wood	30	33 10 0
April	5, do	...	To D. Kilday, one month's superintendence	31	9 10 0½
do	do do	...	To J. Eacutt, do do	32	10 0 0
do	8, do	...	To W. Wilson's account of contingent expenses	33	5 14 7
do	do do	...	To F. Cinq-Mars, (Aurore,) advertizing	34	1 6 10
do	10, do	...	To W. Wilson, salary, office rent and horse hire	35	13 10 10
do	15, do	...	To T. M'Govern, one month's wages	36	4 3 4
do	do do	...	To John Sheehy, do do	37	4 3 4
do	do do	...	To D. Ferguson, do do	38	4 3 4
do	do do	...	To T. Lynch, do do	39	4 3 4
May	8, do	...	To David Kilday, one month's superintendence	40	9 0 10½
do	do do	...	To John Eacutt, do do	41	7 0 0
do	10, do	...	To W. Wilson, salary, office rent and horse hire	42	13 10 10
do	13, do	...	To T. M'Govern, one month's wages	43	4 3 4
do	do do	...	To J. Sheehy, do do	44	4 3 4
do	do do	...	To Daniel Ferguson, do do	45	4 3 4
do	do do	...	To Toussaint Lynch, do do	46	4 3 4
June	8, do	...	To Joseph Daniel, law expenses	47	3 11 8
do	do do	...	To John Eacutt, one month's superintendence	48	7 0 0
do	do do	...	To D. Kilday, do do	49	9 0 10½
do	10, do	...	To William Wilson, salary, office rent and horse hire	50	13 10 10
do	17, do	...	To T. M'Govern, one month's wages	51	4 3 4
do	do do	...	To T. Sheehy, do do	52	4 3 4
do	do do	...	To D. Ferguson, do do	53	4 3 4
do	do do	...	To Toussaint Lynch, do do	54	4 3 4
do	do do	...	To balance applicable to payment of interest	...	259 10 0½
					£616 11 3½

			<i>Cr.</i>	£ s. d.	£ s. d.
December	17, 1842	...	By collection of Tolls from 10th December:—		
			Gate No. 1	9 18 0	
			do do 2	1 3 4	
			do do 3	1 6 10½	
			do do 4	2 7 0	8 15 2½
do	24, do	...	By collection of Tolls from 17th December:—		
			Gate No. 1	3 1 0	
			do do 2	0 17 5½	
			do do 3	0 16 5½	
			do do 4	1 8 10	6 3 9
do	31, do	...	By collection of Tolls from 24th December:—		
			Gate No. 1	8 0 11	
			do do 2	1 17 3	
			do do 3	2 13 10	
			do do 4	4 2 8	16 14 8
January	7, 1843	...	By collection of Tolls from 31st December:—		
			Gate No. 1	5 7 9	
			do do 2	1 14 11	
			do do 3	2 3 1	
			do do 4	6 13 10	15 19 7
do	14, do	...	By collection of Tolls from 7th January:—		
			Gate No. 1	9 0 10½	
			do do 2	1 19 3½	
			do do 3	3 6 1	
			do do 4	8 0 7	22 6 10
do	21, do	...	By collection of Tolls from 14th January:—		
			Gate No. 1	13 7 6	
			do do 2	2 13 0	
			do do 3	4 1 1	
			do do 4	8 17 3	28 18 10
do	28, do	...	By collection of Tolls from 21st January:—		
			Gate No. 1	10 5 11	
			do do 2	1 10 8½	
			do do 3	2 18 9	
			do do 4	6 9 4	21 4 8½
February	4, do	...	By collection of Tolls from 28th January:—		
			Gate No. 1	10 17 5	
			do do 2	1 17 3½	
			do do 3	2 12 5	
			do do 4	8 18 0	24 5 1½
<i>Carried over</i>					£144 8 8½

Appendix  
(F. F.)

TURNPIKE ROAD.—(Continued.)

Appendix  
(F. F.)

17th February.

17th February.

		£ s. d.		£ s. d.	
				144	8 8½
February	11, 1843	... By collection of Tolls from 4th February:—			
		Gate No. 1 ... ..		10	15 11
		do do 2 ... ..		1	12 9
		do do 3 ... ..		2	15 4
		do do 4 ... ..		6	6 9
				21	10 9
do	18, do	... By collection of Tolls from 11th February:—			
		Gate No. 1 ... ..		12	3 1
		do do 2 ... ..		2	5 5
		do do 3 ... ..		2	12 9
		do do 4 ... ..		11	11 9
				28	13 0
do	25, do	... By collection of Tolls from 18th February:—			
		Gate No. 1 ... ..		12	4 8
		do do 2 ... ..		3	1 1
		do do 3 ... ..		2	0 4
		do do 4 ... ..		7	12 10
				24	18 11
March	4, do	... By collection of Tolls from 25th February:—			
		Gate No. 1 ... ..		12	0 2
		do do 2 ... ..		1	7 10½
		do do 3 ... ..		3	10 5
		do do 4 ... ..		8	10 1
				25	8 6½
do	11, do	... By collection of Tolls from 4th March:—			
		Gate No. 1 ... ..		13	8 11
		do do 2 ... ..		1	16 1½
		do do 3 ... ..		2	13 10
		do do 4 ... ..		7	7 5
				25	6 3½
do	18, do	... By collection of Tolls from 11th March:—			
		Gate No. 1 ... ..		7	1 7
		do do 2 ... ..		1	19 6½
		do do 3 ... ..		2	7 3
		do do 4 ... ..		5	15 7
				17	3 11½
do	25, do	... By collection of Tolls from 18th March:—			
		Gate No. 1 ... ..		13	2 8
		do do 2 ... ..		2	3 6½
		do do 3 ... ..		3	2 9
		do do 4 ... ..		7	4 5
				25	13 4½
April	1, do	... By collection of Tolls from 25th March:—			
		Gate No. 1 ... ..		8	9 11
		do do 2 ... ..		1	8 6½
		do do 3 ... ..		3	1 11
		do do 4 ... ..		6	3 9
				19	4 1½
do	8, do	... By collection of Tolls from 1st April:—			
		Gate No. 1 ... ..		7	12 9
		do do 2 ... ..		1	8 10
		do do 3 ... ..		2	9 7
		do do 4 ... ..		6	14 11
				18	6 1
do	15, do	... By collection of Tolls from 8th April:—			
		Gate No. 1 ... ..		3	15 8
		do do 2 ... ..		0	19 3
		do do 3 ... ..		2	2 1
		do do 4 ... ..		2	19 8
				9	16 8
do	22, do	... By collection of Tolls from 15th April:—			
		Gate No. 1 ... ..		2	11 0
		do do 2 ... ..		0	14 8
		do do 3 ... ..		1	1 7
		do do 4 ... ..		1	7 2
				5	14 5
do	29, do	... By collection of Tolls from 22d April:—			
		Gate No. 1 ... ..		3	2 7
		do do 2 ... ..		1	4 7½
		do do 3 ... ..		1	13 2
		do do 4 ... ..		2	4 4
				8	4 8½
May	6, do	... By collection of Tolls from 29th April:—			
		Gate No. 1 ... ..		7	15 3
		do do 2 ... ..		1	12 1
		do do 3 ... ..		3	7 9
		do do 4 ... ..		5	14 6
				18	9 7
do	13, do	... By collection of Tolls from 6th May:—			
		Gate No. 1 ... ..		9	13 4
		do do 2 ... ..		1	9 0
		do do 3 ... ..		2	5 10½
		do do 4 ... ..		7	9 3
				20	17 5½
		Carried forward ... ..			
				£413	16 7

Appendix  
(F. F.)

TURNPIKE ROAD.—(Continued.)

Appendix  
(F. F.)

17th February.

17th February.

			£	s.	d.	£	s.	d.
<i>Brought forward</i> ...			...	...	...	413	16	7
May	20, 1843	... By collection of Tolls from 18th May:—						
		Gate No. 1 ...	7	18	3			
		do do 2 ...	1	4	5			
		do do 3 ...	2	11	8			
		do do 4 ...	7	1	1			
						18	15	5
do	27, do	... By collection of Tolls from 20th May:—						
		Gate No. 1 ...	9	3	2			
		do do 2 ...	1	16	8			
		do do 3 ...	2	0	4			
		do do 4 ...	6	18	2			
						10	18	4
June	3, do	... By collection of Tolls from 27th May:—						
		Gate No. 1 ...	9	4	5			
		do do 2 ...	1	11	5			
		do do 3 ...	2	3	2			
		do do 4 ...	6	19	1			
						19	18	1
do	10, do	... By collection of Tolls from 3rd June:—						
		Gate No. 1 ...	8	8	6			
		do do 2 ...	1	13	11			
		do do 3 ...	1	19	10½			
		do do 4 ...	7	3	0			
						19	5	3½
do	do do	... By Sale of Tickets to this date ...				0	16	8
do	17, do	... By collection of Tolls from 10th June:—						
		Gate No. 1 ...	12	1	11			
		do do 2 ...	2	2	4			
		do do 3 ...	2	8	10			
		do do 4 ...	8	8	4			
						25	1	5
do	24, do	... By collection of Tolls from 17th June:—						
		Gate No. 1 ...	15	16	11			
		do do 2 ...	3	10	6			
		do do 3 ...	2	6	7			
		do do 4 ...	8	16	0			
						30	10	0
do	30, do	... By collection of Tolls from 24th June:—						
		Gate No. 1 ...	11	11	7			
		do do 2 ...	1	19	5			
		do do 3 ...	1	19	9			
		do do 4 ...	7	10	9			
						23	1	6
do	do do	... By Commutation to this date ...				45	8	0
						£616	11	3½

			<i>Dr.</i>	Voucher.	£	s.	d.	
July	4, 1843	... To Daniel Kilday, one month's superintendence	1		9	0	10½	
do	do do	... To John Eacutt, do do	2		7	0	0	
do	10, do	... To W. Wilson, salary, office rent and horse hire	3		13	10	10	
do	15, do	... To T. M'Governan, one month's wages	4		4	3	4	
do	do do	... To J. Sheehy, do do	5		4	3	4	
do	do do	... To D. Ferguson, do do	6		4	3	4	
do	do do	... To T. Lynch, do do	7		4	3	4	
do	31, do	... To Zoé Boileau, one year's rent of land	8		0	15	0	
August	4, do	... To Daniel Kilday, one month's superintendence	9		9	0	10½	
do	do do	... To J. Eacutt, do do	10		7	0	0	
do	5, do	... To D. Ferguson, 23 days' wages	11		3	1	4	
do	do do	... do oil	12		0	17	4	
do	10, do	... To W. Wilson, salary, office rent and horse hire	13		13	10	10	
do	16, do	... To Terence M'Governan, one month's wages	14		4	3	4	
do	do do	... To John Sheehy, do do	15		4	3	4	
do	do do	... To J. A. Pigeon, 26 days' do	16		3	12	4	
do	do do	... To T. Lynch, one month's do	17		4	3	4	
September	4, do	... To J. Eacutt, one month's superintendence	18		7	0	0	
do	do do	... To D. Kilday, do do	19		9	0	10½	
do	9, do	... To W. Wilson, salary, office rent and horse hire	20		13	10	10	
do	18, do	... To Augustus Hill, for lumber	21		2	8	11	
do	do do	... To T. M'Governan, one month's wages	22		4	3	4	
do	do do	... To T. Sheehy, do do	23		4	3	4	
do	do do	... To J. A. Pigeon, do do	24		4	3	4	
do	do do	... To Toussaint Lynch, do do	25		4	3	4	
do	do do	... To John Eacutt, cartage of planks	1		0	15	0	
do	do do	... do extra work	2		4	10	0	
do	do do	... To Daniel Kilday, cartage of plank	3		0	16	3	
October	5, do	... To A. Demers, two years' interest, due minors Demers	4		3	7	7	
do	10, do	... To W. Wilson, salary, office rent and horse hire	5		13	10	10	
<i>Carried over</i> ...						£168	6	4½



Appendix  
(F. F.)

TURNPIKE ROAD.—(Continued.)

Appendix  
(F. F.)

17th February.

17th February.

			<i>Brought over</i>				Voucher.	£	s.	d.
October	14,	1843	To T. McGovern, one month's wages	...	...	...	6	168	6	4½
do	do	do	To J. Sheehy, do do	...	...	...	7	4	3	4
do	do	do	To T. A. Pigeon, do do	...	...	...	8	4	3	4
do	do	do	To T. Lynch, do do	...	...	...	9	4	3	4
do	do	do	To J. Eacutt, work on the road	...	...	...	10	3	0	0
do	do	do	To T. Lynch, oil	...	...	...	11	0	17	4
November	6,	do	To Joseph Perrault, one month's superintendence	...	...	...	12	5	10	0
do	9,	do	To William Wilson, salary, office rent and horse hire	...	...	...	13	13	10	10
do	11,	do	To J. Eacutt, work on the road	...	...	...	14	1	0	0
do	do	do	To J. Sheehy, oil	...	...	...	15	0	13	4
do	do	do	To O. Benoit, one month's superintendence of Section 2	...	...	...	16	2	17	11
do	do	do	To F. Charron, do do do 3	...	...	...	17	2	10	0
do	do	do	To J. Eacutt, do do do 4	...	...	...	18	3	3	0
do	15,	do	To T. McGovern, one month's wages	...	...	...	19	4	3	4
do	do	do	To J. Sheehy, do do	...	...	...	20	4	3	4
do	do	do	To J. A. Pigeon, do do	...	...	...	21	4	3	4
do	do	do	To T. Lynch, do do	...	...	...	22	4	3	4
do	25,	do	To John Eacutt, pay list, land and plank	...	...	...	23	4	11	9
December	1,	do	To Narcisse Larocque, repairing bridge, &c.	...	...	...	24	31	15	0
do	5,	do	To J. Perrault, one month's superintendence	...	...	...	25	2	0	0
do	7,	do	To O. Benoit, do do	...	...	...	26	2	17	11
do	do	do	To T. Charron, do do	...	...	...	27	2	10	0
do	do	do	To J. Eacutt, do do	...	...	...	28	4	0	0
do	9,	do	To W. Wilson, salary, office rent and horse hire	...	...	...	29	13	10	0
do	16,	do	To J. Sheehy, one month's wages	...	...	...	30	4	3	4
do	do	do	To T. McGovern, do do	...	...	...	31	4	3	4
do	do	do	To T. A. Pigeon, do do	...	...	...	32	4	3	4
do	do	do	To T. Lynch, do do	...	...	...	33	4	3	4
do	do	do	To balance carried to cash account	...	...	...	...	378	9	10
								£691	4	1½

			<i>Cr.</i>	£	s.	d.	£	s.	d.
July	8,	1843	By collection of Tolls from 30th June:—						
			Gate No. 1	12	7	5			
			do do 2	2	10	10			
			do do 3	2	2	4			
			do do 4	8	5	9			
							25	6	4
do	15,	do	By collection of Tolls from 8th July:—						
			Gate No. 1	16	3	0½			
			do do 2	2	4	9½			
			do do 3	2	8	9			
			do do 4	8	17	6			
							29	14	1
do	22,	do	By collection of Tolls from 15th July:—						
			Gate No. 1	13	2	11			
			do do 2	2	2	10			
			do do 3	2	7	7			
			do do 4	8	18	5			
							26	11	9
do	29,	do	By collection of Tolls from 22d July:—						
			Gate No. 1	12	11	8			
			do do 2	2	3	4			
			do do 3	2	9	8			
			do do 4	8	1	4			
							25	6	0
August	5,	do	By collection of Tolls from 29th July:—						
			Gate No. 1	11	12	7			
			do do 2	2	9	7½			
			do do 3	1	19	3½			
			do do 4	8	5	2			
							24	6	8
do	12,	do	By collection of Tolls from 5th August:—						
			Gate No. 1	12	3	5			
			do do 2	2	5	4			
			do do 3	1	17	7½			
			do do 4	7	6	9			
							23	13	1½
do	19,	do	By collection of Tolls from 12th August:—						
			Gate No. 1	11	9	11			
			do do 2	2	7	0½			
			do do 3	2	7	8			
			do do 4	7	5	7			
							23	10	2½
<i>Carried forward</i>							£178	8	2

Appendix  
(F. F.)

TURNPIKE ROAD.—(Continued.)

Appendix  
(F. F.)

17th February.

17th February.

		<i>Brought forward</i>		£	s.	d.	£	s.	d.
August	26, 1843	...	By collection of Tolls from 13th August:—	...	...	...	178	8	2
			Gate No. 1	12	11	9			
			do do 2	2	2	10½			
			do do 3	2	1	3			
			do do 4	7	8	2			
September	2, do	...	By collection of Tolls from 26th August:—				24	4	0½
			Gate No. 1	14	0	11			
			do do 2	2	9	3			
			do do 3	2	2	4			
			do do 4	9	18	9			
do	9, do	...	By collection of Tolls from 2nd September:—				28	11	3
			Gate No. 1	16	0	11			
			do do 2	1	14	4			
			do do 3	2	7	6			
			do do 4	8	15	6			
do	16, do	...	By collection of Tolls from 9th September:—				28	18	3
			Gate No. 1	13	9	6			
			do do 2	1	19	1½			
			do do 3	2	1	3½			
			do do 4	8	19	1			
do	23, do	...	By collection of Tolls from 16th September:—				26	8	11½
			Gate No. 1	14	10	4			
			do do 2	2	10	3			
			do do 3	1	16	1			
			do do 4	8	5	7			
do	30, do	...	By collection of Tolls from 23rd September:—				27	2	3
			Gate No. 1	18	4	1			
			do do 2	3	6	9			
			do do 3	2	2	0			
			do do 4	9	16	2			
October	6, do	...	By collection of Tolls from 30th September:—				33	9	0
			Gate No. 1	20	4	9			
			do do 2	4	1	11			
			do do 3	2	2	6			
			do do 4	8	2	1			
do	14, do	...	By collection of Tolls from 6th October:—				34	11	3
			Gate No. 1	20	15	9			
			do do 2	4	14	8½			
			do do 3	2	5	9			
			do do 4	8	12	2			
do	21, do	...	By collection of Tolls from 14th October:—				36	8	4½
			Gate No. 1	24	16	4			
			do do 2	4	10	9			
			do do 3	2	16	6			
			do do 4	10	6	5			
do	28, do	...	By collection of Tolls from 21st October:—				42	10	0
			Gate No. 1	18	11	11			
			do do 2	4	18	11½			
			do do 3	3	1	0			
			do do 4	8	15	6			
November	4, do	...	By collection of Tolls from 28th October:—				35	7	4½
			Gate No. 1	11	10	6			
			do do 2	3	3	6			
			do do 3	2	14	2			
			do do 4	8	2	6			
do	11, do	...	By collection of Tolls from 4th November:—				25	10	8
			Gate No. 1	16	7	8			
			do do 2	4	5	4			
			do do 3	3	7	3			
			do do 4	8	8	6			
do	18, do	...	By collection of Tolls from 11th November:—				32	8	9
			Gate No. 1	11	13	4			
			do do 2	1	18	5			
			do do 3	1	14	6			
			do do 4	5	10	3			
							20	16	6
							£574	14	10

Carried over

Appendix  
(F. F.)

TURNPIKE ROAD.—(Continued.)

Appendix  
(F. F.)

17th February.

17th February.

		<i>Brought over</i> ...		£ s. d.	£ s. d.
November 25, 1843	...	By collection of Tolls from 18th November:—	...	...	574 14 10
		Gate No. 1	...	6 11 1	
		do do 2	...	1 18 8	
		do do 3	...	2 1 0	
		do do 4	...	4 18 3	
December 2, do	...	By collection of Tolls from 25th November:—	...	...	15 9 0
		Gate No. 1	...	7 13 7	
		do do 2	...	1 17 3	
		do do 3	...	2 9 0	
		do do 4	...	5 14 3	
do 9, do	...	By collection of Tolls from 2nd December:—	...	...	17 14 1
		Gate No. 1	...	8 5 7	
		do do 2	...	2 3 6½	
		do do 3	...	2 4 6	
		do do 4	...	4 16 4	
do 16, do	...	By collection of Tolls from 9th December:—	...	...	17 9 11½
		Gate No. 1	...	6 15 2	
		do do 2	...	1 5 6	
		do do 3	...	1 7 0	
		do do 4	...	4 1 1	
do 18, do	...	By Commutation to this day	...	...	13 8 9
					52 7 6
					£691 4 1½

		<i>Dr.</i>	Voucher.	£ s. d.
January 6, 1844	...	To Joseph Perrault, one month's superintendence	1	3 15 0
do 8, do	...	To Olivier Benoit, do do	2	2 17 11
do do do	...	To Francois Charron, do do	3	2 10 0
do do do	...	To John Eacutt, do do	4	4 0 0
do 9, do	...	To W. Wilson, salary, office rent and horse hire...	5	13 10 10
do do do	...	To E. H. Frechette, services as arbitrator	6	2 5 0
do 13, do	...	To T. McGoveran, one month's wages	7	4 3 4
do do do	...	To J. Sheehy, do do	8	4 3 4
do do do	...	To J. A. Pigeon, do do	9	4 3 4
do do do	...	To J. Lynch, do do	10	4 3 4
do 22, do	...	To Louis Garreau, for oil	11	1 7 3
do do do	...	To J. A. Pigeon, for do	12	0 19 5
do 24, do	...	To D. Kilday, for cartage	13	0 5 8
February 5, do	...	To J. Perrault, one month's superintendence	14	3 15 0
do 7, do	...	To O. Benoit, do do	15	2 17 11
do do do	...	To F. Charron, do do	16	2 10 0
do do do	...	To J. Eacutt, do do	17	4 0 0
do 10, do	...	To W. Wilson, salary, office rent and horse hire	18	13 10 10
do 15, do	...	To T. McGoveran, one month's wages	19	4 3 4
do do do	...	To J. Sheehy, do do	20	4 3 4
do do do	...	To J. A. Pigeon, do do	21	4 3 4
do do do	...	To T. Lynch, do do	22	4 3 4
do do do	...	To Robert Easton, a bill of costs	23	9 15 0
do 16, do	...	To W. Wilson, cash disbursed by him	24	7 1 4
do do do	...	To R. B. Hait, fifty pieces boards	25	0 17 6
do 17, do	...	To J. Starke & Co., for printing	26	15 3 6
do do do	...	To Bazile Larocque, for notarial business	27	6 7 6
do 26, do	...	To T. McGoveran, for oil	28	0 9 2½
March 5, do	...	To J. Perrault, one month's superintendence	29	3 15 0
do 7, do	...	To O. Benoit, do do	30	2 17 11
do do do	...	To F. Charron, do do	31	2 10 0
do do do	...	To J. Eacutt, do do	32	4 0 0
do 11, do	...	To W. Wilson, salary, office rent and horse hire	33	13 10 10
do 16, do	...	To T. McGoveran, one month's wages	34	4 3 4
do do do	...	To J. Sheehy, do do	35	4 3 4
do do do	...	To J. A. Pigeon, do do	36	4 3 4
do do do	...	To T. Lynch, do do	37	4 3 4
April 3, do	...	To Jos. Perrault, one month's superintendence	38	3 15 0
do 7, do	...	To O. Benoit, do do	39	2 17 11
do do do	...	To F. Charron, do do	40	2 10 0
do do do	...	To J. Eacutt, do do	41	4 0 0
do 12, do	...	To W. Wilson, salary, office rent and horse hire	42	13 10 10
do 13, do	...	To T. McGoveran, one month's wages	43	4 3 4
do do do	...	To J. Sheehy, do do	44	4 3 4
<i>Carried forward</i>				£210 3 1½

TURNPIKE ROAD.—(Continued.)

Appendix (F. F.)

Appendix (F. F.)

17th February.

17th February.

		<i>Brought forward</i>		Voucher.	£ s. d.
April	13, 1844	To J. A. Pigeon, one month's wages	...	45	210 3 1½
do	do do	To T. Lynch, do do	...	46	4 3 4
do	22, do	do work about Gate No. 4	...	47	4 3 4
do	do do	do for oil	...	48	1 4 0
do	do do	To Terence M'Governan, cash disbursed by him	...	49	0 17 0
May	4, do	To J. Perrault, one month's superintendence	...	50	0 10 6
do	7, do	To O. Benoit, do do	...	51	3 15 0
do	do do	To F. Charron, do do	...	52	2 17 11
do	do do	To J. Eacutt, do do	...	53	2 10 0
do	11, do	To W. Wilson, salary, office rent and horse hire	...	54	2 16 4
do	17, do	To T. M'Governan, one month's wages	...	55	13 10 10
do	do do	To John Sheehy, do do	...	56	5 0 0
do	do do	To J. A. Pigeon, do do	...	57	3 6 8
do	do do	To Toussaint Lynch, do do	...	58	3 6 8
June	4, do	To J. Perrault, one month's superintendence	...	59	4 3 4
do	7, do	To O. Benoit, do do	...	60	3 15 0
do	do do	To F. Charron, do do	...	61	2 17 11
do	do do	To J. Eacutt, do do	...	62	2 10 0
do	do do	To Zoé M. A. B. Portier, one year's rent of land	...	63	2 16 4
do	11, do	To William Wilson, salary, office rent and horse hire	...	64	0 15 0
do	15, do	To T. M'Governan, one month's wages	...	65	13 10 10
do	do do	To John Sheehy, do do	...	66	5 0 0
do	do do	To J. A. Pigeon, do do	...	67	3 6 8
do	do do	To Toussaint Lynch, do do	...	68	3 6 8
do	22, do	To A. Cognac, moving toll house and gate	...	69	4 3 4
do	do do	To John Eacutt, pay list for making a culvert	...	70	3 5 0
do	do do	To J. A. Pigeon, for oil	...	71	0 12 6
do	do do	To balance carried to cash accounts	...	...	0 19 5
					310 5 2
					£619 11 10½

		<i>Cr.</i>	£ s. d.	£ s. d.	
December	23, 1843	By collection of Tolls from 16th December:—			
		Gate No. 1	4 0 6		
		do do 2	0 8 0½		
		do do 3	1 7 0		
		do do 4	1 15 2	7 11 11½	
do	30, do	By collection of Tolls from 23rd December:—			
		Gate No. 1	5 11 5		
		do do 2	1 0 0		
		do do 3	1 0 6		
		do do 4	2 6 0	9 18 5	
January	6, 1844	By collection of Tolls from 30th December:—			
		Gate No. 1	2 2 2		
		do do 2	0 9 8		
		do do 3	0 16 0		
		do do 4	1 13 6	5 1 4	
do	13, do	By collection of Tolls from 6th January:—			
		Gate No. 1	2 11 9		
		do do 2	0 8 10		
		do do 3	0 7 6		
		do do 4	1 12 11	5 1 0	
do	20, do	By collection of Tolls from 13th January:—			
		Gate No. 1	12 1 6		
		do do 2	1 12 0		
		do do 3	1 13 0		
		do do 4	6 17 0	22 3 6	
do	27, do	By collection of Tolls from 20th January:—			
		Gate No. 1	17 7 10		
		do do 2	2 15 7		
		do do 3	3 10 2		
		do do 4	9 16 4	33 9 11	
February	3, do	By collection of Tolls from 27th January:—			
		Gate No. 1	17 9 8		
		do do 2	2 19 9		
		do do 3	2 13 9		
		do do 4	8 9 10	31 13 0	
do	10, do	By collection of Tolls from 3rd February:—			
		Gate No. 1	20 19 7		
		do do 2	3 4 0		
		do do 3	2 19 11½		
		do do 4	8 19 10	36 4 1½	
do	17, do	By collection of Tolls from 10th February:—			
		Gate No. 1	15 7 11		
		do do 2	2 18 7½		
		do do 3	2 16 3		
		do do 4	8 9 2	29 11 11½	
					£180 15 2½

Carried over

Appendix  
(F. F.)

TURNPIKE ROAD.—(Continued.)

Appendix  
(F. F.)

17th February.

17th February.

		£ s. d.		£ s. d.	
February	24, 1844	...	...	180	15 2½
	...	<i>Brought over</i> ...			
	...	By collection of Tolls from 17th February:—			
	...	Gate No. 1	...	15	8 8
	...	do do 2	...	2	7 1
	...	do do 3	...	2	10 8
	...	do do 4	...	6	14 9
March	2, do	...	...	27	0 0
	...	By collection of Tolls from 24th February:—			
	...	Gate No. 1	...	19	6 3
	...	do do 2	...	3	5 1
	...	do do 3	...	2	10 0
	...	do do 4	...	8	3 4
do	9, do	...	...	39	4 8
	...	By collection of Tolls from 2nd March:—			
	...	Gate No. 1	...	16	11 2
	...	do do 2	...	2	2 9
	...	do do 3	...	2	16 1
	...	do do 4	...	5	2 4
do	16, do	...	...	26	12 4
	...	By collection of Tolls from 9th March:—			
	...	Gate No. 1	...	11	3 2½
	...	do do 2	...	2	0 4
	...	do do 3	...	1	16 0½
	...	do do 4	...	5	0 7
do	23, do	...	...	20	0 2
	...	By collection of Tolls from 16th March:—			
	...	Gate No. 1	...	7	4 3
	...	do do 2	...	2	5 3
	...	do do 3	...	1	14 1
	...	do do 4	...	4	8 7
do	30, do	...	...	15	12 2
	...	By collection of Tolls from 23rd March:—			
	...	Gate No. 1	...	6	1 0
	...	do do 2	...	0	17 6
	...	do do 3	...	1	0 3
	...	do do 4	...	2	19 2
April	6, do	...	...	10	17 11
	...	By collection of Tolls from 30th March:—			
	...	Gate No. 1	...	3	6 7
	...	do do 2	...	0	11 7
	...	do do 3	...	0	15 0
	...	do do 4	...	1	17 9
do	13, do	...	...	6	10 11
	...	By collection of Tolls from 6th April:—			
	...	Gate No. 1	...	2	3 0
	...	do do 2	...	0	13 10½
	...	do do 3	...	0	9 6
	...	do do 4	...	1	7 11
do	20, do	...	...	4	14 3½
	...	By collection of Tolls from 13th April:—			
	...	Gate No. 1	...	5	1 1
	...	do do 2	...	1	10 11
	...	do do 3	...	1	0 0
	...	do do 4	...	2	15 11
do	27, do	...	...	10	7 11
	...	By collection of Tolls from 20th April:—			
	...	Gate No. 1	...	6	18 2
	...	do do 2	...	0	19 11
	...	do do 3	...	0	19 11
	...	do do 4	...	4	5 4
May	4, do	...	...	13	8 4
	...	By collection of Tolls from 27th April:—			
	...	Gate No. 1	...	11	10 9
	...	do do 2	...	1	8 4
	...	do do 3	...	2	3 10½
	...	do do 4	...	5	0 4
do	11, do	...	...	20	3 3½
	...	By collection of Tolls from 4th May:—			
	...	Gate No. 1	...	9	3 0
	...	do do 2	...	1	11 4
	...	do do 3	...	2	1 0
	...	do do 4	...	5	18 6
do	18, do	...	...	18	13 10
	...	By collection of Tolls from 11th May:—			
	...	Gate No. 1	...	8	9 9
	...	do do 2	...	2	2 9½
	...	do do 3	...	1	17 0
	...	do do 4	...	6	7 11
do	25, do	...	...	18	17 5½
	...	By collection of Tolls from 18th May:—			
	...	Gate No. 1	...	10	6 8
	...	do do 2	...	2	4 3
	...	do do 3	...	1	10 8
	...	do do 4	...	5	11 4
	...	...	...	19	12 6
	...	<i>Carried forward</i> ...			
	...	...	...	£426	6 9

Appendix  
(F. F.)

TURNPIKE ROAD.—(Continued.)

Appendix  
(F. F.)

17th February.

		<i>Brought forward</i>		£ s. d.	£ s. d.
June	1, 1844	...	By collection of Tolls from 25th May:—	...	426 6 0
			Gate No. 1	13 8 10	
			do do 2	1 16 0	
			do do 3	1 15 10	
			do do 4	6 2 0	
					23 12 8
do	8, do	...	By collection of Tolls from 1st June:—		
			Gate No. 1	16 6 9	
			do do 2	2 18 9	
			do do 3	2 1 1	
			do do 4	8 14 5	
					30 1 0
do	15, do	...	By collection of Tolls from 8th June:—		
			Gate No. 1	17 2 8	
			do do 2	2 8 2	
			do do 3	2 8 4½	
			do do 4	8 19 11	
					30 19 1½
do	22, do	...	By collection of Tolls from 15th June:—		
			Gate No. 1	15 14 9	
			do do 2	1 9 3	
			do do 3	2 10 4	
			do do 4	9 3 9	
					28 18 1
do	29, do	...	By collection of Tolls from 22d June:—		
			Gate No. 1	13 11 7	
			do do 2	1 18 2	
			do do 3	1 10 0½	
			do do 4	7 12 3	
					24 12 0½
do	do do	...	By Commutation to this date		55 2 2½
					£619 11 10½

		<i>Dr.</i>		Voucher.	£ s. d.
July	6, 1844	...	To John Eacutt, one month's superintendence	1	2 16 4
do	do do	...	To W. Wilson, cash disbursed	2	7 7 11
do	9, do	...	To W. Wilson, salary, office rent and horse hire	3	13 10 10
do	13, do	...	To J. Perrault, one month's superintendence	4	3 15 0
do	do do	...	To O. Benoit, do do	5	2 17 11
do	do do	...	To F. Charron, do do	6	2 10 0
do	do do	...	To T. M'Goveran, one month's wages	7	5 0 0
do	do do	...	To J. Sheehy, do do	8	3 6 8
do	do do	...	To J. A. Pigeon do do	9	3 6 8
do	do do	...	To T. Lynch do do	10	4 3 4
August	3, do	...	To J. Perrault, one month's superintendence	11	3 15 0
do	7, do	...	To O. Benoit, do do	12	2 17 11
do	do do	...	To F. Charron, do do	13	2 10 0
do	do do	...	To J. Eacutt do do	14	2 16 4
do	10, do	...	To W. Wilson, salary, office rent and horse hire	15	13 10 10
do	do do	...	To A. Cognac, repair of a bridge	16	4 13 10½
do	do do	...	To T. M'Goveran, one month's wages	17	5 0 0
do	do do	...	To J. Sheehy, do do	18	3 6 8
do	do do	...	To J. A. Pigeon, do do	19	3 6 8
do	do do	...	To T. Lynch, do do	20	4 3 4
do	do do	...	To J. Sheehy, oil at Gate No. 2	21	1 13 4
do	do do	...	To J. A. Pigeon, oil at Gate No. 3	22	0 18 9
September	3, do	...	To J. Perrault, one month's superintendence	23	3 15 0
do	7, do	...	To O. Benoit, do do	24	2 17 11
do	do do	...	To F. Charron, do do	25	2 10 0
do	do do	...	To J. Eacutt, do do	26	2 16 4
do	11, do	...	To W. Wilson, salary, office rent and horse hire	27	13 10 10
do	14, do	...	To T. M'Goveran, one month's wages	28	5 0 0
do	do do	...	To J. Sheehy, do do	29	3 6 8
do	do do	...	To J. A. Pigeon, do do	30	3 6 8
do	do do	...	To T. Lynch, do do	31	4 3 4
October	7, do	...	To J. Perrault, one month's superintendence	32	3 15 0
do	do do	...	To O. Benoit, do do	33	2 17 11
do	do do	...	To J. Eacutt, do do	34	2 16 4
do	do do	...	To F. Charron do do	35	2 10 0
do	12, do	...	To W. Wilson, salary, office rent and horse hire	36	13 10 10
do	15, do	...	To T. M'Goveran, one month's wages	37	5 0 0
do	do do	...	To J. Sheehy, do do	38	3 6 8
do	do do	...	To J. A. Pigeon, do do	39	3 6 8
do	do do	...	To T. Lynch, do do	40	4 3 4
do	21, do	...	To N. Larocque, repairs of Toll House	41	2 0 0
November	4, do	...	To J. Perrault, one month's superintendence of 2d section	42	5 0 0
do	16, do	...	To F. Charron, do do 3d do	43	2 10 0
do	do do	...	To J. Eacutt, do do 4th do	44	4 0 0
do	do do	...	To W. Wilson, salary, office rent and horse hire	45	13 10 10
do	do do	...	To T. M'Goveran, one month's wages	46	5 0 0
do	do do	...	To J. Sheehy, do do	47	3 6 8
do	do do	...	To J. A. Pigeon, do do	48	3 6 8
<i>Carried over</i>					£218 15 0½

Appendix  
(F. F.)

TURNPIKE ROAD.—(Continued.)

Appendix  
(F. F.)

17th February.

17th February.

		<i>Brought over</i>	Voucher.	£ s. d.
November	16, 1844	To T. Lynch, one month's wages ...	49	218 15 0½
December	5, do	To Louis Garcan, goods furnished ...	50	4 3 4
do	do do	To W. Wilson, monies disbursed ...	51	2 18 6
do	do do	To Ludger Duvernay, advertizing in the Minerve ...	52	8 17 6
do	do do	To Armour & Ramsay, stationery and printing ...	53	6 2 6
do	do do	To Zoé Boileau Portier, six months rent of land ...	54	9 10 2
do	do do	To A. Demers, one year's interest due minors ...	55	0 7 6
do	11, do	To Joseph Perrault, one month's superintendence ...	56	1 13 9½
do	do do	To E. H. Frachette and Nephew, account for oil ...	57	4 3 4
do	14, do	To J. Eacutt, one month's superintendence ...	58	2 12 0
do	do do	To J. R. Gibbons, do do ...	59	5 0 0
do	do do	To W. Wilson, salary, office rent, and horse hire ...	60	3 6 8
do	do do	To T. M'Govern, one month's wages ...	61	13 10 10
do	do do	To J. Sheehy, do do ...	62	5 0 0
do	do do	To J. A. Pigeon, do do ...	63	3 6 8
do	do do	To Toussaint Lynch, do do ...	64	3 6 8
do	do do	To J. Eacutt, a pay-list for extra work on the road ...	65	4 3 4
do	do do	To Balance carried to Cash Account ...		4 15 0
				371 1 7
				£672 14 5

		<i>Cr.</i>	£ s. d.	£ s. d.
July	6, 1844	...By collection of Tolls from 29th June:—		
		Gate No. 1 ...	13 8 8	
		do do 2 ...	2 6 8	
		do do 3 ...	2 1 2	
		do do 4 ...	8 10 4	26 6 10
do	13, do	...By collection of Tolls from 6th July:—		
		Gate No. 1 ...	13 18 8	
		do do 2 ...	2 14 10	
		do do 3 ...	1 17 6½	
		do do 4 ...	7 14 1	26 5 1½
do	20, do	...By collection of Tolls from 13th July:—		
		Gate No. 1 ...	17 14 8	
		do do 2 ...	3 5 4	
		do do 3 ...	1 11 3	
		do do 4 ...	9 4 8	31 15 11
do	27, do	...By collection of Tolls from 20th July:—		
		Gate No. 1 ...	15 18 5	
		do do 2 ...	3 3 6	
		do do 3 ...	2 1 6	
		do do 4 ...	7 15 5	28 18 10
August	3, do	...By collection of Tolls from 27th July:—		
		Gate No. 1 ...	11 7 0	
		do do 2 ...	2 6 1	
		do do 3 ...	1 10 10½	
		do do 4 ...	6 8 0	21 11 11½
do	10, do	...By collection of Tolls from 3rd August:—		
		Gate No. 1 ...	10 5 3	
		do do 2 ...	2 7 7½	
		do do 3 ...	1 9 10	
		do do 4 ...	6 1 7	20 4 3½
do	17, do	...By collection of Tolls from 10th August:—		
		Gate No. 1 ...	13 8 6	
		do do 2 ...	2 6 4	
		do do 3 ...	1 15 0	
		do do 4 ...	6 17 1	24 6 11
do	24, do	...By collection of Tolls from 17th August:—		
		Gate No. 1 ...	13 9 3	
		do do 2 ...	2 18 4	
		do do 3 ...	1 10 7½	
		do do 4 ...	6 11 0	24 9 2½
do	31, do	...By collection of Tolls from 24th August:—		
		Gate No. 1 ...	15 5 1	
		do do 2 ...	2 10 8	
		do do 3 ...	1 7 6	
		do do 4 ...	6 18 1	26 1 4
September	7, do	...By collection of Tolls from 31st August:—		
		Gate No. 1 ...	13 13 0	
		do do 2 ...	1 15 5	
		do do 3 ...	1 10 7½	
		do do 4 ...	6 19 3	23 18 3½
<i>Carried forward</i>				£253 18 8½

Appendix  
(F. F.)

TURNPIKE ROAD.—(Concluded.)

Appendix  
(F. F.)

17th February.

17th February.

				£ s. d.	£ s. d.
		<i>Brought forward</i> ...		...	253 18 8½
September 14, 1844	... By collection of Tolls from 7th September:—				
	Gate No. 1 ...			19 10 1	
	do do 2 ...			2 17 6½	
	do do 3 ...			1 11 3	
	do do 4 ...			8 2 7	32 1 5½
do 21, do	... By collection of Tolls from 14th September:—				
	Gate No. 1 ...			18 14 10	
	do do 2 ...			4 9 0	
	do do 3 ...			1 17 11	
	do do 4 ...			7 5 3	32 7 0
do 28, do	... By collection of Tolls from 21st September:—				
	Gate No. 1 ...			22 15 7½	
	do do 2 ...			5 9 0	
	do do 3 ...			1 19 1	
	do do 4 ...			6 9 6	36 13 2½
October 5, do	... By collection of Tolls from 28th September:—				
	Gate No. 1 ...			14 13 11	
	do do 2 ...			3 18 9	
	do do 3 ...			1 17 11½	
	do do 4 ...			6 1 4	26 11 11½
do 12, do	... By collection of Tolls from 5th October:—				
	Gate No. 1 ...			20 0 11	
	do do 2 ...			8 5 8	
	do do 3 ...			2 3 3	
	do do 4 ...			8 11 5	39 1 3
do 19, do	... By collection of Tolls from 12th October:—				
	Gate No. 1 ...			18 14 11	
	do do 2 ...			5 18 1	
	do do 3 ...			2 1 1	
	do do 4 ...			8 15 9	35 9 10
do 26, do	... By collection of Tolls from 19th October:—				
	Gate No. 1 ...			24 3 6	
	do do 2 ...			6 13 8	
	do do 3 ...			1 13 6½	
	do do 4 ...			8 8 10	40 19 6½
November 2, do	... By collection of Tolls from 26th October:—				
	Gate No. 1 ...			10 1 3	
	do do 2 ...			3 7 7	
	do do 3 ...			1 14 0½	
	do do 4 ...			7 0 8	22 3 6½
do 9, do	... By collection of Tolls from 2nd November:—				
	Gate No. 1 ...			14 11 1	
	do do 2 ...			3 0 5	
	do do 3 ...			1 12 1	
	do do 4 ...			6 5 7	25 9 2
do 16, do	... By collection of Tolls from 9th November:—				
	Gate No. 1 ...			10 8 5	
	do do 2 ...			3 10 5	
	do do 3 ...			1 10 7	
	do do 4 ...			5 3 5	20 12 10
do 23, do	... By collection of Tolls from 16th November:—				
	Gate No. 1 ...			10 11 7	
	do do 2 ...			5 13 0	
	do do 3 ...			1 8 8	
	do do 4 ...			5 0 6	22 13 9
do 30, do	... By collection of Tolls from 23rd November:—				
	Gate No. 1 ...			6 1 0	
	do do 2 ...			1 0 1	
	do do 3 ...			0 17 4½	
	do do 4 ...			2 11 7	10 10 0½
December 7, do	... By collection of Tolls from 30th November:—				
	Gate No. 1 ...			7 18 4	
	do do 2 ...			1 19 11	
	do do 3 ...			1 10 3½	
	do do 4 ...			4 8 4	15 16 10½
do 14, do	... By collection of Tolls from 7th December:—				
	Gate No. 1 ...			5 3 5	
	do do 2 ...			0 13 7	
	do do 3 ...			0 11 0	
	do do 4 ...			2 10 3	
	By Commutation to this date ...			...	5 16 3
					49 7 0
					£672 14 5

(Signed) JOHN GLEN, Manager.

CHAMBLY, 24th January, 1845.



Appendix  
(F. F.)

STEAM FERRY BOAT.

Appendix  
(F. F.)

17th February.

17th February.

		<i>Dr.</i>		Voucher.	£	s.	d.
May	22, 1843	...	To Hubert Milhette, one month's wages	1	3	10	0
do	do do	...	To Moyse Bouthillier, do do	2	3	10	0
do	do do	...	To Joseph Laframboise do do	3	3	15	0
June	3, do	...	To Joseph Bouthillier, Pilot	4	10	0	0
do	24, do	...	To Olivier Felix, 42 cords tamarac	...	15	15	0
do	30, do	...	To Hubert Milhette, one month's wages	5	3	10	0
do	do do	...	To Moyse Bouthillier, do do	6	3	10	0
do	do do	...	To Joseph Laframboise, do do	7	3	15	0
do	do do	...	To Jacques Viger, cartage of fire-wood	8	2	10	0
do	do do	...	To W. Brown, account of contract for erecting wharf	9	15	0	0
do	do do	...	To balance applicable to payment of interest	...	208	13	11
					£273	8	11

		<i>Cr.</i>			£	s.	d.
May	6, 1843	...	By collection from 2nd May	...	11	16	4
do	13, do	...	do 6th do	...	22	15	0
do	20, do	...	do 13th do	...	28	4	3
do	27, do	...	do 20th do	...	29	3	0
June	3, do	...	do 27th do	...	28	18	7
do	10, do	...	do 3rd June	...	24	1	6
do	do do	...	By sale of tickets to this date	...	4	0	0
do	17, do	...	By collection from 10th June	...	35	16	0
do	24, do	...	do 17th do	...	47	5	6
do	30, do	...	do 24th do	...	41	8	9
					£273	8	11

		<i>Dr.</i>		Voucher.	£	s.	d.
July	17, 1843	...	To Pierre Guiard, blacksmith's work	1	2	16	6 $\frac{1}{2}$
do	do do	...	To Charles Auger, repairs	2	6	5	0
do	do do	...	To Damase Robitaille, carpenter's work	3	1	9	6
do	do do	...	To W. Roland, tin work to engine	4	1	10	2
do	do do	...	To Simon Valois, timber and oars	5	5	2	10
do	do do	...	To A. T. Dufresne, timber, oars, &c.	6	4	17	11 $\frac{1}{2}$
do	do do	...	To John Swail, sums disbursed	7	16	5	3
do	do do	...	To John Swail, Master, salary	8	20	0	0
do	do do	...	To Hubert Milhette, one month's wages	9	3	10	0
do	do do	...	To Moyse Bouthillier, do do	10	3	10	0
do	do do	...	To Joseph Laframboise, do do	11	3	15	0
do	do do	...	To Robert Holmes, Engineer, salary	12	20	0	0
do	19, do	...	To Louis Gilheres, 17 $\frac{1}{2}$ cords tamarac	13	6	11	3
do	do do	...	To Olivier Felix, 42 do do	14	15	15	0
do	22, do	...	To J. B. Lagrave, 18 $\frac{3}{4}$ do do	15	6	11	9
do	do do	...	To Louis Belant, 12 $\frac{1}{4}$ do do	16	4	18	0
do	do do	...	To Olivier Felix, 29 do do	17	10	17	6
do	24, do	...	To John Eacutt, five days' work at the boat	18	1	0	0
do	29, do	...	To Peter M'Nie, account of 221 $\frac{1}{2}$ cords tamarac	19	50	0	0
do	do do	...	To Montreal Fire Assurance Company, for insurance	20	32	0	0
August	5, do	...	To Brown & Guthrie, jobs of work, per contract	21	12	6	3
do	do do	...	To Jacques Viger, cartage of fire-wood	22	3	0	0
do	do do	...	To Olivier Felix, 41 cords of tamarac	23	15	7	6
do	do do	...	To cording and measuring do	...	0	1	6
do	do do	...	To P. Bridiron, 19 gals. 1 qt. of oil	24	3	17	0
do	8, do	...	To B. Lavallée, 72 cords tamarac	25	27	0	0
do	12, do	...	To Joseph Bouthillier, Pilot, wages	26	20	0	0
do	do do	...	To J. Robb, new steering wheel	26 $\frac{1}{2}$	3	7	6
do	do do	...	To A. Gauthier, oil for painting the boat	27	1	5	0
do	19, do	...	To J. Swail, Master, salary	28	20	0	0
do	do do	...	To Robert Holmes, Engineer, salary	29	10	0	0
do	do do	...	To Hubert Milhette, one month's wages	30	3	10	0
do	do do	...	To Moyse Bouthillier, do do	31	3	10	0
do	do do	...	To Joseph Laframboise, do do	32	3	15	0
do	do do	...	To Eugene Viger, do do	33	3	0	0
do	do do	...	To J. Eacutt, approaches to the wharves	34	4	12	3
do	26, do	...	To A. T. Dufresne, square timber and floats	35	9	9	5
do	do do	...	To Olivier Felix, 191 $\frac{1}{2}$ cords tamarac	36	71	16	3
September	9, do	...	To Peter M'Nie, balance of 221 $\frac{1}{4}$ cords tamarac	37	48	5	9
do	13, do	...	To Olivier Felix, 92 cords tamarac	38	34	10	0
do	18, do	...	To Hubert Milhette, one month's wages	39	3	10	0
<i>Carried forward</i>					£518	19	2

Appendix  
(F. F.)

STEAM FERRY BOAT.—(Continued.)

Appendix  
(F. F.)

17th February.

17th February.

				Voucher.	£	s.	d.
<i>Brought forward</i>							
September 18, 1843	...	To Moyse Bouthillier, one month's wages	...	40	518	19	2
do do do	...	To Joseph Laframboise, twenty-five days' wages	...	41	3	10	0
do do do	...	To E. Viger, twenty-six days' wages	...	42	2	10	0
do do do	...	To J. Eacutt, wages for ditching and fencing	...	43	3	0	3
do do do	...	To M. Viau, cordage of firewood	...	44	1	17	0
do do do	...	To J. Swail, a fine and costs paid Trinity House	...	45	5	16	6
do do do	...	To J. Bouthillier, Pilot, wages	...	46	10	0	0
do 28, do	...	To O. Felix, 41 cords tamarac	...	1	15	7	6
October 14, do	...	To William Brown, various jobs of work	...	2	8	16	7½
do do do	...	do account of contract for wharves	...	3	2	10	0
do do do	...	To R. Holmes, Engineer, salary	...	4	20	0	0
do do do	...	To Ant. Lavallée, 81 cords tamarac	...	5	30	7	6
do 21, do	...	To Moyse Bouthillier, one month's wages	...	6	3	10	0
do do do	...	To Hubert Milhette, do do	...	7	3	10	0
do do do	...	To Joseph Laframboise, do do	...	8	3	15	0
do do do	...	To Eugene Viger, do do	...	9	3	0	0
do 28, do	...	To Joseph Bouthillier, Pilot, wages	...	10	10	0	0
do do do	...	To L. Collin, payment for a boat	...	11	7	10	0
do 30, do	...	To W. Brown, account of contract for wharves	...	12	5	0	0
November 4, do	...	To O. Felix, 23 cords tamarac	...	13	8	12	6
do do do	...	do 42 do do	...	14	15	15	0
do 7, do	...	To R. Blackston, covering the steam-pipe	...	15	2	5	0
do 8, do	...	To A. Lavallée, 67 cords tamarac	...	16	25	2	6
do 11, do	...	To W. Rice, wire cap to steamboat funnel	...	17	3	4	6
do do do	...	To P. Girard, blacksmith's work	...	18	2	8	6
do do do	...	To Brown & Guthrie, carpenter's work	...	19	3	13	6
do do do	...	To R. Holmes, Engineer, salary	...	20	10	0	0
do do do	...	To J. Robb, a guide post	...	21	1	5	0
do 18, do	...	To J. Swail, Master, salary	...	22	20	0	0
do do do	...	To M. Bouthillier, one month's wages	...	23	3	10	0
do do do	...	To H. Milhette, do do	...	24	3	10	0
do do do	...	To J. Laframboise, do do	...	25	3	15	0
do do do	...	To E. Viger, do do	...	26	3	0	0
do do do	...	To M. Viau, cartage of wood	...	27	1	4	6
do 20 do	...	To Olivier Felix, 33½ cords wood	...	28	14	19	3
do 28 do	...	To Felix Foisy, pilotage to Chambly	...	29	1	5	0
December 2, do	...	To H. Milhette, half month's wages	...	30	1	15	0
do do do	...	To M. Bouthillier, do do	...	31	1	15	0
do do do	...	To J. Laframboise, do do	...	32	1	17	6
do do do	...	To Joseph Bouthillier, Pilot, wages in full	...	33	10	0	0
do do do	...	To R. Holmes, Engineer, do do	...	34	21	0	0
do do do	...	To J. Swail, Master, do do	...	35	20	0	0
do do do	...	To F. Gelineau, half month's wages	...	36	1	10	0
do do do	...	To Brown & Guthrie, balance due on contract	...	37	12	10	0
do 4, do	...	To J. Eacutt, a pay list, taking in wharves	...	38	13	14	9
					£869	12	0½

		<i>Cr.</i>		£	s.	d.	
July 8, 1843	...	By collection from 30th June	...	41	5	3	
do 15, do	...	do 8th July	...	49	19	6	
do 22, do	...	do 15th do	...	51	5	0	
do 29, do	...	do 22d do	...	46	7	9	
August 5, do	...	do 29th do	...	56	12	0	
do 12, do	...	do 5th August	...	54	15	0	
do 19, do	...	do 12th do	...	57	0	0	
do 26, do	...	do 19th do	...	54	18	0	
September 2, do	...	do 26th do	...	65	6	3	
do 9, do	...	do 2d September	...	64	5	0	
do 16, do	...	do 9th do	...	57	0	0	
do 23, do	...	do 16th do	...	34	13	9	
do 30, do	...	do 23d do	...	24	16	0	
October 6, do	...	do 30th do	...	19	15	0	
do 14, do	...	do 6th October	...	21	9	0	
do 21, do	...	do 14th do	...	27	10	0	
do 28, do	...	do 21st do	...	19	1	9	
November 4, do	...	do 28th do	...	19	5	6	
do 11, do	...	do 4th November	...	20	12	6	
do 18, do	...	do 11th do	...	23	5	0	
do 25, do	...	do 18th do	...	9	8	8	
do do do	...	By ferryage, per contract with Commissary General	...	22	14	9	
do do do	...	By balance (loss) carried to cash account	...	28	7	4½	
					£869	12	0½

Appendix  
(F. F.)

STEAM FERRY BOAT.—(Continued.)

Appendix  
(F. F.)

17th February.

17th February.

		<i>Dr.</i>				Voucher.	£	s.	d.
January	22, 1844	...	To Louis Garenou, blankets and cloth	...	...	1	5	1	0
April	25, do	...	To Antoine Lavallée, 49½ cords tamarac	...	...	2	26	2	4½
May	8, do	...	do 52 do	...	...	3	20	16	0
do	13, do	...	To Joseph Perrault, carpenter's work	...	...	4	7	8	6
do	do do	...	To J. Perrault and J. Cognac, carpenter's work and paint	...	...	5	14	10	0
do	do do	...	To A. Cognac, carpenter's work	...	...	6	2	5	3
do	do do	...	To J. Eacutt, erecting wharves (a pay list)	...	...	7	7	19	1½
do	15, do	...	To Abraham Viau, one month's wages...	...	...	8	3	0	0
do	do do	...	To Joseph Brais, one month and two days' wages	...	...	9	3	4	0
do	do do	...	To Eugene Viger, do do	...	...	10	3	0	0
do	do do	...	To Joseph Laframboise, one month and 18 days' wages	...	...	11	6	0	0
do	do do	...	To Joseph Lavallée, 20½ cords wood	...	...	12	9	14	9
do	18, do	...	To John Pool, blacksmith's work	...	...	13	2	8	0
do	21, do	...	To Antoine Lavallée, 71½ cords tamarac	...	...	14	28	12	0
do	do do	...	To Michel Viau, cartage of fire-wood	...	...	15	1	12	0
do	22, do	...	To Charles Menard, 29 cords tamarac	...	...	16	11	12	0
do	25, do	...	To Olivier Felix, 96 do do	...	...	17	38	8	0
do	do do	...	To J. Gallagher, Engineer, one month eighteen days' salary	...	...	18	17	1	11
June	1, do	...	To J. Swail, cash disbursed by him	...	...	19	5	6	9
do	do do	...	To J. R. Gibbons, removing wharves	...	...	20	4	10	0
do	do do	...	To J. Eacutt, a pay list, building wharves	...	...	21	8	14	7½
do	do do	...	To B. A. Wilson, 46 cords tamarac	...	...	22	21	17	0
do	7, do	...	To J. Eacutt, a pay list, building wharves	...	...	23	4	8	10½
do	12, do	...	To T. Arpin, freight of 24½ cords tamarac	...	...	24	4	19	0
do	15, do	...	To A. Viau, one month's wages	...	...	25	3	0	0
do	do do	...	To Jos. Laframboise, do do	...	...	26	3	0	0
do	do do	...	To Eugene Viger, do do	...	...	27	3	0	0
do	do do	...	To Joseph Brais, do do	...	...	28	3	15	0
do	do do	...	To John Eacutt, a pay list, building wharf	...	...	29	1	11	6
do	22, do	...	do do do	...	...	30	2	17	0
do	27, do	...	To William Wilson, labour and materials, repairing boat	...	...	31	5	4	6
do	28, do	...	To O. Felix, part payment of freight of wood	...	...	32	11	15	0
do	do do	...	To A. Lavallée, do do do	...	...	33	5	0	0
do	do do	...	To balance (profit) carried to cash account	...	...	...	95	14	2½
							£393	8	4½

		<i>Cr.</i>				£	s.	d.	
April	27, 1844	...	By collection from 19th April	...	...	9	17	7	
May	4, do	...	do 27th do	...	...	12	0	1½	
do	11, do	...	do 4th May	...	...	10	16	3	
do	18, do	...	do 11th do	...	...	15	6	5	
do	25, do	...	do 18th do	...	...	46	0	1½	
June	1, do	...	do 25th do	...	...	47	18	8	
do	8, do	...	do 1st June	...	...	62	6	10	
do	15, do	...	do 8th do	...	...	58	7	1½	
do	22, do	...	do 15th do	...	...	70	8	8	
do	29, do	...	do 22d do	...	...	60	6	7	
							£393	8	4½

		<i>Dr.</i>				Voucher.	£	s.	d.
July	6, 1844	...	To John Eacutt, pay list of work about wharf	...	...	1	2	10	6
do	do do	...	To J. Bouthillier, Pilot, account of wages	...	...	2	15	0	0
do	13, do	...	To Antoine Lavallée, in full for freight of wood	...	...	3	9	15	10
do	17, do	...	To Olivier Felix, in full for do do	...	...	4	15	15	4½
do	20, do	...	To A. Viau, one month's wages	...	...	5	3	0	0
do	do do	...	To J. Laframboise, one month's wages	...	...	6	3	0	0
do	do do	...	To Eugene Viger, do do	...	...	7	3	0	0
do	do do	...	To J. Brais, do do	...	...	8	3	15	0
do	do do	...	To J. Gallagher, Engineer, two months' wages	...	...	9	20	0	0
do	do do	...	To F. Arpin, freight of twenty-four cords three feet tamarac...	...	...	10	4	17	6
do	24, do	...	To E. H. Frechette & Co., goods furnished...	...	...	11	5	8	9½
do	27, do	...	To J. H. Jobin, Notary, on account	...	...	12	1	0	0
do	do do	...	To J. Bouthillier, Pilot, wages on account	...	...	13	10	0	0
do	do do	...	To J. Eacutt, a pay list of work at wharves	...	...	14	8	5	11
August	5, do	...	To T. Franchere, 150 cords tamarac	...	...	15	52	18	0
do	12, do	...	To E. Soupras, 165½ do	...	...	16	62	4	11
do	do do	...	To Montreal Fire Assurance Company, for insurance	...	...	...	32	0	0
do	17, do	...	To J. Swail, cash disbursed for boat	...	...	17	14	2	7
do	do do	...	To J. Laframboise, one month's wages	...	...	18	3	10	0
<i>Carried forward</i>							£270	4	5

Appendix  
(F. F.)

STEAM FERRY BOAT.—(Concluded.)

Appendix  
(F. F.)

17th Februry.

17th Februry.

		<i>Brought forward</i>		Voucher.	£	s.	d.
August	17, 1844	To E. Viger, one month's wages	-	19	270	4	5
do	do do	To Abr. Viau, do do	-	20	3	10	0
do	do do	To J. Brais, do do	-	21	3	15	0
do	do do	To J. Gallagher, do do	-	22	10	0	0
do	21, do	To J. Bouthillier, account of do	-	23	15	0	0
do	24, do	To J. Swail, Mastor, four month's wages	-	24	40	0	0
do	do do	To F. Arpin, freight of twenty-five cords tamarac	-	25	5	0	0
September	7, do	To J. Swail, pay list of labour in caulking	-	26	8	1	6
do	14, do	To J. Laframboise, one month's wages	-	27	3	10	0
do	do do	To E. Viger, do do	-	28	3	10	0
do	do do	To A. Viau, do do	-	29	3	10	0
do	do do	To J. Brais, do do	-	30	3	15	0
do	21, do	To J. Eacutt, work about the wharves	-	31	5	15	0
do	27, do	To M. O. E. Fortier, 320 cords two feet firewood	-	32	142	11	9
October	12, do	To J. Swail, account of salary	-	33	8	2	6
do	do do	To J. Bouthillier, do do	-	34	10	0	0
do	15, do	To J. Gallagher, two month's salary	-	35	20	0	0
do	do do	To J. Brais, one month's wages	-	36	3	15	0
do	do do	To J. Laframboise, one month's wages	-	37	3	10	0
do	do do	To E. Viger, do do	-	38	3	10	0
do	do do	To Abr. Viau, do do	-	39	3	10	0
do	do do	To J. Eacutt, cartage of one hundred pieces plank from Montreal	-	40	0	4	0
do	do do	do do pay list of work about wharves	-	41	0	17	6
November	16, do	To J. Laframboise, one month's wages	-	42	3	15	0
do	do do	To M. Viau, do do	-	43	3	10	0
do	do do	To E. Viger, do do	-	44	3	10	0
do	do do	To Abr. Viau, do do	-	45	3	10	0
do	do do	To J. Gallagher, seven and a half cords tamarac	-	46	3	7	6
do	23, do	To N. Trudeau, sixty-four pieces plank	-	47	1	16	8
December	2, do	To J. Eacutt, pay list of work about wharf	-	48	0	7	6
do	7, do	To M. Fortier, fifty-three cords six feet tamarac, and eight cords hemlock	-	49	27	7	9
do	do do	To Louis Marceau, blacksmith's work	-	50	3	17	4
do	do do	To Louis Gareau, goods furnished	-	51	0	8	9½
do	9, do	To André Cognac, work and wood about boat	-	52	2	17	6
do	14, do	To J. Laframboise, one month's wages	-	53	3	15	0
do	do do	To E. Viger, do do	-	54	3	10	0
do	do do	To Ab. Viau, do do	-	55	3	10	0
do	do do	To M. Viau, do do	-	56	3	10	0
do	do do	To J. Gallagher, one month and twenty-eight days' wages	-	57	19	6	8
do	do do	To J. Bouthillier, wages	-	58	10	0	0
do	do do	To T. Lynch, thirty days' wages as Inspector	-	59	7	10	0
do	do do	To J. Eacutt, eighty-four days' work about wharves	-	60	5	5	0
do	do do	To balance (profit) carried to cash account	-	-	574	8	4
					£	1260	4 8½
		<i>Cr.</i>			£	s.	d.
July	6, 1844	By collection from 29th June	-	-	72	8	4
do	13, do	do 6th July	-	-	66	1	0
do	20, do	do 13th do	-	-	59	15	5½
do	27, do	do 20th do	-	-	67	17	9
August	3, do	do 27th do	-	-	51	8	6
do	10, do	do 3rd August	-	-	46	18	7½
do	17, do	do 10th do	-	-	56	11	4
do	24, do	do 17th do	-	-	50	19	1½
do	31, do	do 24th do	-	-	54	5	11
September	7, do	do 31st do	-	-	49	0	1½
do	14, do	do 7th September	-	-	63	8	10
do	21, do	do 14th do	-	-	59	17	2½
do	28, do	do 21st do	-	-	61	17	7½
October	5, do	do 28th do	-	-	53	2	1½
do	12, do	do 5th October	-	-	73	6	10½
do	19, do	do 12th do	-	-	61	6	2
do	26, do	do 19th do	-	-	66	10	0½
November	2, do	do 26th do	-	-	42	19	1½
do	9, do	do 2nd November	-	-	47	11	5
do	16, do	do 9th do	-	-	37	9	5
do	30, do	do 16th do	-	-	69	7	5½
December	7, do	do 30th do	-	-	48	2	3
					£	1260	4 8½

CHAMBLY, 24th January, 1845.

(Signed,)

JOHN GLEN,  
Manager.

Appendix (F. F.)

No. 4.—ACCOUNT of COMMUTATION TICKETS issued for the ROAD, and of the Monies received thereon, from 1st May, 1843, to 18th December, 1844.

Appendix (F. F.)

17th February.

17th February.

1843.				1844.			
Date.	Names.	Voucher.	Amount received.	Date.	Names.	Voucher.	Amount received.
May 1	Louis Sénécal ...	8	£ s. d.	August 8	<i>Brought up</i> ...	...	£ s. d.
do do	Isaac Benoit, ...	9		do do	Louis Benoit ...	85	1 10 0
do do	André Girard ...	10	2 16 3	September 29	Raphael Daigneau ...	86	0 15 0
do do	François Vasseur ...	11		October 3	Narcisse Guertin ...	87	0 7 6
do 3	François Charron ...	3	0 15 0	do 9	Bazile Daigneau ...	88	0 17 6
do do	Baptiste Desautels ...	4	0 15 0	do do	Louis Bergen ...	89	0 7 6
do 6	L. Clopin & H. Martin	5	0 7 6	do 7	Raphael Daigneau ...	41	0 15 0
do do	Michel Mercille ...	6	0 15 0	do do	Louis F. Daigneau ...	43	0 15 0
do 8	Narcisse Renaud ...	1	0 15 0	do do	Ant. Dubuc ...	22	0 10 0
do 9	Antoine Girard ...	2	0 10 0	do do	Joseph Parrault ...	40	0 15 0
do 10	Amable Benoit ...	7	0 13 9	do do	Melérie Minay ...	26	0 7 6
do do	André St. Marie ...	12	0 15 0	do do	Toussaint Des Laerlen ...	39	0 15 0
do do	Michel St. Marie ...	13	0 7 6	do do	François Charron ...	3	0 15 0
do do	François Brais ...	14	0 7 6	do do	Dpte. Descutelles ...	4	0 15 0
do do	Michel Vinu ...	15	0 15 0	do do	Hypolite Martin ...	5	0 7 6
do do	André St. Marie, fils...	16	0 15 0	do do	André St. Marie ...	12	0 15 0
do do	J. Bte. St. Marie ...	17	0 13 9	do do	Michel St. Marie ...	13	0 7 6
do do	François St. Marie ...	18	0 15 0	do do	Amable Patenaude ...	29	0 7 6
do do	Pierre St. Marie ...	20	0 15 0	do do	Ant. Vincent ...	30	1 1 3
do do	Louis St. Marie ...	21	0 15 0	do do	François Truteau ...	33	0 7 6
do 11	Antoine Dubuc ...	22	0 10 0	do do	Joseph Luissier ...	34	0 7 6
do 13	Thomas Hughes ...	23	2 0 0	do 9	François Tremblay ...	36	0 10 0
do do	Laurent Benoit ...	24	0 15 0	do do	François Daigneau ...	44	0 7 6
do do	Jos. Sabourin ...	25	0 7 6	do do	Michel Sénécal ...	47	0 7 6
do 17	Belantie Murray ...	26	0 7 6	do do	François Adam ...	58	0 10 0
do 19	François Adam ...	27	1 2 6	do do	Pierre Bouthillier ...	66	0 11 3
do 20	W. Ryan ...	28	0 10 0	do do	Pascal Grégoire ...	75	0 7 6
do do	Amable Patenaude ...	29	0 7 6	do do	Alexis Brais ...	77	0 8 9
do do	Ant. Vincent ...	30	1 1 3	do do	Alexis Dubuc ...	78	0 10 0
do do	Alexis Tremblay ...	31	0 9 4½	do do	François Brais ...	70	0 4 9
do do	Augustin Gagnon ...	32	0 7 6	do do	Jenn Marie Grégoire ...	80	0 6 3
do do	François Truteau ...	33	0 7 6	do do	Benjamin Brassard ...	82	0 15 0
do do	Joseph L'Hussler ...	34	0 7 6	do do	Joseph Bachant ...	83	0 7 6
do do	Louis Racicot ...	35	0 7 6	do 13	Louis Sénécal ...	8 to 11	2 16 3
do do	François Tremblay ...	36	0 10 0	do do	Amable Benoit ...	7	0 13 9
do do	Suzanne Aimart ...	37	0 12 6	do do	Michel Viot ...	15	0 15 0
do do	Nicholas Purcell ...	38	0 15 0	do do	Suzanne Aimant ...	37	0 12 6
do do	Toussaint Deslauriers	39	0 15 0	do do	Michel Page ...	71	0 10 0
June 2	Jos. Perrault ...	40	0 15 0	do do	Bte. Laroche ...	76	0 7 6
do do	Raphael Daigneau ...	41	0 15 0	do do	Thos. Hughes ...	23	2 0 0
do do	Baptiste Lalumière ...	42	0 11 3	do do	François St. Marie ...	18	0 15 0
do 8	Louis Daigneau ...	43	0 15 0	do do	Joseph Brais ...	81	0 15 0
do 10	François Daigneau ...	44	0 7 6	do do	P. Dulude ...	65	0 7 6
do do	Etienne L'Hussler ...	45	0 7 6	do do	Alexis Tremblay...	31	0 9 4½
do do	Toussaint Chauvin ...	46	0 7 6	do do	A. St. Marie, fils ...	16	0 15 0
do do	Michel Sénécal ...	47	0 7 6	do do	F. Adam dit Larame ...	27	1 2 6
do do	— Ponder ...	48	0 7 6	do do	François Gagnon ...	49	0 7 6
do do	François Gagnon ...	49	0 7 6	do do	Epiphania Tremblay ...	57	0 7 6
do do	Alexis Truteau ...	50	0 7 6	do do	Toussaint Chauvin ...	46	0 7 6
do 15	Joseph Coté ...	51	0 15 0	do do	François Xavier Ceré ...	67	0 10 7½
do do	Antoine Mercille ...	52	0 7 6	do do	— Ponder ...	48	0 7 6
do do	François Céré ...	53	0 7 6	do do	Gabriel Brissette...	73	0 5 0
do do	Edward Lavoie ...	54	0 7 6	do do	Louis Racicot ...	35	0 7 6
do do	Augustin Dubuc ...	55	0 7 6	do do	F. B. St. Marie ...	17	0 13 9
do do	Joseph Tremblay ...	56	0 11 3	do do	P. St. Marie ...	20	0 12 6
do do	Ephraim Tremblay ...	57	0 7 6	do do	Edouard Tremblay ...	60	0 11 3
do do	François Adam ...	58	0 10 0	do do	A. Dubuc ...	55	0 7 6
do do	François Aimard ...	59	0 10 0	do do	Edouard Lavoie ...	54	0 7 6
do do	Modeste Patenaude ...	60	0 7 6	do 14	N. Reneaud ...	90	0 10 0
do do	Toussaint Prefontaine	61	1 5 0	do 23	Augustin Tremblay ...	91	0 15 0
do do	François Poirrier ...	63	0 7 6	November 2	John Gibson ...	92	1 0 0
do do	Laurent Benoit ...	64	0 11 3	do 4	T. B. Lalumière ...	42	0 11 3
do do	Pierre Dalade ...	65	0 7 6	do do	Alexis Guertin ...	93	0 10 0
do do	Pierre Bouthillier ...	66	0 11 3	do do	Louis Lefebvre ...	94	0 10 0
do do	François X. Céré ...	67	0 10 7½	do 8	F. Normandie ...	95	0 7 6
do do	Etienne Benoit ...	68	0 10 0	do do	Chas. Aubertin ...	96	0 7 6
do do	Edouard Tremblay ...	69	0 11 3	do do	Benjamin Lesperance ...	74	0 4 6
do do	Michel Mercille ...	70	1 2 6	do do	Antoine Marcille...	52	0 7 6
do do	Michel Page ...	71	0 10 0	do do	Josh. Mithette ...	97	0 17 6
do do	Alexis Bouthillier ...	72	0 12 6	do do	Seraphin Vincent ...	98	0 10 0
do do	Gabriel Brissette ...	73	0 5 0	do do	Cyril Dumas ...	99	0 7 6
do do	Benjamin L'Esperance...	74	0 4 6	do do	Alexis Deloger ...	100	0 15 0
do do	Pascal Grégoire ...	75	0 7 6	do 11	Michel Marcille ...	70	1 2 6
do do	Bte. Laroche ...	76	0 7 6	do do	Stanislas Dubuc ...	84	0 7 6
do do	Alexis Brais ...	77	0 8 9	do do	Alexis Bouthillier ...	72	0 12 6
do do	Alexis Dubuc ...	78	0 10 0	do do	Joseph Tremblay ...	56	0 11 3
do do	François Brais...	79	0 4 9	do do	François Poirrier ...	63	0 7 6
do do	Jenn Marie Grégoire...	80	0 6 3	do do	Lucie St. Marie ...	21	0 15 0
do do	Jos. Brais ...	81	0 15 0	do do	Louis L'Hussler ...	101	0 10 0
	Carried to Road Account	...	£ 45 8 0	do 18	Toussaint Prefontaine ...	61	1 5 0
				do 25	Laurent Benoit ...	24	0 15 0
				December 9	François Aimant...	59	0 10 0
				do do	Augustin Tremblay ...	102	0 10 0
1843.			£ s. d.	do 12	Joseph Grizé ...	103	0 7 6
July 8	Benjamin Brassard ...	82	0 15 0	do 15	Toussaint Pagé ...	104	0 12 0
do 22	Joseph Bachant ...	83	0 7 6	do do	Toussaint Lamare ...	105	0 10 0
do 29	Stanislas Dubuc ...	84	0 7 6		Carried to Road Account	...	£ 52 7 6
	Carried up ...	...	£ 1 10 0				

Appendix (F. F.)

No. 4.—ACCOUNT of COMMUTATION TICKETS issued for the ROAD, &c.—(Concluded.)

Appendix (F. F.)

17th February.

Date.	Names.	Voucher.	Amount received.
1844.			£ s. d.
January 6 ...	Olivier Fournier ...	107	0 10 0
do 20 ...	Joseph Comptoir ...	108	0 12 0
February 10 ...	Modesta Patenaud ...	60	0 7 6
do 24 ...	Pascal Dodella ...	108	0 15 0
do 28 ...	Louis Bombardier ...	109	0 7 6
March 9 ...	Raphael Brals ...	110	0 11 3
do do ...	Hubert Lessard ...	111	0 12 6
do do ...	Alexis Lamaro ...	112	0 12 6
do do ...	François Brals ...	14	0 7 6
do 23 ...	Alexis Audet ...	113	0 7 6
do do ...	Antoine Girard ...	2	0 10 0
do do ...	Jos. Marcell ...	114	0 7 6
do do ...	Moyse Marcell ...	115	0 7 6
do do ...	Louis David ...		0 3 9
do do ...	Bte. Gemineau ...	At Gate	0 7 6
do do ...	Michel Dubuc ...	No. 4	0 3 9
do do ...	François Charron ...	only.	0 7 6
do do ...	Louis Goyette ...		0 7 6
do do ...	Louis Benoit ...	85	0 15 0
do 30 ...	Jos. Sabourin ...	25	0 7 6
do do ...	Alexis Trudeau ...	50	0 7 6
do do ...	Edouard Perras ...	116	0 7 6
April 6 ...	Charles Aubertin ...	98	0 7 6
do 13 ...	Hubert Pagé ...	117	0 12 6
do 15 ...	François Guertin ...	118	0 12 6
do 19 ...	André Berger ...	119	0 7 6
do 12 ...	Louis Sénécal ...	8 to 11	2 16 3
do 25 ...	Bazille Daigneau ...	89	0 17 6
do do ...	Louis Berger ...	89	0 7 6
May 4 ...	Toussaint Pagé ...	104	0 12 0
do do ...	Augustin Tremblay ...	91	0 15 0
do do ...	Michel Dubuc ...	120	0 7 6
do 13 ...	Antoine Dubuc ...	22	0 10 0
do 16 ...	Jos. Côté ...	51	0 15 0
do 17 ...	Michel Paré ...	21	0 15 0
do 25 ...	F. Beauchamp ...	120	0 7 6
do do ...	Jos. Tremblay ...	56	0 11 3
do do ...	Amable Benoit ...	7	0 13 9
do do ...	Pierre Dulude ...	65	0 7 6
do do ...	Michel Sénécal ...	47	0 7 6
do do ...	Ant. Girard ...	2	0 10 0
do do ...	Joseph L'Hussier ...	34	0 7 6
do do ...	André St. Marie ...	12	0 15 0
do do ...	François Daigneau ...	44	0 7 6
do do ...	François Trudeau ...	33	0 7 6
do do ...	Michel Marcell ...	70	1 2 6
do do ...	Jos. Williams ...	121	0 10 0
do do ...	François St. Marie ...	18	0 15 0
do do ...	J. Bte. St. Marie ...	17	0 13 9
do do ...	Bte. Desautels ...	4	0 15 0
do do ...	André St. Marie, fils ...	16	0 15 0
do do ...	Pierre St. Marie ...	20	0 15 0
do do ...	Michel Mercille ...	6	0 15 0
do do ...	Michel St. Marie ...	13	0 7 6
do do ...	Jos. Benoit ...	122	0 7 6
do do ...	Laurent Benoit ...	24	0 15 0
do do ...	Pierre Lacoste ...	64	0 11 3
do do ...	F. X. Benoit ...	123	0 15 0
do do ...	F. Adam dit Laramé ...	27	1 2 6
do do ...	François Céré ...	53	0 7 6
do do ...	Suzanne Aimard ...	37	0 12 6
do do ...	Alexis Bouthillier ...	72	0 12 6
do do ...	Louis Racicot ...	35	0 7 6
do do ...	Augustin Dubuc ...	55	0 7 6
do do ...	Pierre Ponda ...	48	0 7 6
do do ...	Louis Viger ...	124	0 7 6
do do ...	Amable Patenaud ...	29	0 7 6
do do ...	Pierre Vincent ...	125	2 0 0
do do ...	Louis Turcotte ...	126	0 7 6
do do ...	François Charron ...	3	0 15 0
do do ...	Hypolite Martin ...	5	0 7 6
June 1 ...	François Benoit ...	No. 4	0 7 6
do do ...	James Willis ...	Gate only	0 10 0
do do ...	Jos. Duval ...	127	0 7 6
do do ...	Bte. Delaurier ...	128	0 7 6
do do ...	Michel Patenaud ...	129	0 10 0
do do ...	Toussaint Prefontaine ...	61	1 5 0
do 2 ...	Raphael Daigneau ...	41	0 15 0
do 4 ...	Jos. Perrault ...	40	0 15 0
do 7 ...	Amable Desautels ...	130	0 7 6
do do ...	Abraham Desautels ...	131	0 7 6
do 8 ...	Thomas Hughes ...	23	2 0 0
do do ...	Alexis Mercille ...	132	0 7 6
do do ...	Michel Vio ...	15	0 15 0
do do ...	Moyse Marcell ...	133	0 7 6
do do ...	Jos. Gregoire ...	134	0 7 6
do 12 ...	Louis Daigneau ...	135	0 13 4
do 15 ...	François Tremblay ...	36	0 10 0
do do ...	F. X. Céré ...	67	0 10 7½
do do ...	P. Gregoire ...	75	0 7 6
do do ...	François Poirier ...	63	0 7 6
	Carried up ...		£ 53 5 11½

Date.	Names.	Voucher.	Amount received.
1844.			£ s. d.
June 15 ...	<i>Brought up</i> ...	...	53 5 11½
do 16 ...	Pierre Bouthillier ...	66	0 11 3
do 19 ...	Joseph Duval ...	127	0 7 6
do 22 ...	William Rynn ...	28	0 10 0
do ...	Joseph Robert ...	137	0 7 6
	Carried to Road Account ...	...	£ 55 2 2½
1844.			£ s. d.
June 22 ...	Baptiste Laroche ...	76	0 7 6
do do ...	Silvain Dubuc ...	138	0 10 0
do do ...	Alexis Tremblay ...	31	0 9 4½
do do ...	Edouard Tremblay ...	69	0 11 3
do do ...	Jos. Brals ...	81	1 0 0
do do ...	Epiphanie Tremblay ...	57	0 7 6
do do ...	Antoine Vincent ...	30	1 1 3
do 26 ...	Etienne Demers ...	137	0 7 6
do 27 ...	Antoine Reneaud ...	136	0 15 0
July 13 ...	J. B. William ...	...	0 7 6
do do ...	Moyse Benoit ...	...	0 10 0
do do ...	Etienne L'Hussier ...	45	0 7 6
do 16 ...	J. B. Lalumière ...	42	1 2 6
do do ...	Joseph Comptoir ...	109	0 12 6
do do ...	Jos. Sabourin ...	25	0 7 6
do do ...	Etienne Benoit ...	68	0 10 0
do do ...	A. Robert dit Lafontaine ...	138	0 11 3
do do ...	B. L'Esperance ...	74	0 4 6
August (July) 20 ...	Joseph Millette ...	97	0 17 6
August 24 ...	Alexis Desloges ...	100	0 15 0
do 27 ...	Joseph Daniel ...	141	0 10 0
September 10 ...	Pierre Goyette ...	142	0 7 6
do 30 ...	Louis Sénécal ...	8 to 11	2 16 3
October 12 ...	Michel Patenaud ...	129	0 10 0
do do ...	Etienne L'Hussier ...	45	0 7 6
do do ...	Antoine Vincent ...	30	1 1 3
do do ...	Michel Marcell ...	6	0 15 0
do do ...	Joseph Marcell ...	114	0 7 6
do do ...	Raphael Brals ...	110	0 11 3
do do ...	Louis Daigneau ...	86	0 8 9
do do ...	T. Des Lauriers ...	39	1 10 0
do 19 ...	T. Lamar ...	105	0 10 0
do do ...	André Bergue ...	119	0 7 6
do do ...	Moyse Marcell ...	115	0 7 6
do do ...	François Céré, père ...	53	0 7 6
do 31 ...	Jos. Benoit ...	122	0 8 9
do do ...	Amable Longduc ...	143	0 11 3
November 2 ...	Augustin Dubuc ...	55	0 7 6
do do ...	Louis Racicot ...	35	0 7 6
do 8 ...	Alexis Guertin ...	93	0 10 0
do 9 ...	Alexis Trudeau ...	50	0 15 0
do 19 ...	Alexis Marcell ...	132	0 7 6
do do ...	François Poirier ...	63	0 7 6
do do ...	Michel Marcell ...	70	1 2 6
do do ...	Suzanne Aimart ...	37	0 12 6
do do ...	François Charron ...	3	0 15 0
do do ...	Baptiste Desautels ...	4	0 15 0
do do ...	Jos. Bnshaut ...	83	0 7 6
do do ...	Augustin Gagnon ...	32	0 15 0
do do ...	P. Ponder ...	48	0 7 6
do do ...	Louis Viger ...	124	0 7 6
do do ...	Jos. Tremblay ...	56	0 11 3
do do ...	Jos. L'Hussier ...	34	0 7 6
do do ...	Michel Sénécal ...	47	0 7 6
do do ...	André St. Marie ...	12	0 15 0
do do ...	A. St. Marie, fils ...	16	0 15 0
do do ...	J. B. St. Marie ...	17	0 13 9
do do ...	Paschal Gregoire ...	75	0 7 6
do do ...	Laurent Benoit ...	24	0 15 0
do do ...	Pierre Lacoste ...	64	0 11 3
do do ...	F. X. Benoit ...	123	0 15 0
do do ...	François David ...	143	0 15 0
do do ...	Michel St. Marie ...	13	0 7 6
do do ...	Pierre St. Marie ...	20	0 13 9
do do ...	Amable Benoit ...	7	0 13 9
do do ...	Moyse Benoit ...	140	0 10 0
do do ...	François Tremblay ...	86	0 10 0
do do ...	Epiphanie Tremblay ...	57	0 7 6
do do ...	Michel Paré ...	21	0 15 0
do do ...	Charles Aubertin ...	96	0 7 6
do 25 ...	Etienne Mongeon ...	144	0 7 6
do do ...	François Normandin ...	95	0 7 6
do do ...	François Truteau ...	33	0 7 6
do do ...	F. X. Céré ...	67	0 10 7½
do do ...	Bte. Laroche ...	76	0 7 6
do 28 ...	François Daigneau ...	44	0 7 6
do do ...	Raphael Daigneau ...	41	0 15 0
December 4 ...	Alexis Bouthillier ...	72	0 12 6
do 7 ...	Bazille Daigneau ...	88	0 17 6
do do ...	Solomon Des Rochers ...	65	0 7 6
do do ...	François Adam ...	27	1 2 6
do 18 ...	Benonie Murray ...	26	0 15 0
	Carried to Road Account ...	...	£ 49 7 0

17th February.

Appendix  
(F. F.)  
17th February.

Appendix  
(F. F.)  
17th February.

No. 5.—SYNOPSIS of RECEIPTS and EXPENDITURE of the LONGUEUIL and CHAMBLY TURNPIKE ROAD TRUST, showing the Net Balances reported each several Term from Road and FERRY.

Term.		Road.		Ferry.		Aggregate balance from Road and Ferry.	Interest due.	Deficiency or excess.
From.	To.							
		£ s. d.		£ s. d.		£ s. d.	£ s. d.	£ s. d.
1842. 25th June ...	1842. 10th December	Receipt ...	672 19 10					
		Expenditure	301 14 3½					
		Balance £	371 5 0½	... ..	... ..	... ..	371 5 0½	561 17 6 190 11 11½
1842. 10th December	1843. 30th June ...	Receipt ...	616 11 3½	Receipt ...	273 8 11	Road ...	298 0 0½	
		Expenditure	318 11 3	Expenditure	103 5 0	Ferry ...	170 3 11	
		Balance £	298 0 0½	Balance £	170 3 11	Net profit £	468 3 11½	561 17 6 93 13 6½
1843. 30th June ...	1843. 18th December	Receipt ...	691 4 1½	Receipt ...	841 4 8	Road ...	378 9 10	
		Expenditure	312 14 3½	Expenditure	609 12 0½	Ferry (loss)...	28 7 4½	
		Balance £	378 9 10	Balance (loss)	£28 7 4½		350 2 5½	561 17 6 211 16 0½
1843. 18th December	1844. 20th June ...	Receipt ...	619 11 10½	Receipt ...	393 8 4½	Road ...	310 5 2	
		Expenditure	309 6 8½	Expenditure	297 14 2	Ferry ...	95 14 2½	
		Balance £	310 5 2	Balance ...	£95 14 2½	Net profit £	405 19 4½	561 17 6 155 18 1½
1844. 29th June ...	1844. 14th December	Receipt ...	672 14 5	Receipt ...	1260 4 8½	Road ...	371 1 7	
		Expenditure	301 12 10	Expenditure	685 16 4½	Ferry ...	574 8 4	
		Balance £	371 1 7	Balance £	574 8 4	Net profit £	945 9 11	474 0 0 471 9 11*

\* Thus it appears that the profit of a single successful season on the Ferry, in which, however, the single Steamboat of the Trustees enjoyed only a moiety of the profits, served to counterbalance the deficiencies of three Terms.

RETURN

To an Address of the Legislative Assembly to His Excellency the Governor General, praying that His Excellency would be pleased to direct the proper Officer to lay before the House, a Statement, in Tabular form, of all Licenses issued during the last two years for cutting Timber on the Waste Lands of the Crown in the Counties of Bonaventure, Gaspé, Rimouski, Kamouraska, L'Islet, Bellechasse and Saguenay, exhibiting the quantities of Timber actually made in each of the said Counties, and exported therefrom.

By Command.

D. DALY,  
Secretary.

SECRETARY'S OFFICE,  
19th February, 1845.

STATEMENT of Returns of Licenses granted during the last two years, for cutting Timber on the Waste Lands of the Crown in the Counties of Bonaventure, Gaspé, Rimouski, Kamouraska, L'Islet, Bellechasse and Saguenay, exhibiting the quantities of Timber made in each of the said Counties.

Name.	W. Pine Logs.	Spruce.	Rate.	Amount.	1st Instalment.	Balance.	Amount since received.
			d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
ON THE SAGUENAY.							
1843—George Duberger, Agent.							
Thomas Simard	3000	...	5	62 10 0	} 18 4 7	54 13 0	
		1000	2½	10 8 4			
		3000	...	31 5 0			
	1000	...	5	20 16 8	5 4 2	15 12 6	
George M'Kenzie and Alex. Tremblay	15000	...	5	312 10 0	78 2 6	234 7 6	
Wm. Price...	37000	...	5	790 16 8	200 0 0	590 16 8	
Heli Hudon	...	3500	2½	86 9 2	9 2 8	27 6 11	
1843—John Kane, Agent.							
Charles Turgeon	...	2000	2½	20 16 8	5 4 1	15 12 7	
Wm. Price & Co.	44300	...	5	922 18 4	230 14 7	692 3 9	627 6 3
Adolphe Gagnon	2000	...	5	41 13 4	} 18 4 7	54 13 9	
		3000	2½	31 5 0			
		6000	...	62 10 0			
DISTRICTS OF ST. THOMAS AND KAMOURASKA.							
1843—C. F. Fourrier, Agent.							
M. Casgrain & Co.	8000	...	5	166 13 4	41 13 4	125 0 0	
Sir H. J. Caldwell	10000	...	5	208 6 8	} 72 18 4	218 15 0	
	2000	...	2½	20 16 8			
	2000	R. Pine.	7½	62 10 0			
W. Patton	...	15000	2½	158 5 0	39 1 3	117 3 9	
Wm. Price & Co.	6000	...	5	125 0 0	} 67 14 2	203 2 6	
		14000	2½	145 16 8			
		...	5	168 13 4			
M. M. Bertrand	8000	...	5	168 13 4	...	20 16 8	
Pierre Marquis	1000	...	5	20 16 8	...	10 8 4	
Benjamin Dionne	500	...	5	10 8 4	...	10 8 4	
Louis Beaupare	800	...	5	16 13 4	} No money paid at time of applicat'n	16 13 4	
Charles and Thomas Chausuis	600	...	5	12 10 0			
Pierre Morin	500	...	5	10 8 4			
Carried over	139700	49500	...	3466 17 6	851 5 11	2615 11 7	627 6 3



STATEMENT OF RETURNS OF LICENSES.—(Concluded.)

20th February.

20th February.

Name.	W. Pine Logs.	Spruce.	Rate.	Amount.	1st Instalment.	Balance.	Amount since remitted.	
			d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	
<i>Brought over</i> ... ..								
DISTRICTS OF ST. THOMAS AND KAMOURAKSA. 1844—C. F. Fournier, Agent.—(Continued.)	139700	49500	...	3466 17 6	851 5 11	2615 11 7	627 6 3	
Wm. Price & Co. ... ..	8000	...	5	166 13 4	}			
1000	R. Pine.	7½	31 5 0					
3000	...	5	62 10 0					
3000	3000	2½	31 5 0					
6000	...	5	125 0 0					
1000	...	5	20 16 8					
3000	...	5	62 10 0					
3000	...	2½	31 5 0					
8000	...	2½	83 6 8	153 12 11				460 18 9
Sir H. J. Caldwell ... ..	8000	...	5	166 13 4				}
1000	R. Pine.	7½	31 5 0					
2000	...	2½	20 16 8	54 13 9	164 1 3			
Wm. Patton ... ..	...	2000	2½	208 6 8	52 1 8	156 5 0		
DISTRICTS OF GASPE' AND BONAVENTURE. 1843—E. Martel, Agent.								
Messrs. Ritchie & Co. ... ..	2930	Tons.	1s 8	244 3 4	}			
5725	...	5	119 5 5					
90	...	2½	0 18 9					
160	B.	...	16 13 4	...				381 0 10
Messrs. Montgomery & Co. ... ..	295	...	1s 8	24 11 8	...	24 11 8		
Messrs. Cuthbert & Co. ... ..	3000	...	1s 8	250 0 0	}			
250	...	2½	2 12 1					
400	...	5	8 6 8	...				231 15 5
125	...	5	2 13 1	...				2 12 1
Robert Ferguson ... ..	200	...	1s 8	16 13 4	...	16 13 4		
M. M'Pherson ... ..	83	...	5	1 14 7	...	1 14 7		
D. Towzer ... ..	...	...	...	...	...	...	...	
Logs ... ..	177033	85840	... ..£	5196 2 1	1111 14 3	4055 4 6	627 6 3	
Tons ... ..	6585							

N. B.—Of Sales under Mr. Martel's Agency, Messrs. Cuthbert & Co. are the only parties who had a License, the remainder of the Timber was cut without License.

No Return has as yet been received from Messrs. Duberger, Kane, and Martel, of Licenses granted for the present winter.

The Balance due on Licenses of 1843, appear much larger than they really are. Considerable sums have been received from all the foregoing Agents, on account of the sales of 1843, but without their specifying on what particular Sale or Licence these sums were transmitted.

The money has been placed to their credit respectively, but cannot be applied without further explanation, which they have been requested to furnish.

T. BOUTHILLIER.

CROWN LAND DEPARTMENT,  
Montreal, 15th February, 1845.

## REPORT.

THE SELECT COMMITTEE appointed to enquire into and report upon the present condition and state of the Ancient Archives and Public Records of "La Nouvelle France," of Canada, and of the Province of Quebec, remaining in the Vaults of the *Evêché* or Parliament Buildings at Quebec, or elsewhere, with a view to the adoption of measures as well for their arrangement and preservation from decay, as to the collection, from all accessible sources whatsoever, of such ancient and authentic records and documents relating to the first settlements of Canada, as, in the opinion of the Committee, may cast light upon or be conducive to a full knowledge of its early history, as well as to the general advancement of Literature in the Province, have the honor to REPORT:—

That your Committee have given their best attention to the matter referred to them, and having submitted to several gentlemen conversant with it, the Questions which, together with the answers received from each, are hereunto appended, it appears to your Committee, that the Vaults or place in the *Evêché* or Parliament House at Quebec, where the old Archives of the Country have hitherto been deposited, is damp and unsuited to the preservation of those important records, and that some of them, consequently, are in a state of decay and require renewal. This, your Committee are of opinion, should be done in manuscript, as the originals are so, by the employment of some person or persons of method versed in the French language and ancient Laws of Lower Canada, and familiar with those manuscripts.

Your Committee are of opinion that this, though a longer process than printing, (which would put the Province to a heavy expense,) will answer the purpose equally well.

The Archives in question consist of a variety of Registers or Manuscript Books, in which are recorded the Ancient Laws, Ordinances, *Arrêts* and other Public *Actes* of the Government, and Judicial authorities of Canada prior to 1759, as well as the Ordinances or Laws passed subsequently to that period for the Province of Quebec, till its division into the Provinces of Upper and Lower Canada, and a great variety of Patents and other important public papers of the latter Province. They comprise also a number of parchments, commissions, and loose papers, relating to the early Government of New France and Canada, under the dominion of the French Crown; some of them it seems are in a very perishable state, all which it is of the last importance to rescue from the disintegration and ruin to which they are hastening. They are, as will be gathered from the annexed answers, valuable memorials of the primitive history of Canada, of its rise and progress during a period of two hundred years and upwards, from a wilderness to a powerful Colony of France, and faithful evidences of the forethought and wisdom of the enterprising and enlightened men to whom the direction of its affairs was entrusted from its first settlement till its final cession to the British Crown,—men who will gain upon acquaintance with every well informed modern, and whose labours, legislative, judicial, or ministerial, have only to be known and rightly understood by those of the same class and character who have succeeded and will hereafter succeed them in the Government of this great and important British Province, of whatever race or origin

they may be, to be entitled to their respect and deemed worthy of imitation.

They contain the earliest written Laws of the Colony, various legal decisions under them of interest to the Jurist; much matter illustrative of its jurisprudence, statistics, social arrangements and changes, and of the extended views and policy of the French Government, which spared no pains nor expense in the colonization of Canada; and all the original *octrois* or grants of the *Fiefs* or *Seigneuries* therein, from the Crown of France to the grantees. In fact, the existing Laws, the Institutions, and most of the real property of Lower Canada, in a great measure, rest upon them; and their preservation is therefore a matter of primary importance.

Your Committee are, therefore, of opinion that the old Registers, while yet they are legible, should be re-copied,—the originals deposited in one office (at Quebec,) and the copies in another (at Montreal,) each in dry, suitable, and safe apartments, well ventilated, and fire-proof,—that all loose parchments and papers should be carefully examined, assorted, and put together in *liasses* or files, with schedules of reference, or indexes referring to and explanatory of the papers in each file, and the respective dates thereof, with such other remarks as the compiler shall deem useful.

The Land Patents issued by the late Government of Lower Canada, which, a year or two ago, lay in such confused heaps among the other Archives, as often to render the finding of any one of them in particular, when wanted, a task, and the work sometimes of days, are now so well assorted (by the systematic arrangements of Mr. Huot, one of the gentlemen consulted by your Committee, and whose labours they notice with pleasure, as mentioned by some of its members who have had occasion to know and appreciate them from personal observation during a short time he was in charge of the Archives) as to enable the person in custody of them to answer any matter of reference thereto at a minute's notice. The same or some similar system of methodizing the papers alluded to, ought to be followed up.

Your Committee learn, by the answers of Mr. Secretary Daly, that it is intended to remove those Records from Quebec to the Seat of Government, (Montreal.) The propriety of this they do not question, but beg, nevertheless, to draw the attention of your Honourable House to the suggestions of Mr. Cochran, President of the Literary and Historical Society of Quebec, and of Mr. Faribault, the Vice-President thereof, and to observe that the pro-

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(H. H.)

3rd March.

priety of entrusting, as suggested to this Society, such of those Archives and detached papers as are not indispensably necessary at the Seat of Government, particularly such as are merely historic, and it is supposed there is an abundance purely of that character, is worthy the consideration of the Government.

Your Committee recommend an Address to the Governor General, submitting the above to His Excellency's consideration, and suggesting the expediency of His Excellency's recommendation of an appropriation for the purposes mentioned, as well as to enable the Literary and Historical Society, if His Excellency shall think fit to entrust it with the safe keeping of those valuable Records and papers, or any of them,—to procure, in France or England, from sources legitimately accessible to them, any other documents, papers, or information which they may deem useful and conducive to a more perfect knowledge of the early history of Canada than is at present possessed, or to the general advancement of learning and literature therein.

The whole respectfully submitted.

ROBERT CHRISTIE,  
Chairman.

3d March, 1845.

#### MINUTES OF EVIDENCE.

ROBERT CHRISTIE, Esquire, in the Chair.

Tuesday, 4th February, 1845.

George B. Faribault, Esquire, Clerk Assistant of the House, and Vice President of the Literary and Historical Society of Quebec, examined:—

1. Are you acquainted with the state of the ancient Archives or Records of Canada, as they now lie in the vault or vaults of the *Evêché* or Parliament Building at Quebec; and can you state whether they are well taken care of, assorted, and in a good state of preservation?—I am pretty well acquainted with the state of these Archives or Records, having had frequent opportunities of making researches amongst a great portion of these documents, both on matters connected with my profession, as well as upon subjects relating to the early history and condition of Canada. These Records have always been under the charge of the Secretary of the Province, up to the period when the Seat of Government was removed from Quebec, since which time they have been left under the charge of an Assistant or Clerk from that Department. The Secretary of the Province kept his office, and that of his Clerks, in these vaults, and by this means the vaults were properly ventilated; fire was also kept up in a stove both in summer as well as in winter, in order to counteract the effect of the damp and humid state of the vaults which are partly under ground. The person now in charge does not keep his office in the vaults, but in another part of the building of the *Evêché*, and on the ground floor; the consequence, as I have reason to apprehend is, that fire being seldom kept in the vaults, several of these Records, which are already in an advanced state of decay, will therefore, soon be destroyed.

2. What do those Archives or Records chiefly consist of, and what are the most ancient dates to which they relate?—They form a considerable collection of large folio manuscript Registers, the contents of which may be classed as follows:—

1st. Registers containing the original deeds of concession of the Seigniories and Lands *en roture*, granted since the earliest establishment of the country, at first by the King of France, then by the Company of New France, and afterwards by the Governors and Intendants, in the name of the King.

2nd. Registers containing the different Commissions of all the public officers from 1663 to 1759.

3rd. Registers containing the Judgments rendered by the *Conseil Supérieur*, in suits both civil and criminal.

4th. Registers containing the *Ordonnances et Règlements* of the Governors and Intendants, relating to matters of finance, police, &c.

I would particularly mention a large Register, containing the deliberations or proceedings of the *Conseil Souverain*, during the period when the Company of New France had the sole direction of the Government of Canada, that is to say, from 1624 to 1663. This last Register is much decayed and torn, and before it falls entirely to pieces, immediate steps should be taken to get it copied, so as to preserve what may remain of this Register, containing much interesting matter respecting the period above mentioned. Besides this, there are several bundles of loose papers, some of them containing the proceedings of the Court of *La Prévoté*, and from a cursory view of some others of these *liasses* or bundles, I am led to think much interesting matter would be found on the subject of the ancient statistics of the country.

3. Do you think it of importance to the Province that means should be taken for their proper order and arrangement, and for their better preservation; and what would you recommend for that purpose?—It is assuredly of the greatest importance that means should be immediately adopted in order to reclaim these Archives and Records from the destruction with which they are menaced, as they, in a great measure, contain the original titles which constitute the fortune of hundreds, nay, probably thousands of individuals; in proof of which, I may state the frequent applications which are made in order to obtain copies of exemplifications of these original deeds. I would also add that, it is doubtful whether any duplicates of these same Deeds could eventually be found in France, and in that case the loss or destruction of these documents could not possibly be supplied.

4. Would it in your opinion be proper that any of them should be printed at the public expense, in order to their permanent preservation, and which of them; in whose charge or custody, and where would it be most proper to entrust the safe keeping of them; and what would the expense of such charge and safe keeping cost the Province annually?—If a proper selection were made from amongst these Records, I have no doubt but that considerable portions of them would be found possessing much interesting and official information respecting the early colonization of Canada, the publication of which might be properly confided to the Quebec Literary and Historical Society; but until such a selection is made, it is of course impossible to say what sum might be required for this object. The vaults where the Records are now kept, are a safe place, provided the necessary precautions were constantly taken, both in summer and winter, to prevent the damp from injuring these papers. The person in charge of these Records should not only be conversant and familiar with the French language, but should also be acquainted with the peculiar style and forms usually employed in these ancient Deeds and legal documents, inasmuch as the writing of these Records is not only antiquated, but replete with abbreviations; added to which, the character of

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the hand-writing is in general of such a description that a few lines will frequently require considerable study and attention in order to decipher the exact nature of the document.

5. Do you think it would be advisable to procure from England or France (by which latter Country this Province was first colonized) copies of any Archives or Records in either of those countries, which relating to the early colonization or history of Canada, and interesting to the Province now or hereafter, are not to be found in it; and the cost?—The subject to which this last question refers has occupied my mind for a number of years past. It is well known that some of the Public Archives in Paris, and more particularly those contained in the *Département* or *Bureau de la Marine*, contain a mass of the most interesting documents relating to the early history of Canada; and it is only but a few months since that a Mr. Broadhead, who had been sent to Europe as agent to the Historical Society of New York, has returned from his mission, bringing with him several thousand pages of manuscript copied from these Archives, containing abundant and interesting information respecting Canada and its dependencies, then known under the appellation of "La Nouvelle France." I could also state, that the Archives of St. Malo, in France, contain some valuable documents on the same subject, for I received in the course of last year, from Mr. Hovins, the Mayor of that ancient Sea Port Town, and the birthplace of the celebrated Jacques Cartier, the discoverer of Canada, most interesting particulars respecting Cartier's three several expeditions to Canada, between the years 1534 and 1542; and I have little doubt but that the Archives of Rouen, as well as those of Dieppe, Honfleur, and several other towns of Brittany in France, from whence the first settlers emigrated to Canada, would also be found to contain most valuable information on the early colonization of this country. The only effectual means of procuring the different documents above mentioned, would be to send an agent to Europe for this purpose; as, after repeated attempts to procure similar documents by corresponding with persons on the spot, I have generally been disappointed, either on account of the persons not being able or willing to undertake the necessary researches, or by their sending documents of a different description than those asked for, or which were otherwise useless. The good understanding now happily subsisting between France and England renders the opportunity most favorable, and it is therefore sincerely to be hoped that the Legislature will be disposed to favour what must be considered a truly national and patriotic object.

Wednesday, 5th February, 1845.

The Honorable *Dominick Daly*, Esquire, a Member of the House, and Provincial Secretary, examined:—

*Answer to Q. 1.*—I am acquainted with the state of the Records at Quebec, and believe they are as well taken care of as the condition of the building in which they are placed permits, and are also conveniently assorted for reference. There is, however, a mass of detached papers of very ancient dates, which have not been considered sufficiently important to be examined or referred to for any purpose to my knowledge; and I am not acquainted with their contents.

*Answer to Q. 2.*—The Records consist chiefly of the old French Registers of Concessions of Fiefs, Seigneuries, &c. I have not within my reach the means of stating particularly the dates. Some of them, however, are of the sixteenth century.

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*Answer to Q. 3.*—I do think it of importance that steps should be taken for their better preservation and order. It has been determined by the Government to place them (with the portion of the Records already removed from Quebec to the Seat of Government) under the charge of the Registrar of the Province, in a vault that has been prepared for the purpose; their removal hitherto has been deferred from the want of a suitable place for their reception.

*Answer to Q. 4.*—I think it would be advisable, if not to print, certainly to copy, some of the Registers, which from their great age and frequent handling, have been a good deal injured. The arrangement above alluded to, as under contemplation for their future safe keeping, will be a saving to the public of the cost of the present establishment at Quebec; as it is intended that the spare time of the French Translator shall be applied to the arrangement of these Records, under the direction of the Provincial Registrar.

*Answer to Q. 5.*—I do think that the acquisition of any information regarding the early colonization and history of Canada, which is not now to be found in this country, is most desirable.

Thursday, 6th February, 1845.

*Hector Simon Huot*, Esquire, one of the Prothonotaries of the Court of Queen's Bench for the district of Quebec, examined:—

*Answer to Q. 1.*—I am acquainted with the state and condition of the Archives in question, having had the care and charge thereof from the month of February 1843, to the 15th of April 1844. I think that they are as much taken care of as circumstances will permit. The documents have suffered considerably, in the first place from their age, and in the second place on account of the dampness which always exists more or less in the vaults; several of these documents are illegible on account of their age, others are in a pretty good state. To place these documents in order it would require Indexes, those which exist at present being imperfect and almost of no use.

*Answer to Q. 2.*—The documents consist of the following, namely:—

Registres des Enregistremens des Concessions, depuis le 18 Septembre, 1764.

Registres des Insinuations, du 20 Décembre, 1765.

Registres d'Intendances et Concessions en Fief et Ratifications, depuis le 7 Octobre, 1672.

Registre des Insinuations du Conseil Supérieur, 1663 à 1758.

Registre des Jugemens du Conseil Supérieur, 1663 à 1676.

Edits et Arrêts et Declarations du Conseil Souverain, de 1624 à 1743.

Jugemens de l'Amirauté, 1754.

Ordonnances des Intendans, 1705 à 1760.

Edits et Arrêts.

All these works were once bound, and are in folio. They comprise about 50 to 60 volumes; some of them may be preserved without difficulty in their present state, but several of them should be immediately copied, otherwise their contents will be lost. There is also a considerable quantity of scroll papers, forming part of the proceedings of the "*Cour de la Prévosté*" in the different causes submitted to its juris-

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diction; it would require some time in order to judge of the importance of these last mentioned papers, as the vaults of the Court House at Quebec contain the Registers of the Judgments of the above Court; perhaps these Judgments and the entries in the Registers in a great measure correspond with each other.

*Answer to Q. 3.*—It is certainly not only important to the Province, but also to the interests of private individuals, a great number whereof must be greatly interested in the immediate preservation of these papers and documents. For this purpose, that part which is falling into decay ought to be copied, and the remainder repaired, and an index made of the whole so as to be able to refer to these documents with facility. As to the future preservation of the Archives and other documents, I think the only means would be to keep them in boxes of tin or of wood, otherwise the dampness of the vaults will destroy the paper.

*Answer to Q. 4.*—If a portion of these documents were copied, and the whole put in order, I do not believe that it would be necessary to print them; and if they are carefully preserved in boxes, as I have already said, they might be placed under the care of one of the Public Departments, together with those of which I consider them to form part, and which are to be found in the Archives of the Court House at Quebec, or any where else. I cannot say what expenses would be incurred in putting the proposed plan into execution. It would also require some time, as the old French writing is difficult to read, and that which requires to be copied is much obliterated. If they are placed under the charge of a Public Department, as I have already stated, it will cost nothing to the Province.

*Answer to Q. 5.*—I know that, in addition to the above documents, a great number exist elsewhere, relating to the first colonization of the country, and I cannot do better than refer the Committee to Geo. B. Faribault, Esquire, Clerk Assistant of the Legislative Assembly, who has made a collection of a great number of works relating to this subject, and which I believe now form part of the Library of the Legislative Assembly.

Tuesday, 25th February, 1845.

The Honorable *A. W. Cochran*, Esquire, President of the Literary and Historical Society of Quebec, examined:—

Having been permitted to peruse the answers of G. B. Faribault, Esquire, to the questions put to him by the Special Committee, I think it sufficient to say that I entirely concur with him in all his statements, with the following qualifications and additions:

1st. I think the Archives in question ought to be removed from where they now are, for if they are valuable at all, they cannot long be preserved in the vaults of the *Evêché*. I doubt whether daily ventilation and stove heat will save them from destruction there; a vault, though a good security against fire and some other accidents, is a bad repository for records written on paper, especially where, as at the *Evêché*, the vault is, on two sides, below the level of the ground; the paper on which these records are written appears to me to be subject to a peculiar species of decomposition, independent of damp, when not freely exposed to the atmospheric air; and I fear therefore that even the keeping them in tin boxes, would not be sufficient to keep them from this decay.

2nd. I think that the records which relate to private titles, should be transferred to and kept in some safe general depository under the immediate direction of the Government.

3rd. I am of opinion that the other records, such as the Ancient Commissions, Judicial or other proceedings of the local or administrative authorities, and documents of a miscellaneous description, should remain at Quebec,—those of a Judicial kind among the Archives in the Court House, and those of an administrative and miscellaneous character, under the care of the Literary and Historical Society of Quebec, to whom also might be entrusted the duty of classifying the whole, whether judicial or otherwise, and of making a selection of such as might be worth publishing in a printed form.

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3rd March.

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# PUBLIC ACCOUNTS

FOR THE

PROVINCE OF CANADA,

FOR THE YEAR 1844.

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LAI D BEFORE THE LEGISLATIVE ASSEMBLY 25<sup>TH</sup> FEBRUARY, 1845.

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**Montreal:**

PRINTED BY DESBARATS & DERBISHIRE,  
Printers to the Queen's Most Excellent Majesty.

1845.



## SCHEDULE

OF ACCOUNTS and STATEMENTS respecting the Public Income and Expenditure of the Consolidated Revenue Fund of the Province of Canada, for the year 1844.

- No 1. Statement exhibiting the Net Revenue of the Province of Canada for the year 1844, also an Abstract of the Expenditure during the same period, and the state of the Consolidated Revenue Fund on the 31st day of January, 1845.

## RECEIPTS.

- No. 2. Statement of the Revenue from Customs Duties in the Province of Canada, during the year ended 5th January, 1845, received between 1st February, 1844, and the 31st January, 1845.
- “ 3. Statement of the Revenue arising from Duties on Licenses for Shops retailing Spirituous Liquors, Inns, Stills, Billiard Tables, Hawkers and Pedlars, Steamboats, and Ale and Beer Houses, during the year ended 5th January, 1845, received between 1st February, 1844, and 31st January, 1845.
- “ 4. Statement of the Revenue arising from Duties on Licenses to Auctioneers and on Sales by Auction, during the year ended 5th January, 1845, received between the 1st February, 1844, and 31st January, 1845.
- “ 5. Statement of the Monies paid to the Receiver General, between the 1st February, 1844 and the 31st January, 1845, on account of the Territorial Revenue for the year ended 31st December, 1844.
- “ 6. Statement of Revenue arising from the Light House or Tonnage Duty, under the Act U. C. 7 Will. 4. cap. 95, during the year ended 5th January, 1845, received between the 1st February, 1844 and 31st January, 1845.
- “ 7. Statement of Duties on Bank Issues paid the Receiver General, pursuant to Provincial Act of Canada, 4 & 5 Vic. cap. 29, in the year ended 31st December, 1844.
- “ 8. Account of Revenue arising from Public Works and Receipts on account of Interest on Loans to Public Works in the Province of Canada, between 1st February, 1844, and 31st January, 1845.
- “ 9. Statement of Revenue arising from Fees on Militia Commissions, Exemptions from Militia Duty and Militia Fines, paid the Receiver General, between the 1st February, 1844, and the 31st January, 1845, pursuant to Act of Upper Canada, 2 Vic. cap. 9.
- “ 10. Statement of Fines and Forfeitures including Seizures paid the Receiver General between the 1st February, 1844, and the 31st January, 1845, on account of the year ended the 31st December, 1844.
- “ 11. Statement of the Casual Revenue paid the Receiver General between the 1st February, 1844 and the 31st January, 1845, on account of the year ended the 31st December, 1844, consisting of Fees on Land Patents and Instruments under the Great and Privy Seal, Copies and Certificates of Land Patents, Marriages, Inns, Country and Town Shops, Hawkers, Billiards and Ferry Licenses, including Fees on Exemptions, Searches and other Incidental Payments.

## EXPENDITURE.

- No. 12. Statement of the charge for Interest on the Public Debt of the Province of Canada from 1st February 1844 to 31st January, 1845.
- “ 13. Statement of Warrants issued on the Receiver General of the Province of Canada, between 1st February, 1844 and the 31st January, 1845, on account of the expenditure for services provided for by Acts and Ordinances of the late Province of Lower Canada, for the year ended the 31st December, 1844.
- “ 14. Statement of Warrants issued on the Receiver General of the Province of Canada, between the 1st February, 1844, and the 31st January, 1845, on account of services provided for by Acts of the late Province of Upper Canada, for the year ended the 31st December, 1844.
- “ 15. Statement of Warrants issued on the Receiver General of the Province of Canada, between the 1st February, 1844, and the 31st January, 1845, on account of services provided for by Acts of the Legislature of the Province of Canada, for the year ended 31st December, 1844.
- “ 16. Statement of Warrants issued on the Receiver General of the Province of Canada, on account of the Expenditure of the Civil Government for services of the year 1842, paid between the 1st February, 1844, and the 31st January, 1845, provided for by Act 6 Vic. cap. 9.



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- No. 17. Statement of Warrants issued on the Receiver General of the Province of Canada, between the 1st February, 1844, and the 31st January, 1845, on account of the Expenditure of the Civil Government of Canada, for the year 1843, out of the Vote of the Legislative Assembly of that Session.
- “ 18. Statement of Warrants issued on the Receiver General of the Province of Canada, between the 1st February, 1844, and the 31st January, 1845, on account of the Expenditure of the Civil Government, for the year ended the 31st December, 1844, for which a provision is required.

### MISCELLANEOUS.

- No. 19. Comparative Statement of the Net Revenue and Expenditure of the Consolidated Revenue Fund of the Province of Canada, for the years 1843 and 1844.
- “ 20. Statement of Warrants issued on the Receiver General of the Province of Canada, between the 1st February, 1844, and the 31st January, 1845, on account of the Expenditure for services provided for in the Civil List, Schedule A., for the year ended the 31st December, 1844.
- “ 21. Statement of Warrants issued on the Receiver General of the Province of Canada, between the 1st February, 1844, and the 31st January, 1845, on account of the Expenditure for services provided for in the Civil List, Schedule B., for the year ended 31st December, 1844.
- No. 22. Statement of the particulars of the Payments and Deductions made from the Revenues constituting the Consolidated Fund of the Province of Canada, for Expenses of Management, Collections, Drawbacks, Return Duty, &c., for the year ended the 5th January, 1845.
- “ 23. Statement of the Affairs of the Province of Canada on the 31st January, 1845, in which the year 1844 is included.

### SCHEDULE

OF STATEMENTS exhibiting the Receipts and Expenditure of the several undermentioned Special Accounts for the Year 1844.

- No. 24. Statement of Monies collected under the Provincial Acts 45 Geo. 3. cap. 12, 51 Geo. 3. cap. 2, and 2 Geo. 4. cap. 7, and of the expenses incurred in supporting and improving the navigation of the River St. Lawrence from the Basin of Portneuf, in the District of Quebec, to the division line between the late Provinces of Lower and Upper Canada for the year 1844, under the Trinity Board of Montreal.
- “ 25. Statement of Tonnage Duties collected during the season of the navigation of the year 1844 at Quebec and Montreal, under Provincial Act 6 Will. 4. cap. 35, continued by the Ordinance 3 Vict. cap. 15, and of the sums paid thereout to provide for the Medical Treatment of Sick Mariners.
- “ 26. Statement of the Funds arising from the Estates of the late Order of Jesuits, in the year ended the 31st December, 1844.
- “ 27. Statement of Monies arising from the sale of School Lands in that part of the Province heretofore called Upper Canada, pursuant to Provincial Act 4 & 5 Vic. cap. 19, and Warrants issued thereon between the 18th February, 1844, and the 31st January, 1845, on account of the year ended the 31st December, 1844.
- “ 28. Statement of Monies received from the rate or duty imposed by the Provincial Act of Canada 4 & 5 Vic. cap. 13, on Passengers or Emigrants arriving at the Ports of Quebec and Montreal, including a sum credited the Provincial Government by the Commissary General on account of Emigration—and the amount paid thereout for providing medical assistance for sick Emigrants, and enabling Indigent Persons of that description to proceed to the place of their destination during the season of the navigation of the year 1844.
- “ 29. Statement of Monies paid the Receiver General of the Province of Canada, by the District Treasurers, Canada West, between 1st January, 1844, and the 31st January, 1845, pursuant to an Act of the Legislature of Upper Canada, 2 Vic. cap. 11, intituled, “An Act to authorize the erection of an Asylum within that Province for the reception of Insane and Lunatic Persons;” including a Balance in the hands of the Receiver General of £8289 2s. 1d. Currency.

INSPECTOR GENERAL'S OFFICE,  
Montreal, 1845.

W. B. ROBINSON,  
*Inspector General.*

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(I. I.)  
1845.

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**No 1.**

**A STATEMENT exhibiting the Net Revenue of the Province of Canada for the year 1844, also an Abstract of the Expenditure during the same period and the state of the Consolidated Revenue Fund on the 31st day of January, 1845.**

DR.

EXPENDITURE.		No. of Statement.	Currency.	1845.	REVENUE.	No. of Statement.	Currency.	Cr.
1845.			£ s. d.				£ s. d.	£ s. d.
January 31.	To Interest on the Public Debt.....	12	122790 11 6½	January 31.	By Balance at Credit of the Consolidated Revenue Fund on 31st January, 1844.....			115505 2 10½
"	" Amount of Schedule A .....		50000 0 0	"	" Net Customs in Cash.....£317498 1 6½	2	429722 11 4½	
"	" do of Schedule B.....		33333 6 8	"	" Do in Bonds..... 112224 9 10			
"	" Permanent Charges provided by Legislative Enactments in Canada East.....	13	4239 0 6	"	" Net Excise.....	3 & 4	34370 5 0	
"	" Permanent Charges provided by Legislative Enactments in Canada West.....	14	12772 13 5	"	" Net Territorial.....	5	5180 18 6½	
"	" Charges by Acts of the Legislature of the Province of Canada.....	15	86706 9 5	"	" Light House and Tonnage Duty West.....	6	604 4 10	
"	" Charges under the Estimate of 1842.....	16	1945 14 2	"	" Bank Imposts.....	7	10492 15 5	
"	" Charges under the Estimate of 1843.....	17	26043 14 5	"	" Revenue from Public Works.....	8	25624 11 1½	
"	" Charges under the Expenses of 1844.....	18	52264 4 6	"	" Militia Commissions, Fines and Exemptions..	9	48 15 0	
"	" Unfunded Debt Balance.....		3926 18 11½	"	" Fines and Forfeitures including Seizures.....	10	3214 18 10½	
"	" Sinking Fund New Account of Guaranteed Loan.....		54068 13 4	"	" Casual Revenue.....	11	5094 2 11½	
"	" Balance at Credit of the Consolidated Fund.....		448091 6 11½	"	" Interests on Public Deposits.....		1430 6 5	515783 9 6
	Total Currency.....		£ 631288 12 4½		Total Currency.....		£ 631288 12 4½	

February 1st, 1845.—By Balance brought down.....£183197 5 5½

INSPECTOR GENERAL'S OFFICE,  
Montreal, 1845.

W. B. ROBINSON,  
Inspector General.

Appendix (I. I.) 1845.

No. 2.

STATEMENT of the Revenue from Customs Duties in the Province of Canada during the year ended 5th January, 1845, received between 1st February, 1844, and the 31st January, 1845.

Table with columns: P.O.R.T.S., Authority under which the Duties are Collected (Imperial Act, Provincial Act, Wheat Act), Gross Amount of Collections, Deductions made in progress of Collection (For Commissioners and other expenses, Drawbacks or Return Duty), Other Expenses by Warrant on the Collection paid, Net Revenue in Currency.

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Table with columns: Port Name, Deduct-Excess of Expenses above Collections at the Port of Clearanceville, Off Return Duties at sundry Ports under Act 7 Vic. Cap. 1, Net Revenue, Currency.

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Less—Paid for Weighing Machines for the use of Collectors

Add—Balances outstanding on 31st January, 1844, do do 1845,

Net Revenue, Currency.

INSPECTOR GENERAL'S OFFICE, Montreal, 1845.

W. B. ROBINSON, Inspector General,

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1845.

**No. 3.**

STATEMENT of the Revenue arising from Duties on Licences for Shops retailing Spirituous Liquors, Inns, Stills, Billiard Tables, Hawkers and Pedlars, Steam-Boats, and Ale and Beer Houses, during the year ended 5th January, 1845, Received between 1st February, 1844, and 31st January, 1845.

DISTRICTS.	Shops.		Inns.		Stills.		Billiard Tables.		Hawkers & Pedlars.		Steam-Boats.		Ale & Beer Houses.		Total Gross Revenue.	Expenses of Collection.	Net Revenue.
	No.	£ s. d.	No.	£ s. d.	No.	£ s. d.	No.	£ s. d.	No.	£ s. d.	No.	£ s. d.	No.	£ s. d.			
Montreal.....	570	2380 0 0	1145	4580 0 0	25	1364 14 11	89	178 0 0	..	..	..	..	..	..	8416 12 5	77 5 4	£339 7 0½
Quebec.....	5	37 10 0	58	259 0 0	1	13 17 6	..	..	..	..	..	..	..	..	341 12 6	43 0 6	298 12 0
St. Francis.....	4	30 0 0	37	160 10 0	6	43 12 6	..	..	..	..	..	..	..	..	279 10 3	53 14 9	225 15 6
Bathurst.....	10	75 0 0	33	121 10 0	6	69 0 3	..	..	..	..	..	..	..	..	321 10 10½	60 12 10	260 18 0½
Colborne.....	18	135 0 0	43	223 10 0	3	91 5 10½	..	..	..	..	..	..	..	..	487 19 4	77 9 10	390 9 6
Dalhousie.....	32	240 0 0	46	438 10 0	3	102 9 4	..	..	..	..	..	..	..	..	796 6 0	119 0 9	677 5 3
Eastern.....	46	345 0 0	197	1107 10 0	16	320 7 3	7	53 15 0	1	7 10 0	1	7 10 0	17	25 10 0	1892 2 3	213 2 2	1679 0 1
Gore.....	69	517 10 0	321	2458 10 0	25	342 15 6	12	55 0 0	6	45 0 0	6	45 0 0	17	34 0 0	3522 15 6	291 7 9	3241 7 9
Home.....	5	37 10 0	26	108 10 0	3	22 7 0	..	..	..	..	..	..	..	..	169 17 0	31 2 2	138 14 10
Huron.....	26	195 0 0	74	362 0 0	4	185 3 6	..	..	..	..	..	..	..	..	514 13 6	128 11 9	686 1 9
London.....	15	112 10 0	109	639 0 0	14	167 14 9	3	30 0 0	1	7 10 0	18	20 0 0	16	23 10 0	972 14 9	141 16 10	830 17 11
Midland.....	27	202 10 0	209	1495 10 0	5	209 17 0	4	25 0 0	4	30 0 0	..	..	..	..	2002 17 0	190 2 10	1812 14 2
Newcastle.....	20	150 0 0	86	487 0 0	13	260 3 6	3	25 0 0	..	..	..	..	..	..	929 3 6	129 12 11	799 10 7
Niagara.....	62	465 0 0	188	1167 10 0	10	161 17 0	10	85 0 0	5	37 10 0	2	7 0 0	2	7 0 0	1983 17 0	212 8 8	1771 8 4
Ottawa.....	7	45 0 0	15	93 0 0	1	36 11 3	4	39 10 0	..	..	..	..	..	..	214 1 3	44 3 10	169 17 5
Prince Edward.....	4	30 0 0	23	138 0 0	1	13 17 6	..	..	..	..	..	..	..	..	186 17 6	34 13 1	152 4 5
Talbot.....	7	52 10 0	26	157 10 0	5	91 15 9	..	..	..	..	..	..	..	..	361 15 9	70 14 6	291 1 3
Victoria.....	9	67 10 0	53	258 0 0	3	42 0 0	..	..	..	..	..	..	..	..	355 10 0	54 18 9	330 11 3
Simcoe.....	6	45 0 0	47	212 0 0	3	32 9 6	..	..	..	..	..	..	..	..	300 9 6	55 0 11	245 8 7
Wellington.....	9	67 10 0	83	420 0 2	12	275 17 0	1	10 0 0	1	7 10 0	3	3 10 0	6	7 0 0	780 7 2	120 0 11	660 6 3
Western.....	8	60 0 0	90	486 10 0	5	65 5 0	1	10 0 0	2	15 0 0	5	14 0 0	..	..	650 15 0	104 1 7	546 13 5
<b>Totals.....</b>	<b>959</b>	<b>5190 0 0</b>	<b>2909</b>	<b>15373 10 2</b>	<b>167</b>	<b>3943 7 10½</b>	<b>158</b>	<b>751 5 0</b>	<b>20</b>	<b>150 0 0</b>	<b>117</b>	<b>273 5 0</b>	<b>8½</b>	<b>2253 2 8½</b>	<b>25801 8 0½</b>	<b>2253 2 8½</b>	<b>23548 5 4</b>

Expenses incurred in sending a person to distribute Blank Licences to the District Inspectors, which, if sent by mail, would have considerably increased the expense.....

Auction Duty as per Statement No. 4, annexed, Currency.....

Total Excise, Currency.....

Add—Receipts during the month of January last on account of Licences and Duties, 1845.  
Less—Received in January, 1844, on account of 1844, and included in the account for 1843.....

Net Revenue in Cash, Currency.....£34370 5 0

INSPECTOR GENERAL'S OFFICE, Montreal, 1845.  
W. B. ROBINSON, Inspector General.

No. 4.

1815.

1845.

STATEMENT of the Revenue arising from Duties on Licences to Auctioneers, and on Sales by Auction, during the Year ended 5th January, 1845, Received between the 1st February, 1844, and 31st January, 1845.

DISTRICTS & PORTS.	Licences to Auctioneers.		Sales by Auction.	Total Gross Revenue.	Expenses of Collection.	Net Revenue.
	No.	Duty.				
Montreal.....	15	£ 75 0 0	£ 5213 2 6	£ 5288 2 6	£ 134 14 7	£ 5153 7 11
Quebec.....	13	£ 65 0 0	£ 1630 7 5	£ 1695 7 5	£ 40 15 2	£ 1654 12 3
St. Francis.....	3	£ 15 0 0	£ 0 2 4½	£ 21 2 4½	£ 0 15 2	£ 20 7 2½
<i>By Collectors of Ports of</i>						
Belleville.....	2	£ 10 0 0	£ 3 4 7	£ 13 4 7	£ 0 13 3	£ 12 11 4
Brockville.....	5	£ 25 0 0	£ 12 13 2	£ 37 13 2	£ 1 17 8	£ 35 15 6
Cobourg.....	5	£ 25 0 0	£ 13 16 2½	£ 38 16 2½	£ 1 18 10	£ 36 17 4½
Cornwall.....	1	£ 5 0 0	£ 0 12 8½	£ 5 12 8½	£ 0 5 8	£ 5 7 0½
Goderich.....	2	£ 10 0 0	£ .. .. .	£ 10 0 0	£ 0 10 0	£ 9 10 0
Hamilton.....	6	£ 30 0 0	£ 2 17 9	£ 32 17 9	£ 1 12 10	£ 31 4 11
Hallowell.....	1	£ 5 0 0	£ .. .. .	£ 5 0 0	£ 0 5 0	£ 4 15 0
Kingston.....	5	£ 25 0 0	£ 183 12 2	£ 208 12 2	£ 10 8 7	£ 198 3 7
Niagara.....	4	£ 20 0 0	£ 9 7 8½	£ 29 7 8½	£ 1 9 5½	£ 27 18 3½
Prescott.....	2	£ 10 0 0	£ 1 3 4½	£ 11 3 4½	£ 0 11 1½	£ 10 12 3
Port Dalhousie.....	1	£ 5 0 0	£ 6 3 7½	£ 11 3 7½	£ 0 11 2½	£ 10 12 5½
"  Dover.....	1	£ 5 0 0	£ 4 19 4½	£ 9 19 4½	£ 0 9 11½	£ 9 9 5
"  Hope.....	1	£ 5 0 0	£ 1 10 11	£ 6 10 11	£ 0 6 6	£ 6 4 5
"  Stanley.....	3	£ 15 0 0	£ 4 1 11	£ 19 1 11	£ 0 19 1	£ 18 2 10
Toronto.....	7	£ 35 0 0	£ 553 11 8	£ 588 11 8	£ 29 8 7	£ 559 3 1
Windsor.....	2	£ 10 0 0	£ 3 3 6½	£ 13 3 6½	£ 0 13 2	£ 12 10 4½
Totals, Currency.....	79	£ 395 0 0	£ 7650 11 0½	£ 8045 11 0½	£ 228 5 9½	£ 7817 5 2½

INSPECTOR GENERAL'S OFFICE,  
Montreal, 1845.

W. B. ROBINSON,  
Inspector General.

No. 5.

STATEMENT of the Monies paid to the Receiver General, between the 1st February, 1844, and the 31st January, 1845, on Account of the Territorial Revenue, for the Year ended 31st December, 1844.

SOURCES OF REVENUE.	Currency.		Total Currency.
	£	s. d.	£ s. d.
<i>King's Posts.</i>			
From the Hudson's Bay Company, One Year's Rent of the King's Posts, to the 10th October, 1844.....	..	..	£ 600 0 0
<i>King's Wharf.</i>			
From Torrance, & Co., Three Year's Rent of part, to 1st May, 1844, at £26 11s. per annum.....	..	..	£ 79 13 0
<i>Forges at St. Maurice.</i>			
From the Hon. Mathew Bell, Three Year's Rent, to 31st December, 1841, at £425 per annum.....	..	..	£ 1275 0 0
<i>Rent of Beach and Water Lots at Quebec.</i>			
From George Taylor, One Year's Rent of a Water Lot to 24th June, 1844....	..	..	£ 35 19 2
"  Walker & Forsyth, do do of 2 do to do do .....	..	..	£ 32 3 6
"  Wm. Phillips, 2 do of 1 do to do do .....	..	..	£ 2 0 0
"  Rev. Jos. Signay, 1 do of 1 do to 24th June, 1843, including a balance of 3s. 8d. for 1842.....	..	..	£ 3 9 10
"  A. Gilmour, 1 Year's Rent of a Beach and Water Lot, to 24th June, 1844.	..	..	£ 22 2 0
"  Wm. Petry, 2 do of a Water Lot, to do at £1 12s. 9d. per annum.	..	..	£ 3 5 6
"  John Bonner 2 do of do to do at £8 11s. 6d. do	..	..	£ 17 3 0
Carried over.....	..	..	£ 116 3 0
	..	..	£ 2070 16 0

Appendix  
(I. I.)

No. 5.—STATEMENT of the Monies paid to the Receiver General, &c.—Continued.

Appendix  
(I. I.)

1845.

SOURCES OF REVENUE.	Currency.		Total
	£	s. d.	Currency.
<i>Brought over</i> .....	..	..	2070 16 0
<i>Quints.</i>			
From Sundry Persons.....	..	..	220 5 1
<i>Lods et Ventes.</i>			
From Sundry Persons.....	..	..	2512 14 1
<i>Commutation on Change of Tenure.</i>			
From J. W. Dunn.....	..	250 0 0	
" Arthur McDonald.....	..	70 0 0	
" Margaret Ferguson.....	..	52 10 0	
" Heirs of the late Dr. Mills.....	..	79 8 6	
" Henry Atkinson.....	..	30 0 0	
" John McLeod.....	..	36 0 0	
" Henry Black.....	..	125 0 0	
			642 18 6
<i>Rent of Ferries.</i>			
Rent from the Ferry at Prescott.....	..	75 0 0	
" " " at Bytown.....	..	8 0 0	
" " " from Kingston to Garden Island.....	..	2 10 0	
			85 10 0
From Wm. H. Draper, Attorney General, West, this amount received from Messrs. S. Fidler & Potts, for Timber dues.....	..	..	38 0 7
			5570 4 3
<i>Deductions by Warrant.</i>			
Hon. F. W. Primrose, Twelve Months Salary as Clerk of the Terrars of the Queen's Domain, to 31st December, 1844.....	..	100 0 0	
Do Per Centage on his Collections as Inspector General of the same in the 18 Months to do.....	..	289 5 9	
			389 5 9
			5180 18 6
Net Currency.....	..	..	£ 5180 18 6

INSPECTOR GENERAL'S OFFICE,  
Montreal, 1845.

W. B. ROBINSON,  
*Inspector General.*

Since this Account was completed an Abstract of the Accounts of the Commissioner of Crown Lands has been furnished to this Office, as follows :—

SOURCES OF REVENUE.	Currency.		Total
	£	s. d.	Currency.
<i>Receipts by the Commissioner of Crown Lands.—From Crown Lands.</i>			
Amount of Crown Lands Sales.....	25841	2 4	
" " " " by Instalments.....	665	10 3	
" " Instalments, Canada West.....	2240	2 5	
" " " " East.....	561	12 11	
" " Rents and Arrears.....	560	3 3	
" " Crown Rents.....	47	6 3	
" " Fees on Grants of Land.....	1234	11 5	
" " Military Reserves at Toronto.....	1519	12 5	
" " Gain on Scrip.....	80	12 7	
" " Commission (disallowed).....	547	7 8	
" Received from McPherson & Crane for damages on Furniture.....	4	2 6	
			33302 4 0
<i>Deductions for Management, &amp;c.</i>			
Expenses of Inspections.....	433	2 6	
" " Surveys.....	2750	3 2	
" " Commission.....	952	15 5	
" " Advertisements.....	468	13 7	
Remission on Military Reserves.....	13	8 3	
Thomas Steers, Agent Western District, for Services and Disbursements, on account of Woods and Forests, from the 14th October, 1839, to the 30th June, 1843.....	288	18 5	
Salaries and other Disbursements of the Crown Lands and Surveyor General's Departments.....	3523	15 3	
Miscellaneous Payments.....	705	5 3	
			9136 1 10
Net Crown Lands.....	..	..	24166 2 2
<i>Carried forward</i> .....	..	..	£ 24166 2 2

No. 5.—STATEMENT of the Monies paid to the Receiver General, &c.—Continued.

1845.

1845.

SOURCES OF REVENUE.	Currency.			Total
	£	s.	d.	Currency.
<i>Brought forward</i> .....	..	..	..	24166 2 2
<i>From Woods and Forests.</i>				
Amount received from Timber Dues .....	..	..	..	27764 3 0
Less—Deduction for Salaries, Commission, &c.....	..	..	..	1943 18 3
Net Woods and Forests.....	..	..	..	25820 4 6
Net Currency.....	..	..	..	49986 6 8
Balance in the hands of the Commissioner from last year.....	..	..	..	10153 19 6
<i>Cn.</i> Total Net Currency.....	..	..	..	60140 6 2
By this amount absorbed in Militia Scrip.....	..	..	..	5127 10 0
“ “ “ in Land Rights.....	..	..	..	24891 18 9
“ “ Paid the Receiver General, being this sum taken in Land Rights on account of the Clergy Reserves, C. W., prior to the union, and carried to the Credit of these Lands, as authorized by Act U. C. 7 Will. 4. cap. 118. ....	..	..	..	16339 13 2
Do Paid do by the Hon. G. H. Markland, and accounted by this Department on School Lot No. 7, in the Township of Sheffield, and carried to the Credit of the School Land Fund.....	..	..	..	66 15 0
Do Paid Laird McNab on account of his claim against Government.....	..	..	..	534 6 4
Do “ A. W. Cochran One Years' Allowance in lieu of Fees as late Auditor General of Land Patents.....	..	..	..	30 0 0
				46990 3 3
*Balance in the hands of the Commissioner carried to next year....	..	..	..	£ 13150 2 11

\* This Balance has been paid the Receiver General since the 1st February, 1845.

N. B.—The particulars of the Deductions cannot be given, as no detailed Accounts have been rendered this Department for the last Six Months of 1844.

No. 6.

STATEMENT of Revenue arising from the Light House or Tonnage Duty, under the Act U. C. 7th Will. 4th Cap. 95, during the year ended 5th January, 1845, received between the 1st February 1844 and 31st January 1845.

Port where Collected.	Amount Currency.		
	£	s.	d.
Amherstburgh.....	13	18	0
Bath.....	5	10	0
Belleville.....	7	0	0
Brockville.....	5	16	0
Cobourg.....	18	10	0
Chatham.....	17	12	0
Dunville.....	2	17	0
Goderich.....	2	11	0
Hamilton.....	47	6	9
Hallowell.....	2	18	0
Kingston.....	13	12	0
Newcastle.....	2	8	0
Niagara.....	38	16	0
Oakville.....	26	9	9
Prescott.....	15	0	0
Port Burwell.....	9	2	0
“ Colborne.....	29	12	0
“ Credit.....	5	17	0
“ Dalhousie.....	28	1	0
“ Dover.....	5	2	0
“ Sarnia.....	6	2	0
“ Stanley.....	18	2	0
Sandwich.....	10	18	0
Toronto.....	126	12	7
Windsor.....	24	6	9
Total.....	£ 604	19	10
Less—Balances outstanding 31st Jan. 1845.....	£ 8	11	0
Off do. do. 31st Jan. 1844.....	7	16	0
Net Revenue in Cash Currency.....	£ 604	4	10

N. B.—No Allowance is granted by Law to Collectors of Customs for the Collection of this Duty.

Appendix  
(I. I.)  
1845.

## No. 7.

Appendix  
(I. I.)  
1845.

STATEMENT of Duties on Bank Issues paid the Receiver General, pursuant to Provincial Act of Canada, 4 &amp; 5 Vict. Chap. 29, in the year ended 31st December, 1844.

							Currency.			
							£	s.	d.	
Amount of Duties received from the Bank of Montreal for the year ended, the 31st October, 1844 .....							3548	2	3	
Do	do	do	Quebec Bank,	do	do	do	387	11	2	
Do	do	do	Bank of Upper Canada,	do	do	do	1498	9	10	
Do	do	do	Bank of British North America,	do	do	do	811	17	2	
Do	do	do	Banque du Peuple, at Montreal,	do	do	do	766	15	3	
Do	do	do	City Bank,	do	do	do	1293	10	1	
Do	do	do	Commercial Bank, at Kingston,	do	do	do	1466	2	0	
Do	do	do	Gore Bank, at Hamilton,	do	do	do	712	7	4	
Do	do	do	Farmers' Joint Stock Company's Bank, at Toronto, for Six Months, to 30th April, 1844.....				8	0	4	
Total Currency.....							£	10492	15	5

INSPECTOR GENERAL'S OFFICE,  
Montreal, 1845.W. B. ROBINSON,  
*Inspector General.*

## No. 8.

ACCOUNT of Revenue arising from Public Works and Receipts on Account of Interest on Loans to Public Works in the Province of Canada, between 1st February, 1844, and 31st January, 1845.

WORKS.	Gross Amount.			Deductions for Expenses of Collection, Management, &c.			Net Amount Currency.			
	£	s.	d.	£	s.	d.	£	s.	d.	
Welland Canal.....	26134	12	11½	19419	3	5½	6715	9	5½	
Lachine Canal.....	8937	4	11	2133	4	9	6804	0	2	
Chambly Canal.....	342	2	0½	531	1	6				
Port Hope Harbour.....	300	0	0	..	..	..	300	0	0	
West York Road Trust.....	300	0	0	..	..	..	300	0	0	
Dunville Bridge.....	5	0	0	..	..	..	5	0	0	
Paris Bridge.....	46	17	2	..	..	..	46	17	2	
Cobourg Harbour.....	1259	13	8	140	10	0	1119	3	8	
Toronto Harbour.....	712	3	8	121	10	11	590	12	9	
Oakville Harbour.....	473	12	8	75	0	0	398	12	8	
Trent Bridge.....	177	10	0	..	..	..	177	10	0	
Burlington Bay Canal.....	2933	0	2	146	13	0	2786	7	2	
St. Ann's Locks.....	1560	15	6½	192	3	0	1368	12	6½	
Kettle Creek Harbour.....	1077	1	11½	53	17	0	1023	4	11½	
							21635	10	6½	
Deduct—Excess of expenses on account of Chambly Canal...	..	..	..	..	..	..	191	19	5½	
Totals in Currency.....	£	44259	14	8½	22816	3	7½	21443	11	0¾
Add—Balances outstanding on the 31st January, 1844.....				5134	15	11½				
Less—Balances outstanding on the 31st January, 1845.....				953	15	10¾				
Net Revenue in Cash, Currency.....	£	25624	11	1¼						

INSPECTOR GENERAL'S OFFICE,  
Montreal, 1845.W. B. ROBINSON,  
*Inspector General.*



## No. 9.

1845.

1845.

STATEMENT of Revenue arising from Fees on Militia Commissions—Exemptions from Militia Duty and Militia Fines, paid the Receiver General, between the 1st February, 1844, and the 31st January, 1845, pursuant to Act of Upper Canada, 2 Vict. Cap. 9.

REGIMENT OR CORPS.	Fees on Commission.			Exemption Money.			Fines.			Total.		
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
1st Lincoln.....	8	15	0									
2nd ".....	7	15	0									
2nd Lanark.....	2	5	0									
2nd Carlton.....	1	5	0									
Lieutenant Colonel Gordon.....	3	5	0									
Oxford Regiment.....	9	10	0									
Colonel McMahon.....	7	10	0									
" Marks.....	5	5	0									
" Boulton.....	1	0	0									
Major McKenzie.....	1	0	0									
Thomas Fisher.....	1	5	0									48 15 0
Total Currency.....												£48 15 0

INSPECTOR GENERAL'S OFFICE,  
Montreal, 1845.

W. B. ROBINSON,  
Inspector General.

## No. 10.

STATEMENT of Fines and Forfeitures including Seizures paid the Receiver General between the 1st February, 1844 and the 31st January, 1845, on account of the year ended the 31st December, 1844.

Fines.						Currency.			Total Currency.		
						£	s.	d.	£	s.	d.
Amount received from the Clerk of the Peace for the District of Quebec -						124	2	3			
Do do do do of Montreal -						216	12	2			
Do do do do of Three Rivers -						8	5	0			
Do do do do of Montreal, being fines payable to the Montreal District Council						71	14	4			
Do do Sheriffs in Western Canada -						407	19	9			
Do do Magistrates in do -						164	16	9			
Do do Treasurer of the Trinity House at Montreal -						0	18	0			
Do do Sheriff of Victoria by the hands of the Attorney General, (West)						16	2	10½			
Total -						1010	11	1½			
Less—This sum twice credited -						4	0	0			
Net Fines -									1006	11	1½
Amount received from the Inspector and Superintendents of Police at Montreal and Quebec, being the net proceeds of Sales of Stolen Articles effected in 1844 -									146	12	4
Seizures.											
At the Port of Montreal -						220	2	0			
Do do Quebec -						105	3	2			
Do do St. Johns -						143	7	0½			
Do do Phillipsburg -						5	4	2			
Do do Stanstead -						41	7	3½			
Do do Compton -						30	8	8½			
Do do Clarenceville -						9	0	7½			
Do do Eaton -						9	3	9			
Do do Freleighsburg -						16	6	4			
Carried over.....						£ 580	3	1½			1153 3 5½

		Currency.			Total Currency.			
		£	s.	d.	£	s.	d.	
<i>Brought over</i> .....		580	3	1½	1153	3	5½	
<i>Seizures—continued.</i>								
At the Port of	Huntingdon,	12	12	8				
Do do	Hemmingford	9	2	4½				
Do do	Lacole	47	3	10½				
Do do	Russeltown	11	8	7½				
Do do	Potton	6	3	0				
Do do	Coteau-du-Lac	12	9	4½				
Do do	Amherstburg	38	3	5½				
Do do	Bath.	30	6	5½				
Do do	Belleville	9	7	10				
Do do	Brockville	45	9	0				
Do do	Bond Head	2	19	4½				
Do do	Chatham	70	15	11				
Do do	Chippewa	144	18	5½				
Do do	Coburg..	1	12	6				
Do do	Cornwall	2	5	0				
Do do	Dunville	12	8	3				
Do do	Gananoque	29	12	10				
Do do	Hamilton	54	1	6				
Do do	Kingston	478	7	6				
Do do	Maria Town	21	12	7½				
Do do	Maitland	2	15	0				
Do do	Niagara	42	18	11½				
Do do	Prescot	37	5	4				
Do do	Port Colborne	19	10	3				
Do do	do Hope	26	10	4				
Do do	do Credit	19	11	9½				
Do do	do Dalhousie	39	15	3				
Do do	do Stanley	33	4	7				
Do do	Toronto.	126	17	10				
Do do	Turkey Point	2	4	7				
Do do	Queenston	63	5	9½				
Do do	Sandwich	28	8	11½				
Do do	Sault Ste. Marie	2	3	9				
Do do	Windsor	1	11	6				
Total.....		£	2067	7	8			
<i>Add—Part of the balances outstanding in 1843 and paid in 1844</i> .....			145	12	5			
		£	2213	0	1			
<i>Deductions by Warrant—being Expenses in Suits for the recovery of Penalties, &amp;c.</i>								
Wm. A. Harvey for certain services performed as Clerk of Assize in 1844..	£	2	0	0				
G. M. Boswell, do do Queen's Counsel.....	10	0	0					
Hy. Sherwood, do do do .....	23	6	8					
Wm. Notman, do do Crown Officer.....	10	0	0					
Wm. H. Draper, do do Queen's Counsel.....	105	18	0					
			151	4	8			
Net Seizures.....		..	..	..	2061	15	5	
Total Net Currency.....		..	..	..	£	3214	18	10½

INSPECTOR GENERAL'S OFFICE,  
Montreal, 1844.

W. B. ROBINSON,  
*Inspector General.*

No. 11.

STATEMENT of the Casual Revenue paid the Receiver General between the 1st February, 1844, and the 31st January, 1845, on Account of the year ended the 31st December, 1844,— consisting of Fees on Land Patents and Instruments under the Great and Privy Seal, Copies and Certificates of Land Patents, Marriages, Inns, Country and Town Shops, Hawkers, Billiards and Ferry Licences, including Fees on Exemplifications, Searches, and other Incidental Payments.

RECEIPTS.	£ s. d.	Gross Amount. £ s. d.	Deductions for Commission, &c. £ s. d.	Net Amount. £ s. d.
<i>Provincial Secretary's Office, (Eastern Section.)</i>				
Fees on 7 Commissions for Advocates.....	37 10 0			
" 14 " for Notaries Public.....	40 15 0			
" 10 " for Deputy Provincial Surveyors.....	26 15 0			
" 21 Licences for Medical Practitioners, at £1 8 4 each....	29 15 0			
" 3 " for Branch Pilots, at 15s. each.....	2 5 0			
" 13 Commissions for Custom Officers.....	38 5 0			
" 21 " for Census Commissioners.....	67 17 6			
" 99 " for Cullers, at £1 5s. each.....	123 15 0			
" 5 " for Judges, at £3 5s. each.....	16 5 0			
" 10 " for Registrars.....	32 10 0			
" 15 " for Circuit Clerks.....	46 15 0			
" 14 Miscellaneous Commissions.....	43 10 0			
" 2 Lettres Patent d'Armortissement, at £1 5s. each.....	2 10 0			
" 3 " de Terrier.....	27 1 8			
" 2 Commutation on Change of Tenure.....	19 15 0			
" 1 Registry de Novo (Ship).....	5 16 3			
" 6 Patents for Inventions, at £2 each.....	12 0 0			
" 103 Miscellaneous Land Patents.....	130 10 9			
" 80 Certificates, at 2s. 6d. each.....	10 0 0			
" 1802 Licences for Inns, Shops, Hawkers and Billiard Tables, at 5s. each.....	450 10 0			
" 83 Ferry Licences, at 15s. each.....	62 5 0			
" Copy of Tavern Licence Book.....	0 7 0			
		1226 13 2	61 6 6	1165 6 8
<i>(Western Section.)</i>				
Fees on 15 Commissions for Notaries Public, at £2 each.....	30 0 0			
" 11 " for Deputy Provincial Surveyors, at £2 each.....	22 0 0			
" 14 Licenses for Medical Practitioners, at £1 each.....	14 0 0			
" 3 Commissions for Surveyor of Customs, at £2 each....	6 0 0			
" 7 Miscellaneous Commissions.....	25 0 0			
" 5 Patents for Inventions, at £5 each.....	25 0 0			
" 2 Specifications of Patents for Inventions.....	0 14 6			
" 121 Notarial and other Certificates, at 2s. 6d. each.....	15 2 6			
Lease of a Ferry at Kingstons.....	1 12 6			
		139 9 6	6 19 6	132 10 0
<i>Provincial Registrar's Office.</i>				
Fees on 7 Copies Land Patents, at 12s. 6d. each.....	4 7 6			
" 3 " " at 14s. each.....	2 2 0			
" 6 " " at 13s. 4d. each.....	4 0 0			
" 54 Certificates Land Patents, at 2s. 6d. each.....	6 15 0			
" 117 Full Fees, at 2s. 6d. each.....	14 12 6			
" 105 Searches, at 1s. 3d. each.....	6 11 3			
" 1 Search.....	0 1 1½			
" 22 Exemplifications, at £2 1s. 3d. each.....	45 7 6			
Miscellaneous Fees.....	15 0 6			
		98 17 4½	.....	98 17 4½
<i>Marriage Licences, (Canada East.)</i>				
Fees on 273 Marriage Licences.....	493 5 0			
<i>Marriage Licences, (Canada West.)</i>				
Fees on 2054 Marriage Licences, at £1 each.....	2054 0 0	2547 5 0	392 2 9	2155 2 3
<i>Fee Fund, (Canada West.)</i>				
Received from the Treasurer of the Home District.....		296 11 11		
" " " " Midland District.....		206 14 11		
			508 5 11	
<i>Fee Fund, (Canada East.)</i>				
Received from the Clerk of the District Court at St. Hyacinthe....		45 1 11		
" " " " at Three-Rivers.....		12 6 7		
" " " " at Beauharnois.....		75 0 0		
" " " " at Richelieu.....		8 4 4		
			140 12 10	
				643 18 9
Carried over.....				£ 4195 15 0½

Appendix (I. I.) No. 11.—STATEMENT of the Casual Revenue paid the Receiver General, &c.—Continued.

Appendix (I. I.)

1845.

1845.

RECEIPTS.	Gross Amount.			Deductions for Commission, &c.			Net Amount.		
	£	s.	d.	£	s.	d.	£	s.	d.
<i>Brought over</i> .....							4195	15	0½
Received from the Treasurer of the Home District, on account of Members' Wages.....							189	6	9
“ “ Reverend Robert Murray, Superintendent of Education, (West) Balance of Monies unexpended advanced to him for contingencies of his office.....							3	15	5
“ from J. B. Meilleur, do. (East) being return School Monies for the years 1842 and 1843.....							249	5	1
“ “ Wm. Ermatinger, balance in his hands of Monies advanced to him as late Commissioner of Police.....							456	0	8
Total Net Currency.....						£	5094	2	11½
<i>Particulars of the above Deductions.</i>									
Five per cent. on the amount of £1226 13s. 2d. being Fees received in the Eastern Section.....				61	6	6			
Five per cent. on the amount of £139 9s. 6d. being Fees received in the Western Section.....				6	19	6			
<i>Marriage Licences.</i>									
1 Years' Allowance for Commission.....	100	0	0						
Expenses of Printing.....	23	12	0						
“ of Postages.....	246	8	7						
Amount due by the late J. R. Lemoine, Receiver of Fees at Quebec.....	22	2	2						
				£302	2	9			
							£460	8	9

INSPECTOR GENERAL'S OFFICE,  
Montreal, 1845.

W. B. ROBINSON,  
Inspector General.

## No. 12.

STATEMENT of the charge for Interest on the Public Debt of the Province of Canada from 1st February, 1844 to 31st January, 1845.

To whom Paid.	SERVICE.	Sterling.			Currency.		
		£	s.	d.	£	s.	d.
Bank of England.....	For 24 Months interest to 31st December, 1844, on £300,000 Stg. at 4 per cent is.....	24000	0	0			
	For ½ per cent Commission thereon.....	120	0	0			
	For 18 Months interest to 31st December, 1844, on £300,000 Stg. at 4 per cent is.....	18000	0	0			
	For ½ per cent Commission thereon.....	90	0	0			
	For 9 Months interest to 31st December, 1844, on £300,000 Stg. at 4 per cent is.....	9000	0	0			
	For ½ per cent Commission thereon.....	45	0	0			
	For 3 Months interest to 1st April, 1845, on the above £300,000 Stg. at 4 per cent is.....	3000	0	0			
	For ½ per cent Commission thereon.....	15	0	0			
			54270	0	0		
		Less Interest remitted in 1843....	18090	0	0		
			£ 36180	0	0		
	Carried forward.....				£ 44019	0	0

Appendix  
(I. I.)

## No. 12.—STATEMENT of the charge for Interest on the Public Debt, &amp;c.—Continued.

Appendix  
(I. I.)

1845.

1845.

To whom Paid.	SERVICE.	Sterling.	Currency.
		£ s. d.	£ s. d.
	<i>Brought forward</i> .....		44019 0 0
Glynn, Mills, Halifax & Co...	For 12 Months interest to 31st December, 1844, on £400,000 Stg. Debentures at 5 per cent. ....	20000 0 0	
	For 1 per cent Commission thereon.....	200 0 0	
	For 24 Months interest to 31st December, 1844, on £63,312 9s. 8d. Stg. Welland Canal Debentures, at 5 per cent. ....	6331 4 11	
	For 1 per cent Commission thereon.....	63 6 3	
		26594 11 2	
Baring Brothers & Co.....	For 12 Months interest to 31st Dec. 1844 on £469,650 Stg. Debentures at 5 per cent is.....	23482 10 0	32356 14 3
	For 1 per cent Commission thereon.....	234 16 6	
	For Advertisements and Postages as per account current to 30th June, 1844..... £8 8 5		
	Less Balance of interest in favor of the Province 1 6 5	7 2 0	
		23724 8 6	
Receiver General.....	For this sum to enable him to pay the interest on the Debentures held in the Province to 31st January, 1845...	.. .. .	28864 14 4
			13794 6 8
D. Davidson.....	For 12 Months interest on £20,000, Chambly Canal Loan to 1st November, 1844.....	1200 0 0	
Noah Freer.....	For 12 Months interest on £15,000, Chambly Canal Loan to 1st November, 1844.....	900 0 0	
			2100 0 0
			121134 15 3
	For Premium on Bills of Exchange.....		1655 16 3½
	Total Currency.....	£	122790 11 6½

INSPECTOR GENERAL'S OFFICE,  
Montreal, 1845.W. B. ROBINSON,  
*Inspector General.*

## No. 13.

STATEMENT of Warrants issued on the Receiver General of the Province of Canada, between the 1st February, 1844 and the 31st January, 1845, on account of the expenditure for services provided for by Acts and Ordinances of the late Province of Lower Canada, for the year ended the 31st December, 1844.

ENACTMENTS.	NAMES.	SERVICE.	Amount.	Total Currency.
			£ s. d.	£ s. d.
55 Geo. 3. cap 10...	B. C. A. Gury, Adjutant General Militia.....	For payment of Pensions to Wounded Militiamen for the year ended the 31st October, 1844. ....	.. .. .	390 0 0
6 Geo. 4. cap. 8....	Perrault & Burroughs, Prothonotary, Quebec. }	Allowance for preparing Abstracts of Baptisms, Marriages and Burials in the District of Quebec, for the year 1843.....	30 15 0	
	W. C. H. Coffin, do. }	Do do do do for do	13 0 0	
	Three Rivers..... }			
	Bebec & Wilkie do. }	Do do for do do for 1842..	6 10 0	50 5 0
	Gaspé..... }			
1 Will. 4. cap. 16...	Rev. Jos. Signay, Roman Catholic Bishop.....	Twelve Months allowance for Ground Rent of the Bishop's Palace at Quebec, to 31st December, 1844..	.. .. .	1111 2 2
2 Vic. cap. 2. ....	Jos. A. Taschereau.....	Twelve Months Salary as Superintendent and Inspector of Police at Quebec, to 31st December, 1844.	300 0 0	
	Do .....	Amount of the Pay, Clothing and other expenses of Two Policemen at do to do .....	141 0 0	
	Wm. Ermatinger.....	Twelve Months Salary as Superintendent and Inspector of Police at Montreal to do .....	300 0 0	
		<i>Carried over</i> .....	£ 741 0 0	1551 7 2

Appendix  
(I. I.)

No. 13.—STATEMENT of Warrants issued on the Receiver General, &c.—Continued.

Appendix  
(I. I.)

1845.

1845.

ENACTMENTS.	NAMES.	SERVICE.	Amount.	Total Currency.
		<i>Brought over</i> .....	£ s. d. 741 0 0	£ s. d. 1551 7 2
2 Vic. cap. 2. ....	Wm. Ermatinger.....	Amount of the Pay, Clothing and other expenses of Two Policemen at Montreal, from 1st December, 1843, to 31st August, 1844.....	88 9 1	829 9 1
3 Vic. cap. 15.....	Ed. Larue.....	On account of the expenses in Distributing the Acts of last Session in Canada East.....	83 6 8	
	E. R. Fabre.....	Do for do do the Reserved Acts of do.....	45 0 0	128 6 8
4 Will 4. cap. 7 } continued by 3 } Vic. cap. 15. }	Gabriel Marchand.....	Aid to the Agricultural Society County of Chambly for 1844.....	74 7 6	
	E. W. Douglass.....	Do to the do of Huntingdon for do.....	80 0 0	
	John McPhee.....	Do to the do of Two Mountains for do.....	80 0 0	
	G. W. Johnson.....	Do to the do of Rouville for do.....	80 0 0	314 7 6
3 Vic. cap. 16.....	Valere Guillet.....	To enable him to pay the expenses of the House of Correction at Three Rivers for the year 1844.....	.. .. .	100 0 0
3 Vic. cap. 22.....	A. C. Taschereau.....	Balance of the Grant for continuing the Improvements to the Post Road by the Kennebec in the State of Maine.....	.. .. .	269 8 11
4 Vic. cap. 16.....	John Glen, Manager.....	To pay the Interest on Debentures issued for the Longueuil and Chambly Turnpike Trust, up to the 1st July, 1844.....	.. .. .	155 18 0
4 Vic. cap. 17.....	John Porter, Secretary....	Do issued by the Quebec Turnpike Trust to 1st July, 1844.....	.. .. .	695 3 2
1 Wil. 4. cap. 6 } continued by 3 } Vic. cap. 15. }	Wm. Morris, Receiver } General..... }	To enable him to pay the Bounty for the destruction of Wolves.....	.. .. .	123 12 3
		Add—Balance of Warrant outstanding for 1843 and paid in 1844.....	.. .. .	4167 12 9 71 7 9
		Total Currency.....	.. .. .£	4239 0 6

INSPECTOR GENERAL'S OFFICE,  
Montreal, 1845.

W. B. ROBINSON,  
*Inspector General.*

No. 14.

STATEMENT of Warrants issued on the Receiver General of the Province of Canada, between the 1st February, 1844 and the 31st January, 1845, on account of services provided for by Acts of the late Province of Upper Canada, for the year ended the 31st December, 1844.

ENACTMENTS.	NAMES.	SERVICE.	Amount.	Total Currency.
		<i>District Schools.</i>	£ s. d.	£ s. d.
47 Geo. 3. and va- } rious other Acts. }	John Somerville.....	Nine Months Salary as Master of Brock District Grammar School, from 1st October, 1843, to the 30th June, 1844, at £100 per annum.....	75 0 0	
	John Brown.....	Twelve do as do Bathurst do to 31st December, 1844....	100 0 0	
	Moses Williamson.....	Do do as do Colborne do to do do.....	100 0 0	
	Thomas Wardrop.....	Do do as do Dalhousie do to 30th June, 1844.....	100 0 0	
	Wm. Kay.....	Do do as do Eastern do to 31st December, 1844....	100 0 0	
	John Rae.....	Do do as do Gore do to do do.....	100 0 0	
	Rev. A. McKenzie.....	Do do as do Fluron do to 30th June, 1844.....	100 0 0	
	John Haldan.....	Six do as do do do to 31st December, 1844.....	50 0 0	
	Marcus C. Crombie.....	Twelve do as do Home do to do do.....	100 0 0	
	Andrew Scott.....	Six do as do Johnstown do to 30th June, 1844.....	50 0 0	
	Benjamin Bayley.....	Twelve do as do London do to 31st December, 1844..	100 0 0	
	S. Lightburne.....	Do do as do Midland do to do do.....	100 0 0	
	Robert Hudspeth.....	Do do as do Newcastle do to do do.....	100 0 0	
	Dr. J. Whitelaw.....	Do do as do Niagara do to do do.....	100 0 0	
	Colin Gregor.....	Do do as do Ottawa do to do do.....	100 0 0	
	William Cockell.....	Do do as do Prince Edward do to do do.....	100 0 0	
	Frederick Gore.....	Do do as do Simcoe from the 10th November, 1843, to 30th June, 1844, at £100 per annum.....	64 2 7	
		Carried forward.....	£ 1539 2 7	

1845.

1845.

ENACTMENTS.	NAMES.	SERVICE.	Amount.	Total Currency.
		<i>Brought forward</i> .....	£ s. d. 1539 2 7	£ s. d.
		<i>District Schools.—Continued.</i>		
47 Geo. 3 and various other Acts. }	Geo. Salmon.....	Twelve Months Salary as Master of Talbot District Grammar School, to 31st December, 1844.....	100 0 0	
	Alexander Burdon.....	Eighteen do as do Victoria from 1st July, 1843 to do at £100 per annum.....	150 0 0	
	A. C. Verner.....	Twelve do as do Wellington do to do do do.....	100 0 0	
	A. P. Salter.....	Six do as do Western do to 30th June, 1844.....	50 0 0	1939 2 7
7 Wil. 4. cap. 96. }	Thomas Wilson and others	Purchase of Oil, Salaries and other expenses in maintaining Light Houses during the year 1844.....	3176 10 11	
7 Wil. 4. cap. 103. } & 1 Vic. cap. 44. }	B. Turquand, Receiver } General..... }	On account of the Militia Pensions for the year 1844.....	1606 13 4	
	Wm. Morris, Receiver } General..... }	To enable him to pay the balance of the same.....	1651 18 11	3318 12 3
		<i>Adjutant General of Militia.</i>		
2 Vic. cap. 69.....	Richard Bullock.....	Twelve Months Salary as Adjutant General of Militia, to 31st December, 1844.....	600 0 0	
4 Geo. 4. cap. 6 & } 3 Vic. cap. 71. }	Do.....	Do Allowance in lieu of Contingencies to do.....	85 0 0	
4 Geo. 4. cap. 27. }	Walter O'Hara.....	Do Salary as Assistant Adjutant General to do.....	200 0 0	885 0 0
		<i>Agricultural Societies.</i>		
4 & 5 Vic. cap. 23. }	Robert Bell.....	Allowance to the Agricultural Society for the District of Bathurst for the year 1844.....	183 10 0	
	Jos. Peers.....	Do Brock, do for do.....	74 14 0	
	Richard Nichols.....	Do Colborne do for do.....	111 10 0	
	G. P. Baker.....	Do Dalhousie do for do.....	130 0 0	
	Martin McMartin.....	Do Eastern do for do.....	200 0 0	
	J. Westenhall.....	Do Gore do for do.....	188 15 0	
	Wm. Atkinson.....	Do Home do for do.....	200 0 0	
	Robert Moderwell.....	Do Huron do for do.....	159 0 0	
	Ira Lewis.....	Do Johnstown do for do.....	200 0 0	
	John Stiles.....	Do London do for do.....	126 5 0	
	Thomas Glassup.....	Do Midland do for do.....	200 0 0	
	John Gibson.....	Do Niagara do for do.....	155 0 0	
	David Smart.....	Do Newcastle do for do.....	172 0 0	
	T. H. Johnson.....	Do Ottawa do for do.....	200 0 0	
	D. B. Stevenson.....	Do Prince Edward do for do.....	54 0 0	
	Archd. Pass.....	Do Simcoe do for do.....	75 0 0	
	T. Williams.....	Do Talbot do for do.....	50 0 0	
	P. Ham.....	Do Victoria do for do.....	111 4 0	
	William Howat.....	Do Wellington do for do.....	200 0 0	
	James Dougall.....	Do Western do for do.....	169 10 0	2960 8 0
59 Geo. 3. cap. 7 } & 2 Geo. 4. c. 16. }	Thomas Parke, Surveyor } General..... }	Fees payable to him for Returns furnished the District Treasurers for the year 1844.....	32 2 6	
		Add—Warrants outstanding from the year 1843 and paid in 1844.....	12311 16 3 460 17 2	
		Total Currency.....	£ 12772 13 5	

INSPECTOR GENERAL'S OFFICE,  
Montreal, 1844

W. B. ROBINSON,  
Inspector General.

No. 15.

1845.

1815.

STATEMENT of Warrants issued on the Receiver General of the Province of Canada, between the 1st February, 1844, and the 31st January, 1845, on Account of Services provided for by Acts of the Legislature of the Province of Canada, for the year ended 31st December, 1844.

Enactments.	To whom Paid.	SERVICE.	Amount.		Total Currency.
		<i>Fee Fund.</i>	£	s. d.	£ s. d.
4 & 5 Vic. caps. } 3 & 8..... }	H. C. Barwick.....	Treasurer of the Brock District, to make up the deficiencies of the Fee Fund for the year ended the 30th June, 1844.....			201 8 11
	T. M. Radenhurst....	Do Bathurst do for do .....			190 7 2
	John Gilchrist.....	Do Colborne do for do .....			153 13 11
	Daniel O'Connor....	Do Dalhousie do for 18 months ended 31st December, 1844.....			355 15 1
	Alexander McLean...	Do Eastern do for do .....			357 18 10
	Henry Beasley.....	Do Gore do for the year ended the 30th June, 1844.....			310 18 9
	Henry Ransford.....	Do Huron do for 18 months ended 31st December, 1844.....			402 4 11
	Andrew Buell.....	Do Johnstown do for do .....			433 4 8
	John Harris.....	Do London do for the year ended the 30th June, 1844.....			304 8 8
	David John Smith....	Do Midland do for 6 months to 31st December, 1844.....			62 9 5
	D. McDougall.....	Do Niagara do for 18 months to do .....			517 5 1
	Z. Burnham.....	Do Newcastle do for do .....			199 16 0
	Thomas H. Johnson...	Do Ottawa do for the year ended the 30th June, 1844.....			365 11 0
	David Smith.....	Do Prince Edward do for do the 31st December, 1844.....			94 0 1
	James Adams.....	Do Simcoe do for do the 30th June, 1844.....			259 11 0
	Henry Webster.....	Do Talbot do for 18 months ended the 31st December, 1844.....			311 17 1
	Philip Ham.....	Do Victoria do for do .....			265 4 8
	William Hewatt.....	Do Wellington do for do .....			380 11 9
	J. B. Baby.....	Do Western do for the year ended the 30th June, 1844.....			366 5 0
			COMMON SCHOOLS (CANADA WEST.)		
		<i>Disposal of the Balance Unpaid for the Year 1842.</i>			
7 Vic. cap. }.....	Rev. Alexander Mann.	Superintendent of Common Schools in the Bathurst District, being to pay the Teachers in the new Townships of Bagot, Blithfield, Bromley, Admanton and Stafford, for the years 1843 and 1844.....	193	4 8	
	Hamilton Hunter.....	Do Huron District, to pay the Trustees of School Districts Nos. 8 and 11, in the Township of Brock, to assist them in finishing their School Houses.....	20	0 0	
	John Wilson.....	Do London do being for the support of Common Schools in that District for the last 7 months, of 1841.....	320	16 8	
	William M. Heynes..	Do Johnstown do amount to which that District is entitled to for the year 1842.....	721	1 2	
	John Strachan.....	Do Midland do to which the Township of Pittsburg was entitled for the years 1843 and 1844, it having been deprived of it by a clerical error in the Census of 1842.....	109	7 10	
	John Steele.....	Do Newcastle do being to pay sundry Teachers in the Township of Darlington.....	164	0 0	
	Thomas Donnelly....	Do Prince Edward do amount to which that District is entitled to for the year 1842.....	134	2 2	
	William Hunter.....	Do Victoria do being to pay the Teachers of two Indian Schools in the Township of Tyendinaga, the Indian Children not having been included in the Census of 1842.....	32	9 6	
	Joseph Spragge.....	Six Months Salary as Master of the Central School, Toronto, to 30th June, 1844.....	127	15 7	
	James Bell.....	Do as Teacher of do to do .....	50	0 0	
	Rebecca Sylvester...	Do as Assistant Teacher of do to do .....	25	0 0	
	Joseph Spragge.....	Do Contingent Expenses Central School to do .....	15	4 9	1913 2 4
		<i>Payments for the Years</i>	1843.	1844.	
4 & 5 Vic. cap. } 18, and 7 Vic. } caps. 9 and 29. }	Rev. N. Bosworth....	Superintendent of Common Schools in the District of Brock, being the amount to which that District is entitled to for the year.....	£	s. d.	£ s. d.
	Rev. Alexander Mann.	Do Bathurst do do .....	706	1 10	706 1 10
	Elias Burnham.....	Do Colborne do do .....	907	9 0	907 9 0
	Hannet Pinchey....	Do Dalhousie do do .....	554	10 8	564 10 8
	Samuel Hart.....	Do Eastern do do .....	628	11 8	628 11 8
	Patrick Thornton...	Do Gore do do .....	1223	3 1	1287 4 1
	Hamilton Hunter....	Do Home do do .....	1699	13 10	1811 15 7
	John Bignal.....	Do Huron do do .....	2484	19 11	2952 9 3
	William M. Heynes..	Do Johnstown do do .....	257	3 8	257 3 8
	John Wilson.....	Do London do do .....	1096	2 11	1302 15 9
	John Strachan.....	Do Midland do do .....	1245	8 0	1325 6 4
	John Steele.....	Do Newcastle do do .....	1137	8 6	1373 18 6
	Jacob Keefer.....	Do Niagara do do .....	1109	10 4	1217 6 11
		1459	1 9	1459 1 9	
		Carried forward.....	£ 14519 5 2	15793 15 0	1913 2 4 5462 12 0



No. 15.—STATEMENT of Warrants issued on the Receiver General, &c.—Continued.

Appendix (I. I.)

Appendix (I. I.)

1845.

1845.

Enactments.	To whom Paid.	SERVICE.		Amount.			Total
		Payments for the Years		1843.	1844.	Currency.	
				£ s. d.	£ s. d.	£ s. d.	£ s. d.
		<i>Brought forward</i> .....		14519 5 2	15793 15 0	1913 2 4	5462 10 0
4 & 5 Vic. cap. 18, and 7 Vic. caps. 9 and 29.	Colin Gregor.....	Superintendent of Common Schools in the District of Ottawa,—being the amount to which that District is entitled for the year.....		326 6 8	326 6 8		
	Thomas Donnelly....	Do	Prince Edward do do	563 14 5	601 10 4		
	S. B. Ardagh.....	Do	Simcoe do do	561 11 2	561 11 2		
	William Clark.....	Do	Talbot do do	485 14 11	485 14 11		
	William Hutton.....	Do	Victoria do do	524 17 2	587 4 1		
	Alexander Allen.....	Do	Wellington do do	612 19 11	612 19 11		
	Charles Elliot.....	Do	Western do do	1030 17 4	1030 17 4		
	Andrew Scott.....	Do	Township of Brockville do	123 18 7		10999 19 5	
	George Benjamin.....	Do	do of Belleville do	62 6 11			
	William C. Crofton....	Do	Town of Cobourg do	62 4 1			
	S. Y. Chesley.....	Do	do of Cornwall do	64 0 11			
	J. Osborne.....	Do	do of Hamilton do	112 1 6			
	T. W. Robinson.....	Do	do of Kingston do	236 9 11			
	Benjamin Cronyn.....	Do	do of London do	79 18 4			
	Thomas Boyd.....	Do	do of Prescott do	92 15 4			
	Thomas Burke.....	Do	do of Picton do	42 15 10			
	John Cassie.....	Do	do of Port Hope do	45 12 6			
George A. Barber....	Do	City of Toronto do	467 9 4		20000 0 0		
(Canada East.)							
	J. B. Meilleur, Superintendent of Education.....	Allowance for Common Schools in Canada East for the year 1843...				17299 14 2	59212 15 11
<i>Light Houses.</i>							
4 & 5 Vic. cap. 15.	E. B. Lindsay, Treasurer Trinity Board Quebec.....	Balance of the Grant for the Erection of Light Houses on Bicquet and South Pillar Islands.....					2000 0 0
<i>District Judges.</i>							
4 & 5 Vic. cap. 20.	Charles Mondelet....	Balance of his Salary as District Judge, from 1st January to 21st April, 1844 at £400 per annum.....				111 1 1	
	William Power.....	Do	as do to do at £500.....			130 3 7	
	Jean C. Bruneau....	Do	as do to do at 400.....			16 3 0	
	William K. McCord..	Do	as do to do at do.....			115 11 5	
	David Roy.....	Do	as do from the 13th October, 1842, to do at do.....			145 16 3	518 15 4
<i>Circuit Judges.</i>							
7 Vic. cap. 16....	John S. McCord....	Salary as Circuit Judge from the 22d April to the 31st December, 1844, at £500 per annum.....				346 3 0	
	William K. McCord..	Do	as do to do at do.....			346 3 0	
	Hypolite Guy.....	Do	as do to do at do.....			346 3 0	
	William Power.....	Do	as do to do at do.....			346 3 0	
	Charles Mondelet....	Do	as do to do at do.....			346 3 0	
	Jean C. Bruneau....	Do	as do to do at do.....			346 3 0	
	William Badgley....	Do	as do to do at do.....			346 3 0	
7 Vic. cap. 17....	Louis Fiset.....	Do	as Joint Judge District of Gaspé to do at do.....				2423 1 0 346 3 0
<i>Expenses of District Courts late Canada East.</i>							
7 Vic. cap. 16....	Shaw & Torrance....	Two Years Rent for House occupied as a Court House, District of Dorchester up to 30th April, 1844.....				50 0 0	
	Theo. Doucet.....	Expenses incurred as late Clerk, District Court of St. Hyacinthe....				12 2 10	
	A. D. Bondry.....	To make up the deficiency of the Fee Fund for the Inferior District of Berthier, from the 14th October, 1843, to 21st April, 1844.....				6 18 7	
	Rev. William Brethour.	Rent of a House for the District Court at Durham in the do of Beauharnois from 1st February, 1842 to 21st April, 1844.....				77 15 0	
	R. B. Johnson.....	Being so much allowed him as late Clerk of the District and Division Courts, District of Two Mountains, in his claims against these Courts.....				23 15 0	170 11 5
<i>Services on behalf of Prisoners in cases of Felony.</i>							
4 & 5 Vic. cap. 24.	James Green, Clk of the Crown, Quebec.....	His attendance on application for Writs of Habeas Corpus.....				32 3 4	
	A. M. Delisle, do. Montreal.....	For taking 44 Recognizances in cases of Felony.....				11 0 0	
	Benj. Delisle, High Constable, Montreal.	Fees on service of Subpœnas in do.....				6 1 9	
	Wm. Downes, do. Quebec.....	Do of do do.....				48 10 4	
	C. E. Schiller, Superintendent of Witnesses, Montreal..	Do of do do.....				35 9 3	133 4 8
<i>Geological Survey.</i>							
4 & 5 Vic. cap. 50.	Wm. E. Logan.....	Fifteen Months Salary as Provincial Geologist from 1st October 1843 to 31st December, 1844, at £555 11s. 1d. per annum.....				694 8 9	
	Do.	His Travelling Expenses from May to 31st December, 1843, including his passage from England.....				145 1 0	
<i>Carried over</i> .....				£	839 9 9	70264 3 4	

Appendix (I. I.)

No. 15.—STATEMENT of Warrants issued on the Receiver General, &c.—Continued.

Appendix (I. I.)

1845.

1845.

Enactments.	To whom Paid.	SERVICE.	Amount.	Total Currency.
			£ s. d.	£ s. d.
		<i>Brought over</i> .....	839 9 9	70357 3 4
		<i>Geological Survey</i>		
4 & 5 Vic. cap. 50.	Alexander Murray...	Fifteen Months Salary as Assistant Geologist from 1st October, 1843 to 31st December, 1844, at £106 13s. 4d. per annum.....	208 6 8	
	Do.	His Travelling Expenses from May to 31st December, 1843.....	49 5 1	1097 1 6
		<i>Expenses in Conveying Convicts.</i>		
4 & 5 Vic. cap. 69.	William S. Sewell, } Sheriff, Quebec... } Boston & Collin, do. } Montreal..... } Martin Sheppard, do. } Gaspé..... }	Expenses of conveying Twelve Prisoners from Quebec to the Provincial Penitentiary at Kingston.....	153 3 7	
		Do do for 3 Prisoners from Montreal to do.....	55 9 9	
		Do do for 1 do from New Carlisle to Quebec.....	45 17 9	254 11 1
4 & 5 Vic. cap. 50.	Robert Stanton.....	Balance of his Account for Printing the Revised Statutes of Canada West.....	.. .. .	1171 5 0
	Wm. Filder, Com- } missary General... }	To re-pay the Military Chest so much expended on account of the expenses in forwarding Emigrants during the year 1840.....	.. .. .	9513 11 13
		<i>Returning Officers.—Canada East.</i>		
5 Geo. 4. cap. 33. } and 6 Vic. cap. 1. }	Jacques Viger.....	Fees and Disbursements as Returning Officer for the City of Montreal in October, and for the County in November, 1843.....	60 8 1	
	James Dixon.....	Do as do for Three Rivers in July and October, 1841..	33 15 0	
	A. M. Delisle.....	Do as do for the City of Montreal in April, 1844.....	98 17 6	
	William Pitt.....	Do as do for the County of Yamaska in November, 1844.	58 13 9	
	Archd. Campbell.....	Do as do for the City of Quebec in December, 1843....	25 0 0	
	B. Larocque.....	Do as do for the County of Chambly in October, 1844..	31 10 6	
	William Bowron.....	Additional do as do for the County of Beauharnois in October, 1842.....	51 2 6	
	H. Aubertin.....	Amount of his Fees and Disbursements as Returning Officer for the County of Rouville in September, 1843 and November, 1844....	41 18 0	
	Louis Guillet.....	Do as do for the do of Champlain in September, 1843..	13 18 7	
	Amable Jetté.....	Do as do do do do Leinster in 1844.....	17 16 6	
	John Felton.....	Do as do do do Town of Sherbrooke.....	3 10 0	
	Anson Kemp.....	Do as do do do County of Missisquoi.....	98 12 0	
	T. B. Marand.....	Do as do do do do Lotbinière.....	97 10 2	
	Ant. A. Parant.....	Do as do do do do Quebec.....	126 13 11	
	John Eden.....	Do as do do do do Gaspé.....	34 8 0	
	Daniel Burray.....	Do as do do do do Montmorency.....	143 0 8	
	William H. Lenoir.....	Do as do do do do do.....	106 1 6	
	Daniel De Hertel.....	Do as do do do do County of Two Mountains.....	135 15 6	
	Joseph Leconte.....	Do as do do do do Nicolet.....	80 6 0	
	J. B. Martin.....	Do as do do do do Kamouraska.....	25 16 8	
	Pierre Gauvreau.....	Do as do do do do Rimouski.....	36 9 0	
	J. A. Charlebois.....	Do as do do do do Yaudreuil.....	26 6 0	
	Pierre Minard.....	Do as do do do do Vercheres.....	13 7 0	
	J. G. Label.....	Do as do do do do Bonaventure.....	218 7 0	
	F. Filteau.....	Do as do do do do Champlain.....	82 17 9	
	Edward Short.....	Do as do do do do Sherbrooke.....	23 10 0	
	Lawrence G. Brown.....	Do as do do do do Beauharnois.....	113 11 6	
	F. H. Seguin.....	Do as do do do do Terrebonne.....	25 7 3	
	L. H. Benton.....	Do as do do do do Stanstead.....	99 5 0	
	John Young.....	Do as do do do do City of Montreal.....	153 1 9	
	O. C. Fortier.....	Do as do do do do County of Bellechasse.....	117 13 6	
	Alonso Wood.....	Do as do do do do Sheffield.....	93 6 6	
	Charles Bazin.....	Do as do do do do Richelieu.....	56 6 0	
	Ethelme Guy.....	Do as do do do do Montreal.....	126 12 0	
	Barthelemy Poulliot.....	Do as do do do do L'Islet.....	106 2 0	
	M. J. Gaucher.....	Do as do do do do Portneuf.....	17 11 0	
	Jean E. Dumoulin.....	Do as do do do do St Maurice.....	128 8 6	
	Jean B. Varin.....	Do as do do do do Huntingdon.....	195 13 0	
	James F. Taylor.....	Do as do do do do Ottawa.....	12 14 6	
	F. Plovart.....	Do as do do do do Drummond.....	147 3 0	
	Jean B. Bonneville.....	Do as do do do do Dorchester.....	177 14 0	
	Archd. Campbell.....	Do as do do do do City of Quebec.....	25 5 0	
	Charles P. Huot.....	Do as do do do do County of Sagueny.....	41 5 10	
	S. T. L'Esperance.....	Do as do do do do St. Hyacinthe.....	108 18 3	
		<i>Returning Officers.—Canada West.</i>	3174 13 2	
	James West.....	Amount of his Fees and Disbursements as Returning Officer for the County of Dundas in 1843.....	32 10 0	
	Elias S. Adams.....	Do as do for Lincoln North Riding.....	49 15 0	
	Adiel Sherwood.....	Do as do for the County of Leeds.....	67 6 6	
	E. C. Campbell.....	Do as do do Town of Niagara.....	25 15 0	
	Henry Ruttan.....	Do as do do South Riding Northumberland.....	42 17 6	
	C. P. Preadwell.....	Do as do do County of Prescott.....	5 19 0	
	Philip Low.....	Do as do do do do Prince Edward.....	48 16 0	
	Charles Rubidge.....	Do as do do do North Riding Northumberland.....	73 5 0	
	William S. Scott.....	Do as do do do County of Grenville.....	47 19 6	
	Robert Cline.....	Do as do do do Town of Cornwall.....	18 10 0	
	Arad Smally.....	Do as do do do North Riding of York.....	77 10 0	
	Isaac Fraser.....	Do as do do do County of Lennox and Addington.....	55 9 0	
	G. C. Wood.....	Do as do do do do Stormont.....	33 15 0	
	John Wilson.....	Do as do do do do Middlesex.....	102 18 6	
	M. F. Whitehead.....	Do as do do do do Durham.....	93 3 0	
	James Sampson.....	Do as do do do do Town of Kingston.....	29 10 0	
	W. Thompson.....	Do as do do do do Second Riding of York.....	41 15 0	
	Francis Leys.....	Do as do do do do Third do do.....	34 2 0	
	R. Edmonson.....	Do as do do do do Town of Brockville.....	2 10 0	
	W. Merigold.....	Do as do do do do County of Oxford.....	87 17 0	
	Ed. Malloch.....	Do as do do do do do Carleton.....	74 10 0	
	W. Craigie.....	Do as do do do do do Wentworth.....	53 2 9	
	L. T. Bosscher.....	Do as do do do do do Bytown.....	18 10 0	
	G. W. Foote.....	Do as do do do do County of Kent.....	153 10 0	
		<i>Carried forward</i> .....	£ 4745 8 11	75333 12 9

Appendix (I. I.)

No. 15.—STATEMENT of Warrants issued on the Receiver General, &c.—Continued.

Appendix (I. I.)

1845.

1845.

Enactments.	To whom Paid.	SERVICE.	Amount.	Total Currency.
		<i>Brought over</i> .....	£ 4745 8 11	£ 76333 12 9
		<i>Returning Officers—Canada West.</i>		
5 Geo. 4. cap. 33 & 6 Vic. cap. 1.	Thos. A. Corbett,....	Amount of his Fees and Disbursements as Returning Officer for the County of Frontenac.....	46 0 6	
	James Appelle.....	Do as do do East Riding Hutton.....	61 8 0	
	Ed. Malloch.....	Do as do do County of Russell in September, 1843..	46 14 0	
	W. Horton.....	Do as do do Town of London in 1844.....	30 10 0	
	Jno. McLennan.....	Do as do do County of Glengarry.....	34 7 0	
	A. D. Fordyce.....	Do as do do West Riding Hutton.....	69 15 6	
	A. Thorne.....	Do as do do 1st Riding of York.....	38 6 0	
	W. Ketcheson.....	Do as do do County of Hastings.....	54 15 0	
	Alex. McMillan.....	Do as do do do Lanark.....	73 7 6	
	O. T. Macdon.....	Do as do do South Riding Lincoln.....	54 15 0	
	F. L. Walsh.....	Do as do do County of Norfolk.....	47 12 0	
	Ralph Wilson.....	Do as do do do Russell.....	6 6 0	
	W. Hutton.....	Do as do do do Hastings in November, 1843.	53 1 6	
	E. C. Thomas.....	Do as do do Town of Hamilton, in 1844.....	29 10 0	
		£1217 3 0		5391 16 11
		<i>Registration.</i>		
7 Vic. cap. 22....	Geo. H. Ryland, Registrar, District of Quebec.....	Preparing transcripts of such Registration as relate to the Counties cut off from the District of Quebec.....	222 4 5	
	Ed. Dowling.....	Do do of do certain services performed as Registrar for the District of Montreal.....	403 12 0	
	D. DeHertel.....	Do as do for the County Two Mountains.....	19 9 10	
	Wm. Ritchie.....	Do as do do Sherbrooke.....	47 3 0	
	J. B. Taschê.....	Do as do do Kamouraska.....	47 5 9	
	R. A. Fortier.....	Do as do do Dorchester.....	104 2 3	
	A. G. Couillard.....	Do as do do Bellechasse.....	217 9 3	
	Thos. Austin.....	Do as do do Chambly.....	233 7 3	
	Jno. R. Lambly.....	Do as do do Megantic.....	29 19 6	
	P. R. Chevalier.....	Do as do do Richelieu.....	301 0 0	
	C. Montizambert.....	Do as do do St. Maurice.....	33 16 0	
	Henry Paul.....	Do as do do Portneuf.....	20 9 6	
				1679 18 9
7 Vic. cap. 21....	Lewis Casault.....	Fees as Commissioner for taking the Census for the County of L'Islet	102 3 0	
	W. Robinson.....	Do as do do Vaudreuil.....	113 3 0	
	Laurent D. Craig.....	Do as do do St. Maurice.....	61 17 0	
	Owen Quinn.....	Do as do of part of the County of Two Mountains..	68 19 2	
	Timoleon Quesnel.....	Do as do do Chambly.....	40 18 4	
	J. B. DeBoucherville..	Do as do do do.....	48 9 8	
	Jean F. Têtu.....	Do as do of the County of St. Hyacinthe.....	148 15 0	
	G. M. Prevost.....	Do as do of part of the County of Terrebonne.....	61 15 0	
	A. B. Papineau.....	Do as do do do.....	71 7 0	
	Varin Odell & Hebert.	Do as do of the County of Huntingdon.....	226 19 8	
	L. J. A. Papineau.....	Do as do do Montreal.....	247 7 2	
	A. J. Martineau.....	Do as do do Champlain.....	66 5 0	
	C. Manuel.....	Do as do of part of the County of Beauharnois.....	72 12 2	
	Jno. Winters.....	Do as do do do.....	120 11 2	
	J. B. Bonneville.....	Do as do of the County of Dorchester.....	240 8 3	
	A. C. Taschereau.....	Do as do do Lotbinière.....	97 5 10	
	R. S. N. DeTilly.....	Do as do of part of the County of St. Maurice.....	64 15 10	
	C. E. Gagnon.....	Do as do do Sherbrooke.....	45 14 6	
	Tho. Gordon.....	Do as do do do.....	58 8 3	
	Benj. Pomroy.....	Do as do of the County of Stanstead.....	59 7 6	
	L. Pomroy & A. Fox.	Do as do do Berthier.....	184 7 6	
	Forneret & Desautier.	Do as do do Saguenay.....	78 16 7	
	L. C. Clément.....	Do as do do Quebec.....	188 10 6	
	A. Gauthier, Jr.....	Do as do do Bellechasse.....	100 8 6	
	Jos. Gosselin.....	Do as do do Rouville.....	148 1 4	
	J. D. Davignon.....	Do as do do Shefford.....	69 11 7	
	Hiram S. Foster.....	Do as do do Nicolet.....	102 2 6	
	Noel Proulx.....	Do as do do Verchères.....	81 9 7	
	J. N. A. Archambault	Do as do of part of the County of Ottawa.....	51 18 10	
	Rob. Shuter.....	Do as do of the County of Richelieu.....	129 5 0	
	J. Darion & J. Lusignan	Do as do do Rimouski.....	103 6 7	
	Felix Chamberlain.....	Do as do of part of the County of Kamouraska..	75 4 1	
	Jean B. Martin.....	Do as do do do.....	39 15 10	
	Ovide Martineau.....	Do as do of the County of Megantic.....	53 14 1	
	Daniel Burray.....	Do as do do Portneuf.....	114 8 0	
	F. Larocque.....	Do as do of part of the County of Yamaska.....	34 10 0	
	J. D. Arcand.....	Do as do do do.....	46 9 6	
	J. Rousseau.....	Do as do of the County of Leinster.....	170 2 6	
	Archambault & Chagnon.....	Do as do do Missisquoi.....	82 17 10	
	J. F. Allan & G. Freleigh.....	Do as do of part of the County of Two Mountains..	111 13 0	
	F. H. Lemaire.....	Do as do of the County of Montmorancy.....	56 14 2	
	W. H. Lenoir.....	Do as do do Bonaventure.....	60 16 8	
	J. Mcagher.....	Do as do do Drummond.....	68 10 0	
	Edmund Cox.....	Do as do of part of the County of Ottawa.....	38 0 0	
	J. B. A. Papineau.....	Do as do of the County of Gaspé and the Magdeleine		
	F. Alier.....	Do as do Islands.....	50 5 0	
				4288 1 7
		Add Warrants outstanding for the year 1843 and paid in 1844.....		86693 10 0
				12 19 5
		Total currency.....	£ 86706 9 5	

**No. 16.**

STATEMENT of Warrants issued on the Receiver General of the Province of Canada, on Account of the Expenditure of the Civil Government for Services of the Year 1842, paid between the 1st February, 1844, and the 31st January, 1845, provided for by Act 6 Vic. cap. 9.

To whom Paid.	SERVICE.	£ s. d.	Currency. £ s. d.
Henry Boys, Bursar.....	Being the amount estimated in 1842 for the Upper Canada College.....	.. .. .	1111 2 3
G. W. Wicksteed.....	One of the Commissioners for Revising the Statutes and Ordinances of Lower Canada, being for the Translation of the Tables and for the remuneration to the Commissioners. .. .. .	.. .. .	575 0 0
Louis Guillet.....	Being for Services performed on account of the late Commission on the Feudal Tenure Inquiry.....	19 15 6	
Alexr. Buchanan. ....	Being on Account of Expenses incurred under the same....	209 4 0	228 19 6
	Add—Warrant outstanding from the year 1843, and paid in 1844.....	.. .. .	1915 1 9
			30 12 5
	Total Currency.....	.. .. .£	1945 14 2

INSPECTOR GENERAL'S OFFICE,  
Montreal, 1845.

W. B. ROBINSON,  
*Inspector General.*

**No. 17.**

STATEMENT of Warrants issued on the Receiver General of the Province of Canada, between the 1st February, 1844 and the 31st January, 1845, on account of the Expenditure of the Civil Government of Canada, for the year 1843, out of the Vote of the Legislative Assembly of that Session.

NAME.	SERVICE.	Amount £ s. d.	Total Currency. £ s. d.
<i>Education.</i>			
C. Jackson.....	Aid to the Charlestown Academy.....	100 0 0	
Rev. M. Willoughby.....	Do. British North American School Society at Sherbrooke.....	111 2 3	
Henry Jessopp.....	Do. National School at Quebec.....	111 2 3	
Willder Peirce.....	Do. Stanstead Seminary.....	100 0 0	
William Baker.....	Do. Durham School or Academy.....	100 0 0	
Benjamin Tremain.....	Do. British and Canadian School at Quebec.....	200 0 0	
Wm. Ritchie and Saml. Brooks.	Do. Sherbrooke Academy.....	111 2 2	
Dr. Boys, Bursar.....	Do. Upper Canada College, Toronto.....	1111 2 2	
Rev. R. Murray.....	Contingent expenses as Assistant Superintendent of Education (West) for the year ended the 31st December, 1843.....	31 19 11	
J. B. Meilleur.....	Do. as do. Canada East.....	122 16 11	
J. Spragge.....	Do. as Master of the Central School at Toronto.....	32 0 3	2131 5 11
<i>Hospitals and other Charities.</i>			
R. L. Morrogh.....	Commissioner for the relief of Insane persons, of Foundlings and Indigent Sick persons, in the District of Montreal—Balance to defray the expenses of these objects for 1843.....	958 6 8	
J. P. Bureau.....	Do. do. at Three Rivers for 1843.....	702 18 4	
William Lunn.....	Balance in support of the Temporary Lunatic Asylum at Montreal for 1843	472 4 5	
Sarah A. Richardson.....	Aid to the Ladies of the Benevolent Society at Montreal.....	100 0 0	
Mrs. N. Freer.....	Do. Managers of the Female Orphan Asylum at Quebec.....	100 0 0	
Eliz. Reid.....	Do. do. Montreal Protestant Asylum.....	100 0 0	
Marie Massue.....	Do. Roman Catholic Orphan Asylum at Quebec.....	100 0 0	2533 9 5
Robert Symes.....	Aid to Literary and Historical Society at Quebec.....	.. .. .	50 0 0
Thos. Kirkpatrick, President...	Balance of the Grant for the Provincial Penitentiary for 1843.....	.. .. .	2455 11 1
W. B. Lindsay, Clerk House } Assembly..... }	Balance of the sum voted by Address, on account of the contingencies of the House of Assembly.....	.. .. .	5177 5 0
	Carried forward.....	.. .. .£	12347 11 5

Appendix  
(I. I.)

No. 17.—STATEMENT of Warrants issued on the Receiver General, &c.—Continued.

Appendix  
(I. I.)

1845.

1845.

NAMES.	SERVICE.	Amount.	Total
		£ s. d.	£ s. d.
	<i>Brought forward</i> .....		12347 11 5
	<i>Miscellaneous.</i>		
Desharats & Derbshire, Queen's Printer.....	On account of Printing the Acts of last Session.....	3140 7 10	
Do.....	For Printing Census Forms, Packing, &c.....	306 16 1	
Do.....	For various other Printing, Publishing Proclamations, &c., and furnishing the Official Gazette, in the 6 months ended the 31st December, 1843.....	546 0 4	
Fisher & Kemble.....	For Publishing Proclamations, &c., at Quebec in the do.....	100 14 3	
Thomas D. Harington.....	Expenses of Packing, Forwarding, and Distributing the Acts of last Session in Canada West.....	188 4 9	
J. E. Turcotte.....	For translating the Acts of the last Session into French.....	333 6 8	
Thomas A. Begly.....	For sundry repairs, &c. to Public Buildings.....	147 16 2	
C. C. Small.....	For Contingent Expenses attending the care of Public Buildings at Toronto for the year 1843.....	143 3 10	
H. S. Huot.....	For do. attending the care of the Castle St. Lewis and keeping of Winter Roads in repair at Quebec.....	48 10 5	
A. Hamel.....	6 months Salary as Keeper of the Depot of Provisions in the River St. Lawrence for the relief of Shipwrecked Persons, to 31st Dec. 1843.....	25 0 0	
P. Brochue.....	3 do. allowance for residing on Kempt Road to do.....	6 5 0	
G. W. Wicksteed.....	For services as Law Clerk to Government for the year 1843.....	100 0 0	
Rob. J. Turner.....	Cost of a suit in Chancery on behalf of the Crown.....	14 0 1	
M. Cameron.....	To pay the Salary of a Clerk while Commissioner of Enquiry into the mode of Collecting the Revenue (Canada West).....	42 15 0	
J. N. Bossé.....	Services as late Commissioner to the Magdeleine Islands in 1843.....	100 0 0	
Hannah O. Hamilton.....	Sum due her late husband for services as Sheriff of the Niagara District.....	34 9 9	
Philip Ham.....	Amount refunded him as Treasurer of the Victoria District being so much paid the Receiver General on account of Members' wages in 1841.....	90 8 4	
Francis Austin, City Treasurer, Quebec.....	For Assessment on Public Property in the City of Quebec, for the year 1843.....	555 8 7	
Arthur Ross, do. Montreal.....	Do. as do. in Montreal.....	407 13 9	
David Thorburn and Frs. Hall.....	So much contracted for by the Commissioners appointed for the Improvements of Roads and Bridges in Canada West, over and above the appropriations made for these objects by Provincial Act 7 Wm 4. c. 107, continued by 2 Vic. c. 56.....	1577 4 5	
Thomas Askew, Cashier Bank } B. N. A., Kingston..... }	To enable him to pay the proportion of the expenses in keeping Light Houses on the Isles of St. Paul and Scatterie, in the Gulph, during the years 1841, 2 & 3, under the Provincial Act of L. C. 6 Wm. 4. c. 38.....	1984 10 0	
Ch. P. Huot.....	To reimburse so much advanced by the Commissioners for improving the internal communications in the former County of Northumberland, (Canada East).....	112 18 0	
Alphonso Wells.....	Travelling and other Expenses as Commissioner for Surveying the Boundary Line between Canada and New Brunswick.....	400 0 0	
Rob. Deacon, Post Master.....	Amount of Postages against the Clerk of the Crown in Chancery, to the 5th April, 1843.....	8 9 10	
Chas. Penner.....	Aid to Montreal Agricultural Society for 1843.....	75 0 0	
Amable Berthelot.....	Sessional Allowance for 1843.....	£84 10 0	
R. N. Watts.....	Do. do. do.....	84 10 0	
Saml. Crane.....	Do. do. do.....	68 12 0	
		237 12 0	10726 15 1
	Add Warrants outstanding for the year 1843 and paid in 1844.....	.. .. .	23074 6 6
			2969 7 11
	Total, Currency.....	.. .. . £	26043 14 5

INSPECTOR GENERAL'S OFFICE,  
Montreal, 1845.

W. B. ROBINSON,  
Inspector General.

STATEMENT of Warrants issued on the Receiver General of the Province of Canada between the 1st February 1844 and the 31st January 1845, on account of the Expenditure of the Civil Government for the year ended the 31st December, 1844, for which a provision is required.

NAMES.	SERVICE.	Amount.			Total Currency.		
		£	s.	d.	£	s.	d.
<i>Adjutant General of Militia, Canada East.</i>							
B. C. A. Guky.....	Twelve Months Salary as Adjutant General of Militia, to 31st December, 1844.....	500	0	0			
Do .....	Do allowance for a Messenger to do at 1s. stg. per diem.....	20	6	8			
Chas. Duchesnay.....	Do Salary as 1st Clerk. at 7s. 6d. Cy. per diem.....	137	5	0			
Chas. Peticlaire.....	Do as 2nd Clerk to do at 5s. Cy. per diem.....	91	10	0			
E. W. R. Antrobus.....	Do as Provincial Aide-de-Camp to do.....	200	0	0			
					949	1	8
<i>Canada West.</i>							
Wm. M. Steers.....	Twelve Months Salary as Clerk to 31st December, 1844..	..	..		170	0	0
<i>Legislative Council.</i>							
James Fitzgibbon.....	Twelve Months Salary as Clerk to the 31st December 1844	500	0	0			
Chas. DeLery.....	Do as Assistant Clerk to do.....	350	0	0			
John F. Taylor.....	Do as do to do.....	350	0	0			
Robert Armour, Jr.....	Do as Clerk of Committees—Law Clerk, and English Translator to do.....	250	0	0			
Robert Lemoine.....	Do as French Translator to do.....	225	0	0			
F. S. Jarvis.....	Do as Gentleman Usher of the Black Rod to do.....	100	0	0			
Rev. W. A. Adamson.....	Do as Chaplain and Librarian to do.....	200	0	0			
O. Vallerand.....	Do as Sergeant at Arms to do.....	100	0	0			
Thomas Brooks.....	Do as Door Keeper to do.....	60	0	0			
Michael Keating.....	Do as Head Messenger to do.....	100	0	0			
					2235	0	0
<i>Legislative Assembly</i>							
Austin Cuvillier.....	Nine Months Salary as Speaker, to 30th September, 1844 at £1000 per annum.....	750	0	0			
Wm. B. Lindsay.....	Twelve Months Salary as Clerk to 31st December, 1844..	500	0	0			
G. B. Faribault.....	Do as Assistant Clerk to do.....	400	0	0			
G. W. Wicksteed.....	Do as English Translator and Law Clerk to do.....	350	0	0			
Henri Voyer.....	Do as French Translator to do.....	250	0	0			
Felix Fortier.....	Do as Clerk of the Crown in Chancery to do.....	150	0	0			
Geo. K. Chisholm.....	Do as Sergeant at Arms to do.....	100	0	0			
					2500	0	0
Wm. B. Lindsay Clerk House of } Assembly..... }	On Account of the Expenses of the House of Assembly during the late Recess and present Session.....	..	..		4000	0	0
<i>Pensions to Officers and Servants of the late Legislative Bodies of the two portions of the Province of Canada.</i>							
William Smith.....	Twelve Months Pension as late Clerk of the Legislative Council of Lower Canada, and as Master in Chancery to 31st December, 1844.....	393	6	8			
William Ginger.....	Do as Sergeant at Arms to do.....	66	13	4			
Louis Noreau.....	Do as Messenger to do.....	20	0	0			
L. B. Pinguet.....	Do as Clerk of Committees to the House of Assembly, late L. C. to do.....	66	13	4			
Samuel Waller.....	Do as do to do.....	100	0	0			
Jasper Brewer.....	Do as Librarian to do.....	133	6	8			
F. Rodrigue.....	Do as late Messenger to do.....	18	0	0			
Louis Gagné.....	Do as do to do.....	18	0	0			
David Jardine.....	Do as Writing Clerk to the do in Upper Canada to do..	133	6	8			
William Coates.....	Do as do to do.....	133	6	8			
Zeneas Bell.....	Nine Months do as Messenger to 30th September, 1844 at £18 per annum.....	13	10	0			
					1096	3	4
<i>Promotion of Education.</i>							
Rev. R. R. Burrage.....	Twelve Months Salary as Secretary of the Royal Institution for the Advancement of Learning to 31st December, 1844.....	100	0	0			
Do .....	Do Allowance for a Clerk, Messenger and Contingencies to do.....	167	15	6			
Alex. Skakel.....	Do Salary and Allowance for House Rent as Master of the Grammar School, at Montreal, to do.....	282	4	5			
J. Laroque.....	Being one-fourth of the usual Annual Grant, towards the support of the College at St. Hyacinthe for 1844.....	50	0	0			
Rev. P. M. Mignault.....	Do do at Chambly for do.....	50	0	0			
Hy. Jessopp.....	Do do National School at Quebec for do.....	27	15	6			
William Ritchie and Samuel } Brooks..... }	Do do Sherbrooke Academy for do.....	27	15	6			
Jacques Viger.....	Do of the St. Jacques School at Montreal for do.....	50	0	0			
					655	10	11
<i>Carried forward.....</i>		£			10950	5	0

1845.

1845.

NAMES.	SERVICE.	Amount.	Total Currency.
	<i>Brought forward</i> .....	£ s. d. 655 10 11	£ s. d. 10950 5 0
	<i>Promotion of Education</i>		
R. S. Jameson.....	Three Months Salary as Superintendent of Education, C. East, to 31st March 1844, at £375 per annum £93 15 0		
J. B. Meilleur .....	Do as do to 31st December 1844 at do..... 281 5 0		
Do .....	Salary of a Clerk to do from 10th January to do at £175..	375 0 0	
Do .....	On account of Postages and other Contingent Expenses of his office to do.....	170 13 4	
Robert Deacon, Post Master.....	Amount of Postages against the do to 23rd February 1844	134 9 4	
Dom. Daly.....	Twelve Months Salary for the Superintendent of Education Canada West, to the 31st December, 1844.....	57 16 8	
Rev. R. Murray.....	Amount of Postages and other Contingent Expenses of the Education Office, West, to 3rd October, 1844.....	375 0 0	
		137 0 8	
			1905 10 11
Thos. Kirkpatrick, President.....	On account of the Expenses of the Provincial Penitentiary for 1844.....	.. ..	8445 17 4
	<i>Hospitals and other Charities.</i>		
Ls. Massue.....	Commissioner for the relief of Insane persons, of Foundlings and Indigent Sick persons in the District of Quebec to defray the Expenses of these objects for 1844.....	1955 19 2	
J. B. C. Trestler & Jos. Bourret....	Do do in part for 1844, at Montreal....	638 17 9	
Samuel Gerard.....	Being one-fourth of the usual annual grant for the Corporation of the General Hospital at Montreal.....	250 0 0	
M. M. Freer.....	Do do Manager of the Female Orphan Assylum at Quebec for 1844.....	25 0 0	
Sophia Ashworth.....	Do do Male Orphan Assylum at do..	25 0 0	
W. Lunn .....	On account of the Expenses of the Temporary Lunatic Assylum at Montreal for 1844.....	300 0 0	
W. B. Jarvis & Rev. H. J. Grasset.	Do do Lunatic Assylum at Toronto, for 1844 £2030 5 9	£2030 5 9	
W. Rees.....	6 Months Salary as Superintendent and Physician, to 30th June, 1844, at £200 per annum 100 0 0	100 0 0	
Do .....	Do as to the 31st December, 1844, at £250 125 0 0	125 0 0	
		22555 5 9	5450 2 8
	<i>Miscellaneous.</i>		
A. J. Duchesnay.....	12 Months Salary for Translating Public Documents into French, to the 31st December, 1844.....	55 11 1	
Alex. Thomson.....	Do do Inspector of Chimnies at Three Rivers to the 31st December, 1844.....	27 15 6	
Jno. King.....	Do do Keeper of the Legislative Buildings at Quebec to 31st December, 1844.....	100 0 0	
P. Brochu.....	9 Months allowance for residing on Kempt Road, to 30th September, 1844, at £25 per annum.....	18 15 0	
J. Parent, Inspecting Physician, } Quebec..... }	Expences of the Quarantine Establishment at Quebec and Grosse Isle, for the year 1844.....	1790 1 6	
	<i>Printing.</i>		
Desbarats & Derbishire, Queen's } Printer .....	Balance of their account for Printing the Acts of last Session including 1500 copies of "Small Cause Act," 7 Vic. c. 19, in English and French.....	291 1 2	
Do .....	On account of Printing the Revised Statutes of Lower Canada.....	600 0 0	
Do .....	For Printing in English and French the Reserved Acts of last Session.....	367 11 1	
Do .....	For Miscellaneous Printing including Advertisements in the Official Gazette and the furnishing of the same to Government for the 6 Months ended the 30th June 1844.	412 8 2	
Thos. Cary & Co.....	For Printing, Ruling, Binding, and Forwarding Books and Forms required under the Registry Act.....	211 13 6	
	<i>Repairs and care of the Public Buildings.</i>		
Monk, Coffin & Papineau.....	For repairing Vaults in the Court House at Montreal....	20 0 0	
Jno. King.....	For purchase of Fuel and other Expenses, Legislative Buildings at Quebec.....	75 12 10	
A. R. Roche.....	To enable him to pay Madame Viger, Keeper of the Castle St. Lewis at Quebec, her Expenses of the same from 1st August 1843 to 30th November, 1844.....	51 11 10	
Thos. McGinn.....	For repairs to the Montreal Gaol.....	271 15 2	
S. Yarwood.....	For repairs to the Parliament Buildings at Quebec.....	42 10 0	
W. Spiers & Son.....	On account of their Contract for the conversion of the Old Gaol, Montreal, into Court House.....	1264 10 0	
	<i>Carried over</i> .....	£ 5600 16 10	26751 15 11

Appendix  
(I. I.)

No. 18.—STATEMENT of Warrants issued on the Receiver General, &amp;c.—Continued.

Appendix  
(I. I.)

1845.

1845.

NAMES.	SERVICE.	Amount.			Total Currency.		
		£	s.	d.	£	s.	d.
	<i>Brought over</i> .....	5800	16	10	26751	15	11
	<i>Repairs and care of the Public Buildings.</i>						
Js. Andrews.....	On account of his Contract for the conversion of the Old Gaol, Montreal, into Court House.....	1533	15	9			
Forsyth, Richardson & Co.....	For Sundry articles furnished the Montreal Gaol.....	97	14	1			
Hon. F. W. Pimrose.....	On account of the Costs and Charges in Enregistering for the Crown.....	266	13	4			
Rich. Clancey.....	Salary as keeper of the Chateau Gardens at Quebec to the 30th September, 1844.....	54	16	0			
F. A. Quesnel.....	Rent and Assessment of House occupied as an Office by Board of Works.....	107	17	6			
W. H. Lee.....	Expenses going to Toronto in July, 1844, to attend the Heir and Devisee Commission.....	15	0	0			
W. B. Lindsay.....	To pay the Insurance on the Parliament Buildings at Quebec, due the 23d December, 1844.....	33	0	0			
C. W. Grant.....	Rent of Atwington House Kingston, from 10th February, to 1st July, 1844.....	311	3	2			
J. W. Dunscomb.....	12 Months Salary as Commissioner of Customs at the rate of £50 Stg. per month, and allowance of Travelling Expenses, Stationery, Postage, &c. to the 31st Dec. 1844.....	768	18	8			
Simeon LeLievre.....	Do additional Salary as Interpreter to the Courts at Quebec to do.....	35	0	0			
Richard Dillon.....	Do as do Montreal to do.....	35	0	0			
John Glen, Manager.....	To meet certain Demands against the Trustees of the Longueuil and Chambly Turnpike Road.....	1000	0	0			
Antoine Hamel.....	12 Months Salary as Keeper of a Depot of Provision at Shallow Creek, Island of Anticosti, to 31st Dec., 1844.....	50	0	0			
Felix Fortier, Clerk of the Crown } in Chancery.....	On account of the Contingencies of his Office.....	112	12	7			
Ed. Larue.....	Balance of his Account for Distributing the Acts of last Session in Canada East.....	156	13	4			
Ed. Stavely.....	For Copying and preparing Maps relative to the Boundary between Canada and New Brunswick.....	7	17	6			
Benj. Draper.....	Construction of a Dredge for the Chambly Canal.....	40	0	0			
Crawford & Wilkinson.....	On account of the Lock and Dam at St. Ann's Rapids.....	539	3	4			
	<i>Expenses attending the Removal of the Seat of Government from Kingston to Montreal.</i>						
	<i>Repairs, &amp;c. to the Building used for the Parliament House.</i>						
		£	s.	d.	£	s.	d.
Colin Miller.....	To pay the Corporation of Montreal for the use of St. Anne's Market.....	777	0	0			
Js. Andrews.....	On account of his Contract for repairs and alterations of the same.....	3000	0	0			
Js. Townsend.....	Do for Work done for the same.....	222	12	2			
Geo. Brown, Architect.....	Superintending the same.....	100	0	0	4099	12	2
	<i>Repairs, &amp;c. to Monkland.</i>						
Geo. Bowie.....	On account of his Contract for repairs and alterations to Monkland, the Governor General's residence.....	2250	0	0			
Js. Andrews.....	Do do do.....	878	14	0			
R. J. Begley.....	Do do do.....	300	0	0			
B. H. Lemoine.....	Do do do.....	1353	7	0			
Js. Townsend.....	Do do do.....	335	10	4			
Geo. Brown, Architect.....	Superintending the same.....	140	0	0			
Rice Sharply.....	For articles furnished the same.....	43	8	3			
J. Cameron.....	For Work done at do.....	49	10	3			
Rich. Hall.....	Do for do.....	33	18	0			
Liston & Clark.....	Do for do.....	23	0	6			
Jn. Sutherland.....	Do for do.....	47	11	9			
J. Smolenski.....	For the construction of Russian Stoves at the same.....	252	0	1			
Benjamin & Brothers.....	For articles furnished to same.....	68	5	0			
G. Aubry & S. W. Monk.....	6 Months Rent of the same.....	85	0	0	5860	5	2
	<i>Carried forward</i> .....	9959	17	4	10766	2	1
					26751	15	11



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No. 18.—STATEMENT of Warrants issued on the Receiver General, &c.—Continued.

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NAMES.	SERVICE.		Amount.	Total Currency.
	<i>Brought forward</i> .....		9959 17 4	£ s. d. 26751 15 11
	<i>Repairs and alterations to the Old Government House, Mon- treal, used as Public Offices.</i>			
Geo. Bowie.....	Amount paid him for repairs and alterations to the same..	946 12 10		
J. Andrews.....	Do do .....	532 10 6		
Geo. Brown.....	Superintending the same.....	160 0 0	1639 3 4	
	<i>Transport of Government Of- fices and effects, from Kings- ton to Montreal.</i>			
Geo. Hunter.....	Amount of his account for mak- ing Packing cases for Public Documents, &c.....	481 19 7		
McPherson & Crang.....	On account of his Contract for the Transport necessary in the Removal.....	2313 0 0		
Wm. Menilley.....	The same.....	152 6 3		
Thos. A. Begley.....	To pay sundry accounts con- nected with the Removal....	200 0 0	3147 5 10	
			14746 6 6	25512 8 7
	Total Currency .....		£	52264 4 6

The sum of £21364 12 6 Currency was Granted by Act of the Legislative Assembly in its last Session, on this account.

INSPECTOR GENERAL'S OFFICE,  
Montreal, 1845.

W. B. ROBINSON,  
Inspector General.

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**No. 19.**

**COMPARATIVE STATEMENT of the Net Revenue and Expenditure of the Consolidated Revenue Fund of the Province of Canada, for the Years 1843 and 1844.**

NET REVENUE.				EXPENDITURE.						
Heads of Revenue.	1843.		1844.		Heads of Expenditure.	1843.		1844.		Explanations on Increase and Decrease.
	£	s. d.	£	s. d.		£	s. d.	£	s. d.	
Net Customs.....	218934	4 9½	429722	11 4½	Interest on Public Debt	93214	12 1½	122790	11 6½	{The increase is consequent upon the issue of additional Debentures on account of the Guaranteed Loan.
Excise.....	30524	11 0	34370	5 0	" Schedule B.	50000	0 0	50000	0 0	
Territorial.....	27223	7 10½	5180	18 6½	Permanent Charges under Acts Canada East.....	11334	14 1	4239	0 6	{Considerable Sums were expended in 1843, on account of St. Anne's Rapids, and Interest on Loans for Turnpike Trusts, not incurred in 1844.
Light House Duty... Bank Imposts.....	596 5 2 7600 16 11	 	604 4 10 10492 15 5	 	Permanent Charges under Acts Canada West.....	12314	9 11	12773	13 5	
Public Works.....	20076	11 1½	25624	11 1½	Charges under Acts of Canada.....	18489	10 9	86705	9 5	{The Payments for Common Schools made in 1844 on account of that and preceding years, for the late General Election, and expense of taking Census, and under the Registration Act are very considerable in 1844.
Militia Commissions and Fees... Fines & Forfeitures, including Seizures...}	102 5 0 3016 0 9	 	48 15 0 3214 18 10½	 	Estimate of 1842.....	4614	18 1	1945	14 2	
Casual Revenue.....	6651	8 1½	5094	2 11½	Estimate of 1843.....	61438	8 1½	26043	14 5½	{£36,000 on Account of 1843 was paid in 1844.
Interests and Deposits in the Banks on Account of the Receiver General, since Sept., 1844, to 31st Dec., 1844.	..	..	1430	6 5	" " 1844.....	..	..	52264	4 6½	
Currency.....	£320925	10 9½	515783	9 6	Unfunded Debt, Balance.....	..	..	3296	18 11½	{Balance of Interest due to Glynn & Co on old Debt now charged to Consolidated Fund.
					Sinking Fund towards redemption of New Loan.....	..	..	54068	13 4	
					Currency.....	384829	19 9½	447461	6 11	{May be considered as an Instalment on Account of 1842, 1843 & 1844, being the first towards the Sinking Fund.
								172426	4 7½	
								9794	17 6	

INSPECTOR GENERAL'S OFFICE, MONTREAL, 1845.  
W. B. ROBINSON, Inspector General

STATEMENT of Warrants issued on the Receiver General of the Province of Canada, between the 1st February, 1844, and the 31st January, 1845, on Account of the Expenditure for services provided for in the Civil List, Schedule A. for the year ended the 31st December, 1844.

To whom paid.	SERVICE.	Amount.	Total Currency.
		£ s. d.	£ s. d.
His Excellency Sir Charles T. Metcalfe Bart. and G. C. B. )	Twelve Months Salary as Governor General, to the 31st Dec. 1844....	.. .. .	7777 15 7
	<i>Judges, Canada West.</i>		
J. B. Robinson.....	Twelve Months Salary as Chief Justice to the 31st December, 1844....	.. .. .	1666 13 4
Jas. B. Macaulay.....	Do as Judge of the Court of Queen's Bench to do .. .. .	1000 0 0	
Archibald McLean.....	Do as do to do .. .. .	1000 0 0	
Jonas Jones.....	Do as do to do .. .. .	1000 0 0	
C. A. Hagerman.....	Do as do to do .. .. .	1000 0 0	
			4000 0 0
R. S. Jameson.....	Do as Vice Chancellor to do .. .. .	.. .. .	1250 0 0
	<i>Judges, Canada East.</i>		
Sir James Stuart, Bart.....	Twelve Months Salary as Chief Justice at Quebec to the 31st Dec. 1844 .. .. .	.. .. .	1666 13 4
Edward Bowen.....	Do as Judge of the Court of Queen's Bench at Quebec to do .. .. .	1000 0 0	
Philip Panet.....	Do as do to do .. .. .	1000 0 0	
Elzéar Bedard.....	Do as do to do .. .. .	1000 0 0	
			3000 0 0
J. R. Vallières de St. Réal	Do as Chief Justice at Montreal to do .. .. .	.. .. .	1222 4 5
J. R. Rolland.....	Do as Judge of Court of Queen's Bench at do to do .. .. .	1000 0 0	
Samuel Gale.....	Do as do to do .. .. .	1000 0 0	
C. D. Day.....	Do as do to do .. .. .	1000 0 0	
			3000 0 0
Dominic Mondelet.....	Do as Resident Provincial Judge at Three Rivers to do .. .. .	.. .. .	1000 0 0
John Fletcher.....	Nine Months Salary as Provincial Judge at St. Francis from 1st January to 30th September 1844 at £555 11s 1d. per annum .. .. .	.. .. .	416 13 4
R. H. Gairdner.....	Do as do from the 11th November to the 31st December 1844 at do .. .. .	.. .. .	76 19 10
			493 13 2
John G. Thompson.....	Twelve Months do as do at Gaspé to do .. .. .	.. .. .	555 11 1
	<i>Pension to Judges.</i>		
James Read.....	Twelve Months' Pension as late Chief Justice of Montreal to 31st December 1844.....	814 16 4	
Levius P. Sherwood....	Do as late Judge of the Court of King's Bench Upper Canada to do .. .. .	666 13 4	
George Pyke.....	Do as do at Montreal to do .. .. .	740 14 3	
			2223 4 5
	<i>Salaries of the Attornies and Solicitors General.</i>		
James Smith.....	One Months Salary and Allowances as Attorney General East to 30th September, 1844 at £1500 per annum..... £125 0 0		
Do	Three do as do to 31st December, 1844, at £1350 do 337 10 0		
		462 10 0	
Wm H. Draper.....	Do as do West.....	462 10 0	
Henry Sherwood.....	Salary as Solicitor General from 7th October to 31st December 1844 at £600 per annum.....	140 4 4	
			1065 4 4
	<i>Circuits, East.</i>		
Sir James Stuart, Bart....	Circuit Allowance attending Criminal Term Three Rivers, March 1844	27 15 6	
Edward Bowen.....	Do Queen's Bench at do in June 1844.....	27 15 6	
Philip Panet.....	Do do in January 1844.....	27 15 6	
Elzéar Bedard.....	Do do at Three Rivers and Sherbrooke 1844.....	55 11 1	
Dominic Mondelet.....	Do do at Sherbrooke in March 1844.....	27 15 6	
J. R. Rolland.....	Do do in January 1844.....	27 15 6	
Samuel Gale.....	Do Court of Appeals at Quebec in do .. .. .	27 15 6	
C. D. Day.....	Do Queen's Bench at Three Rivers in March 1844.....	27 15 6	
			249 19 7
	<i>Circuits, West.</i>		
J. B. Robinson.....	Spring and Autumn Circuit of 1844.....	225 0 0	
Archibald McLean....	Do do do .. .. .	225 0 0	
Jonas Jones.....	Do do do .. .. .	200 0 0	
C. A. Hagerman.....	Do do do .. .. .	225 0 0	
J. B. Macaulay.....	Spring Circuit do do .. .. .	75 0 0	
			950 0 0
	<i>Expenses of Criminal Prosecutions, Canada East.</i>		
Alexander Buchanan....	Services as Queen's Counsel to 30th April 1844 .. .. .	479 16 8	
F. A. Quesnel.....	Do as do from the 8th January to 15th March 1844 .. .. .	428 0 0	
A. W. Cochran.....	Do as do from September 1843 to October 1844 .. .. .	164 13 10	
Hon. F. W. Priunrose....	Do as do from 1st July 1843 to 30th June 1844 .. .. .	46 15 0	
Henry Driscoll.....	Do as do to 31st December 1844.....	17 0 0	
C. S. Cherrier.....	Do as do in the case of the Crown vs. N. Jones et al. .. .. .	25 18 6	
P. B. Dumoulin.....	Costs in the case of Hart vs. Brock at Three Rivers in 1844.....	19 12 0	
			1181 16 0
	<i>Criminal Prosecutions, Canada West.</i>		
W. H. Draper.....	Services as Queen's Counsel from January to 2nd September 1844 .. .. .	721 0 9	
Henry Sherwood.....	Do as do on the Spring and Autumn Circuit of 1844 .. .. .	492 0 0	
John Prince.....	Do as do do .. .. .	273 3 10	
			1486 4 7
	<i>Carried over.....</i>		
		£ 5669 4 4	25632 10 11

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## No. 20.—STATEMENT of Warrants issued on the Receiver General, &amp;c.—Continued.

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To whom Paid.	SERVICE.	Amount.	Total Currency.
		£ s. d.	£ s. d.
	<i>Brought over</i> .....	1486 4 7	5669 4 4
	<i>Criminal Prosecutions, Canada West.</i>		
George M. Boswell.....	Services as Queen's Counsel, on the Spring and Autumn Circuit of 1844	170 10 0	
Sir A. N. McNab.....	do as do do do	423 0 0	
Wm. H. Blake.....	do as do do	6 10 0	
Secker Brough.....	do on the Autumn Circuit 1844	144 3 0	
Adam J. Fergusson.....	do do	15 0 0	
George S. Jarvis.....	do do	34 10 0	
			2279 17 7
	<i>Court of Vice Admiralty.</i>		
Henry Black.....	Twelve Months Salary as Judge to 31st December, 1811	223 4 5	
J. P. Bradley.....	do as Registrar to do	166 13 4	
J. B. Parkyn.....	do as Marshall to do	83 6 8	
			472 4 5
	<i>Salary, Allowances and Contingencies of Sheriffs, Canada East.</i>		
W. S. Sewell, Quebec..	Twelve Months Salary as Sheriff to 31st December 1844	111 2 2	
Do	Do allowance for a Public Executioner to do	30 0 0	
Do	Amount of his Contingencies in the 18 Months ended do	2170 4 7	
Boston & Coffin, Montreal	Twelve Months Salary as Sheriff, to 31st December, 1844	111 2 2	
Do	Do. Allowance for a Public Executioner, to do	30 0 0	
Do	On account of their Contingencies in the 18 months ended do	3129 16 0	
I. G. Ogden, Three Rivers	Twelve Months Salary as Sheriff, to 31st December, 1844	83 6 8	
Do	Do Allowance for a Public Executioner, to do	30 0 0	
Do	On account of his Contingencies in the 18 months ended do	524 0 0	
C. Whitcher, St. Francis	Twelve Months Salary as Sheriff, to 31st December, 1844	55 11 1	
Do	On account of his Contingencies in the 18 months ended do	600 0 0	
Martin Sheppard, Gaspé	Twelve Months Salary as Sheriff, to 31st December, 1844	77 15 6	
Do	Do Allowance for Travelling Expenses, to do	11 2 2	
Do	On account of his Contingencies in the 2 years ended do	292 7 11	
			7256 8 3
	<i>Coroners (East).</i>		
B. A. Panet, Quebec...	Twelve Months Salary as Coroner, to 31st December, 1844	111 2 2	
Do	Amount of his Fees and Disbursements in the 18 months ended do	576 13 11	
J. Jones, Montreal, .....	Twelve Months Salary as Coroner, to 31st December, 1844	111 2 2	
Do	Amount of his Fees and Disbursements in the 18 months ended 30th June, 1844	567 16 5	
Valero Guillet, Three Rivers.	Twelve Months Salary as Coroner, to 31st December, 1844	55 11 1	
Do	Amount of his Fees and Disbursements in the 18 months ended do	210 11 3	
C. A. G. De Tonnancour, St. Francis.	Twelve Months Salary as Coroner, to 31st December, 1844	50 0 0	
Do	Amount of his Fees and Disbursements in the 18 months ended do	43 18 0	
R. W. Fitton, County Bonaventure	Twelve Months Salary as Coroner, to 31st December, 1844	27 15 6	
Do	Amount of his Fees and Disbursements in the year ended 30th June, 1844	28 16 6	
William Tilly, County Gaspé	Twelve Months Salary as Coroner, to 31st December, 1844	27 15 6	
Do	Amount of his Fees and Disbursements in the year ended 30th June, 1844	13 10 6	
			1824 13 0
	<i>Clerks of the Crown (East).</i>		
James Green, Québec...	Twelve Months Salary, to 31st December, 1844	44 8 10	
Do	Amount of his Fees and Allowances in the 2 years ended do	134 6 6	
A. M. Delisle, Montreal.	Twelve Months Salary, to 31st December, 1844	44 8 10	
Do	Amount of his Fees and Allowances in the 18 months ended do	536 4 6	
W. C. H. Coffin, Three Rivers	Nine Months Salary, to 30th September, 1844, at £22 4 5 per annum	16 13 4	
Do	Amount of his Fees and Allowances for the year ended 30th June, 1844	£22 12 10	
Ed. Barnard.....	Do of his do for the 6 months ended the 31st December, 1844	12 17 10	
		35 10 8	
	<i>Court of Appeals.</i>		
A. S. Scott.....	Twelve Months Salary as Clerk, to 31st December, 1844	133 6 8	
Fred. Mienee.....	Do do as Usher, to do	30 0 0	
			163 6 8
	<i>Interpreters (Canada East).</i>		
Simcon Lelièvre.....	Twelve Months Salary as Interpreter to the Courts at Quebec, to 31st December, 1844	44 8 10	
Richard Dillon.....	Do do do at Montreal	44 8 10	
J. C. Fearon.....	Do do do at Three Rivers	27 15 6	
			116 13 2
	<i>High Constables (Canada East).</i>		
Wm. Downes.....	Twelve Months Salary as High Constable at Quebec, to 31st December, 1844	40 0 0	
Do	Amount of his Account for services of Subpœnas, &c. in the 18 months ended do	183 1 0	
Benj. Delisle.....	Twelve Months Salary as High Constable at Montreal, to do	40 0 0	
Do	Amount of his Account for services of Subpœnas, &c. in the 2 years ended do	555 14 3	
Ph. Burns.....	Twelve Months Salary as High Constable at Three Rivers, to do	30 0 0	
Do	Amount of his Account for service of Subpœnas, &c. in the 18 months ended do	347 19 5	
			1196 14 8
	<i>Carried forward</i> .....	£ 19790 14 9	25632 10 11

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To whom Paid.	SERVICE.	Amount.	Total Currency.
		£ s. d.	£ s. d.
	<i>Brought forward</i> .....		19790 14 9
	<i>Criers and Tipstaffs (Canada East).</i>		
Fred. Mimca.....	Twelve Months Salary as Crier and Tipstaff to the Courts at Quebec, to 31st December, 1844.....	42 4 5	
Geo. J. Stanley.....	Do do as Crier at Montreal, to do.....	22 4 5	
Peter Devins.....	Do do as Tipstaff do to do.....	20 0 0	
Pierre Portugais.....	Do do as Crier and Tipstaff at Three Rivers, to do..	27 15 6	
			112 4 4
	<i>Court House Keepers (East).</i>		
Jos. Tardiff.....	Twelve Months Salary as Keeper of the Court House at Quebec, to 31st December, 1844.....	60 0 0	
H. O. Donahue.....	Do do as do at Montreal, to do.....	80 0 0	
Pierre Portugais.....	Do do as do at Three Rivers, to do....	40 0 0	
Jno. McLellan.....	Do do as do at New Carlisle, to do....	40 0 0	
James Tuzo.....	Do do as do at Percé, to do....	40 0 0	
C. M. Hyndman.....	Do do as do at Sherbrooke, to do....	20 0 0	
			280 0 0
	<i>Keepers of Gaols (East).</i>		
James Maclaren.....	Twelve Months Salary as Keeper of the Gaol at Quebec, to 31st December, 1844.....	138 17 9	
Do.....	Do Allowance for 2 Turnkeys, to do.....	122 4 5	
Thos. McGinn.....	Do Salary as Keeper of the Gaol at Montreal, to do.....	138 17 9	
Do.....	Do Allowance for two Turnkeys, to do.....	80 0 0	
Richard Gennis.....	Do Salary as Keeper of the Gaol at Three Rivers, to do.....	61 2 2	
Do.....	Do Allowance for two Turnkeys, to do.....	80 0 0	
Patrick Read.....	Do Salary as Keeper of the Gaol at Sherbrooke, to do.....	27 15 6	
			648 17 7
	<i>Physicians to Gaols (East).</i>		
Thomas Fargues.....	Fifteen Months Salary as Physician to the Gaol at Quebec, to 31st December, 1844, at £222 4 5 per annum.....	277 15 5	
Daniel Arnoldi.....	Twelve Months Salary as do. to the Gaol at Montreal, to the 31st December, 1844.....	222 4 5	
G. Badeaux.....	Do do as do at Three Rivers, to do....	55 11 1	
			555 10 11
	<i>Prothonotaries (East).</i>		
Perrault & Burroughs..	On Account of their Contingencies as Prothonotary at Quebec for the 18 months ended the 31st December, 1844.....	156 16 4	
Monk & Morrogh.....	Do of their do as do at Montreal for the 18 months ended 31st December, 1843.....	£682 7 8	
Monk, Coffin & Papineau	Do as do for the year ended 31st December, 1844....	284 0 6	
			966 8 2
Wm. C. H. Coffin.....	Amount of his do as do at Three Rivers for the year ended 30th June, 1844.....	£98 19 0	
Ed. Barnard.....	Do of his do as do for the six months, to 31st December, 1844.....	42 1 3	
			141 0 3
Wm. Bell.....	Do of his do as do at St. Francis for the 18 months ended do..	158 11 0	
Bebee & Wilkie.....	Do of their do as do at Gaspé, for the year ended 31st Dec. 1843..	56 5 0	
			1479 0 0
	<i>Clerks of the Peace (East).</i>		
F. X. Perrault.....	Amount of his Fees and Allowances as Clerk of the Peace at Quebec in the year ended 30th June, 1844.....	525 11 1	
A. M. Delisle.....	Do as do at Montreal, in the 18 months ended 31st Dec. 1844....	504 1 2	
H. B. Hughues.....	Do as do at Three Rivers in the year ended 30th June, 1844.....	236 11 10	
Wm. Bell.....	Do as do at St. Francis in the year ended do.....	41 5 1	
Bebee & Wilkie.....	Six Months Salary as Clerk of the Provincial Court at Gaspé and Clk. of the Peace, to 30th June, 1844, at £66 13 4.....	£33 6 8	
Wilkie & Tremblay....	Three do as do to 30th September, 1844, at do.....	16 13 4	
			50 0 0
Bebee & Wilkie.....	Amount of their Fees and Allowances as Clerk of the Peace at do for the year ended 31st December, 1843.....	14 6 10	
			1371 16 0
	<i>Clerks of Assize (West).</i>		
Wm. A. Campbell.....	For services as Clerk of Assize at the Autumn Circuit 1843 and Spring and Autumn Circuit of 1844.....	212 13 0	
Wm. A. Harvey.....	Do as do at the Spring Circuit of 1844.....	23 0 0	
Jno. Joseph.....	Do as do at the Spring and Autumn do.....	119 9 9	
Thos. D. Campbell.....	Do as do at the Spring do.....	35 15 0	
			390 17 9
C. C. Small.....	For Fees and Allowances as Clerk of the Crown and Pleas in the year ended the 30th June, 1844.....	.. .. .	143 7 8
	<i>Miscellaneous.</i>		
Wm. B. Jarvis, Sheriff } Home District.....	For Services attending Court of Queen's Bench at Toronto, Hilary, Easter and Trinity Terms.....	21 0 0	
Wm. Kingsmill, do. } Niagara do.....	Balance of his account for services from November 1840 to Oct. 1843..	28 16 3	
J. W. D. Moodie, do. } Victoria do.....	Fees for services from September 1841 to April 1843.....	14 13 10	
Thomas Phipps.....	Salary as Usher of the Court of Queen's Bench at Toronto from 1st January to the 6th August, 1844 at £20 per annum.....	£12 0 3	
J. Brown.....	Do as do from 7th August to 31st December 1844 at do.....	7 19 9	
			20 0 0
Js. Bridgeland.....	Do as Keeper of the Court House at do from 1st January to 6th August 1844 at do.....	12 0 3	
James Alexander.....	Do as Keeper and Messenger to the Court of Queen's Bench, Toronto, from 7th August to 31st December 1841 at £50 per annum.....	23 19 4	
			25632 10 11
	<i>Carried over</i> .....	£ 120 9 8	24772 9 9

Appendix  
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## No. 20.—STATEMENT of Warrants issued on the Receiver General, &amp;c.—Continued.

Appendix  
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1845.

To whom Paid	SERVICE.	Amount.	Total Currency.
		£ s. d.	£ s. d.
	<i>Brought over</i> .....	120 9 8	24772 9 0
	<i>Miscellaneous.</i>		
Alex. Ross.....	Twelve Months Salary as Messenger to the Court of Chancery to do..	55 11 1	
Hamilton & Wilson.....	Amount of Furniture furnished to the same.....	9 11 0	
A. S. Scott.....	Fees due him as Clerk of the Court of Appeals at Quebec to July 1844	8 5 4	
Jno. Monk.....	Nine Months Salary as Clerk to the Attorney General to 31st August 1844, at £300 per annum.....	225 0 0	
Do.....	Contingencies of Office do to do.....	57 17 6	
N. Aubin.....	Publishing Circulars of the Privy Council in 1842 at Quebec.....	9 8 0	
J. B. Frechette.....	Furnishing Parchments and Printing Circulars of the Expenses in Appeal.....	15 3 4	
	<i>Circuit Courts.</i>		
Wm. Hume.....	Repairs to Building, Seal, &c. Circuit Court at Leeds.....	35 10 0	
Ls. Beaudry.....	Stationery, Registers and other Contingencies to do at Beauharnois..	46 15 0	
G. S. Carter.....	Sundry articles furnished to Circuit Court, County of Yamaska.....	5 7 9	
H. A. Holland.....	Amount of his account for Benches &c. furnished to the same.....	7 10 0	
A. Bender.....	Registers, Seal and Fuel for the same at St. Thomas.....	14 8 6	
L. Genest.....	Expenses fitting up Court House at Gentilly.....	8 6 0	
C. P. Elkins.....	Disbursements for the Circuit Court at Stanstead.....	17 15 0	
L. G. DeLorimier.....	Do for do at L'Assomption.....	31 5 0	
Pierre Chalou.....	Do for do at Kamouraska.....	33 15 0	
J. Reeves.....	Do for do at Rimouski.....	31 5 6	
D. A. Armstrong.....	Repairs and Furniture Circuit Court at Berthier.....	52 10 6	
Theo. Doucet.....	Expenses in fitting the do at St. Hyacinthe.....	20 0 0	
N. B. Johnson.....	Disbursements on account of the do Two Mountains to 1st December, 1844.....	32 18 10	
A. M. Delisle, Clerk of the Peace, Montreal }	Expenses in fitting up Rooms for the Magistrates.....	40 0 0	
C. E. Schiller, Super- intendent of Crown Witnesses..... }	For Service of Subpoenas at the Criminal Terms of March and August 1844, at Montreal.....	294 14 6	
			1173 7 6
			25945 17 3
			51578 8 2
			522 18 10
	Add Warrants outstanding in 1843 and paid in 1844.....		
			£ 52101 7 0½
	Total, Currency.....		

INSPECTOR GENERAL'S OFFICE,

Montreal, 1845.

W. B. ROBINSON,

Inspector General.

## No. 21.

STATEMENT of Warrants issued on the Receiver General of the Province of Canada, between the 1st February 1844 and the 31st January, 1845, on account of the Expenditure for Services provided for in the Civil List, Schedule B. for the year ended 31st December, 1844.

To whom Paid.	SERVICE.	Amount.	Total Currency.
		£ s. d.	£ s. d.
	<i>Civil Secretary's Office.</i>		
J. M. Higginson.....	Salary as Civil Secretary from the 21st January to the 31st December 1844, at £1111 2 2 per annum.....	1050 1 2	
Henry Cotton.....	12 Months do as 1st Clerk to do.....	277 15 6	
W. R. Bartlett.....	Do do as 2nd Clerk to do.....	222 4 5	
M. Turner.....	Do do as 3rd Clerk to do.....	175 0 0	
P. St. Hill.....	Do do as Office Keeper to do.....	83 6 8	
John McCloskey.....	Do do as Messenger to do.....	55 11 1	
			1863 18 10
J. M. Higginson.....	Salary as Private Secretary from 1st to 20th January, 1844, at £360 per annum.....	19 15 6	
	<i>Carried forward</i> .....	£ 1883 14 4	

1815.

1845.

To whom Paid.	SERVICE.	Amount.	Total Currency.
		£ s. d.	£ s. d.
	<i>Brought forward</i> .....		1883 14 4
	<i>Provincial Secretary's Office.</i>		
	<i>(Eastern Section)</i>		
Dominick Daly.....	12 Months Salary as Provincial Secretary, to 31st December, 1844.....	1111 2 2	
Christ. Dunkin.....	9 do as Assistant Secretary to 30th September, 1844, at £444 8s. 10d. per annum.....	333 6 8	
Do .....	3 do do to 31st December, 1844, at £550 per annum.....	137 10 0	
Wm. Lane.....	3 do as 1st Clerk (on leave) to 31st March, 1844, at £111 2s. 2d. per annum.....	27 15 6	
Thomas Ross.....	3 do as 2nd Clerk to do at £222 4s. 5d. per annum.....	£ 55 11 1	
Do .....	9 do as 1st Clerk to 31st December, 1844, at do.....	166 13 4	
		222 4 5	
Henry Jarmy.....	3 do as 3rd Clerk to 31st March, 1844, at £175 per annum.....	£ 43 15 0	
Do .....	9 do as 2nd Clerk to the 31st December, 1844, at £222 4s. 5d. per annum.....	166 13 4	
		210 8 4	
W. H. Jones.....	3 do as 4th Clerk to 31st March, 1844, at £175 per annum.....	£ 43 15 0	
Do .....	9 do as 3rd Clerk to 31st December, 1844, at do.....	131 5 0	
		175 0 0	
J. R. Lemoine.....	Salary as 5th Clerk from 1st January to 14th April, 1844, at do.....	50 9 6	
Hector S. Huot.....	Do as do Clerk in charge of Records at Quebec from 1st January to 14th April, 1844, at £222 4s. 5d. per annum.....	£ 64 2 0	
J. R. Lemoine.....	Do as do 15 April to 30th September, 1844... ..	102 11 2	
A. R. Roche.....	3 Months Salary as do to 31st December, 1844.....	55 11 1	
		222 4 3	
Do .....	3 Months do as Clerk in place of W. Lane (Sick) to 31st March, 1844, at £111 2s. 2d. per annum.....	£27 15 6	
Do .....	Do as 5th Clerk to 30th June, 1844, at £175 per annum.....	43 15 0	
Do .....	Do as 4th do to 30th September, 1844 at do.....	43 15 0	
		115 5 6	
Sabin Tétu.....	Salary as Extra Clerk from 1st January to 14th April, 1844, at 5s. per diem.....	£26 5 0	
Do .....	Do as 5th do from 15th April to 31st December, 1844, at £175 per annum.....	124 10 4	
		150 15 4	
C. C. Spenard.....	Do as Extra Clerk from 17th July to do at 5s. per diem..	42 0 0	
John Gow.....	12 Months Salary as Office Keeper to do .....	83 6 8	
John Townley.....	Do do as Messenger to do .....	55 11 1	
		2936 19 5	
	<i>(Western Section.)</i>		
J. Hopkirk.....	9 Months Salary as Assistant Secretary to the 30th September, 1844, at £444 8 10 per annum.....	333 6 8	
Do .....	3 Months do to 31st December, 1844, at £550 per annum.....	137 10 0	
T. D. Harington.....	Do do as 1st Clerk to do .....	300 0 0	
Grant Powell.....	Do do as 2nd Clerk to do .....	222 4 5	
E. Kent.....	Do do as 3rd Clerk to do .....	175 0 0	
H. E. Steele.....	Do do as 4th Clerk to do .....	175 0 0	
J. W. Webb.....	Do do as Messenger to do .....	55 11 1	
		1398 12 2	
	<i>Registrar's Office.</i>		
Richard A. Tucker...	12 Months Salary as Registrar to 31st December, 1844..	666 13 4	
Wm. Kent.....	Do do as 1st Clerk to do ..	222 4 5	
Geo. H. Lane.....	Do do as 2nd do do ..	194 8 10	
J. Cooper .....	6 do do as Messenger to 30th June, 1844, at £55 11s. 1d. per annum.....	27 15 6	
		1111 2 1	
	<i>Receiver General's Office.</i>		7330 8 0
Bernard Turquand...	Salary as Receiver General from 1st January to 1st September, 1844, at £888 17s. 9d. per annum.....	.. .. .	596 12 4
Wm. Morris.....	Do as do from the 2nd to 30th September, 1844, at £1333 6s. 8d. per annum.....	105 1 5	
Do .....	3 Months do as do to the 31st December, 1844, at £1100..	275 0 0	
		380 1 5	
Bernard Turquand...	Do as 1st Clerk from 2nd September to 31st December, 1844, at £444 8s. 10d. per annum.....	.. .. .	146 2 8
Thos. A. Cary.....	12 do as 2nd do to do .....	.. .. .	200 0 0
	<i>Carried over</i> .....	£	1322 16 5
			7330 8 0

Appendix  
(I. I.)

No. 21.—STATEMENT of Warrants issued on the Receiver General, &c.—Continued.

Appendix  
(I. I.)

1845.

1845.

To whom Paid.	SERVICE.	£ s. d.	Amount. £ s. d.	Total Currency. £ s. d.
<i>Brought over</i> .....			1322 16 5	7330 8 0
<i>Receiver General's Office.</i>				
G. Hamilton.....	Twelve Months Salary as 3rd Clerk to 31st December, 1844.....		175 0 0	
G. Grundy.....	Salary as Extra do from 9th February to do at £175 do.....		156 5 0	
J. Thompson.....	Do as Messenger from 20th September to do at £50 do.....		13 19 10	1668 1 8
<i>Inspector General's Office.</i>				
Joseph Cary.....	12 Months Salary as Deputy Inspector General to 31st December, 1844.....		666 13 4	
Philip Durnford.....	Do as 1st Clerk to do.....		300 0 0	
David A. Ross.....	Do as Clerk to do.....		250 0 0	
Frederick Ferguson.....	Do as Book Keeper to do.....		222 4 5	
Wm. Dickenson.....	Do as Clerk to do.....		200 0 0	
Mathew Jack.....	Do as Clerk to do.....		111 2 2	
R. A. Kelly.....	Salary as Extra Clerk from 9th January to 31st March, 1844, at 7s. 6d. per diem.....	31 2 6		
J. B. Stanton.....	Do as do from 1st April to 31st December, 1844, at do.....	103 2 6		
			134 5 0	
Patrick Gaul.....	12 Months do as Messenger to do.....		55 11 1	1939 16 0
<i>Executive Council.</i>				
D. B. Viger.....	Salary as President of the Executive Council from 7th October to 31st December, 1844 at £1000 per annum.....		233 13 10	
Etienne Parent.....	9 Months do as Clerk to 30th September, 1844, at £666 13s. 4d. per annum.....	500 0 0		
Do.....	3 do as do to 31st December, 1844, at £600 per annum.....	150 0 0		
			650 0 0	
W. H. Lee.....	Do as 1st Clerk to do.....		300 0 0	
Thos. G. Hurd.....	Do as 2nd do do.....		222 4 5	
S. B. Smith.....	Do as 3rd do do.....		200 0 0	
F. Vallerand.....	Do as 4th do do.....		200 0 0	
W. A. Hinsworth.....	Do as Extra Clerk to do.....		175 0 0	
M. Naughton.....	Do as Messenger to do.....		55 11 1	
David Ryan.....	Do as Door Keeper to do.....		55 11 1	2092 0 5
<i>Board of Works.</i>				
H. H. Killaly.....	12 Months Salary as Chairman to 31st December, 1844.....		888 17 9	
Samuel Keefer.....	Do do as Engineer to do.....		555 11 1	
Thos. A. Begly.....	Do do as Secretary to do.....		444 8 10	
J. H. Connolly.....	Do do as Clerk to do.....		150 0 0	
Richard Jones.....	3 do as Messenger to 31st March, 1844, at £55 11s. 1d. per annum.....	13 17 9		
M. Welsh.....	9 do as do to 31st December, 1844, at do.....	41 13 4		
			55 11 1	2094 8 9
<i>Emigrant Agent.</i>				
A. C. Buchanan.....	12 Months Salary as Chief Agent for Emigrants to 31st December, 1844.....			444 8 10
<i>Pensions, Canada East.</i>				
Representatives	} Pension from 1st October, 1843, to 20th January, 1844, at £166 13s. 4d. per annum.....	54 0 6		
Mrs. Baby.....		40 0 0		
Mrs. Rottot.....	12 Months Pension to 31st December, 1844.....	22 4 5		
Margaret Finlay.....	Do do to do.....	20 0 0		
Louise Desbarats.....	Do do to do.....	11 2 2		
M. A. Montizambert.....	Do do to do.....	2 6 6		
Representatives Marie L. Montizambert.....	} Pension from 1st October to 16th December, 1843, at £11 2s. 2d. per annum.....	11 2 2		
Gen. Launière.....	12 Months Pension to 31st December, 1844.....	11 2 2		
Margaret Launière.....	Do do to do.....	11 2 2		
Elizabeth Launière.....	Do do to do.....	444 8 10		
Thomas Amyot.....	Do do to do.....	55 11 1		
A. DeSaluberry.....	Do do to do.....	55 11 1		
Jane Livingston.....	Do do to do.....	222 4 5		
A. W. Cochran.....	Do do to do.....	50 0 0		
G. H. Ryland.....	Do do to do.....	111 2 2		
Rev. R. R. Burrage.....	Do do to do.....	111 2 2		
Jasper Brewer.....	Do do to do.....	83 6 8		
Lucy Rolette.....	Do do to do.....	83 6 8		
Mrs. Caron.....	Do do to do.....	83 6 8		
Adélaïde Bouchette.....	Do do to do.....	388 17 9		
E. W. R. Antrobus.....	Do as late Grand Voyer District of Quebec to do.....	222 4 5		
P. L. Panet.....	Do do do at Montreal to do.....	8 0 9		
Representatives Gen. Schindler.....	Do from 1st October, 1832 to 12th March, 1834, at £5 11s. 1d. per annum.....			
G. H. Ryland.....	Do from 1st January, 1842 to 3rd August, 1844, at £111 2s. 2d. per annum, per Secretary of State's Dispatches of the 31st March and 27th June, 1844.....	288 0 10		
			2390 3 7	
<i>Carried forward</i> .....		£	2390 3 7	15569 3 3



Appendix  
(I. I.)

Appendix  
(I. I.)

No. 21.—STATEMENT of Warrants issued on the Receiver General, &c.—Continued.

1845.

1845.

To whom Paid.	SERVICE.		Currency.	Total Currency.
		£ s. d.	£ s. d.	£ s. d.
	<i>Brought forward</i> .....	.. .. .	2300 3 7	15560 3 3
	<i>Pensions, Canada West.</i>			
Thos. Talbot	(2 Months Pension to 31st December, 1844.....	444 8 10		
W. Chewett	Do do to do .....	400 0 0		
Samuel Ridout	Do do to do .....	222 4 5		
Sophia Shaw	Do do to do .....	111 2 2		
Edward McMahon	Do do to do .....	233 6 8		
William Cloughly	Do do to do .....	27 15 6		
James Nation	Do do to do .....	125 0 0		
Oncida Joseph	Do do to do .....	16 13 4		
Daniel McDougall	Do do to do .....	84 0 0		
Nathaniel Coffin	Do do to do .....	300 0 0		
Harriet McNab	Do do to do .....	50 0 0		
P. A. Moodie	Do do to do .....	100 0 0		
Elizabeth Lawe	Do do to do .....	20 0 0		
James Carroll	Do do to do .....	20 0 0		
Sarah Usher	Do do to do .....	100 0 0		
S. McCormick	Do do to do .....	100 0 0		
John McMillan	Do do to do .....	20 0 0		
Peter Miller	Do do to do .....	20 0 0		
Margaret Bright	Do do to do .....	62 10 0		
Maria Church	Do do to do .....	50 0 0		
Joseph Randall	Do do to do .....	20 0 0		
Susannah Kerry	Do do to do .....	20 0 0		
Catharine McLeod	Do do to do .....	20 0 0		
R. H. Thornhill	Do do to do .....	125 0 0		
J. G. Chewett	Do do to do .....	150 0 0		
J. Bridgeland	Pension as late Keeper of the Court Q. B. Toronto from 7th August to 31st December, 1844, at £20 per annum.	7 19 9		
G. F. Gourlay	Do from 6th October, 1842 to 30th June, 1844, at £50 do.	88 16 4		
	<i>Contingencies, Public Offices</i>		2036 17 0	5327 0 7
Andrew Hawkins	Salary as Messenger, East Wing, Public Buildings, To- ronto, from 1st January to 6th August, 1844, at £75 per annum.....	.. .. .	44 9 11	
David Luck	12 Months do as Keeper of the Government Offices at Montreal to 31st December, 1844.....	.. .. .	65 0 0	
Geo. Cross	Do as do at Quebec to do .....	.. .. .	65 0 0	
A. C. Buchanan, Chief Emigrant Agent.	} 18 do Contingencies of his Office to do .....	.. .. .	462 7 6	
Thos. D. Hurlington	Balance of the Contingencies of the Public Offices for the year ended do.....	.. .. .	5443 2 3	
Desbarats & Derbi- shire, Queen's Printer	Amount of their account for Printing done for Government and for Subscription to the Canada Gazette in the half year ended 31st December, 1844.....	.. .. .	409 17 8	
				6489 17 4
	Add—Warrants outstanding from 1843 and paid in 1844..	.. .. .	.. .. .	£ 27386 1 2 310 9 10
	<b>Total Currency</b> .....	.. .. .	.. .. .	£ 27606 11 0

INSPECTOR GENERAL'S OFFICE,  
Montreal, 1845.

W. B. ROBINSON,  
*Inspector General.*

STATEMENT of the particulars of the Payments and Deductions made from the Revenues constituting the Consolidated Fund of the Province of Canada, for Expenses of Management, Collections, Drawbacks, Return Duty, &c., for the Year ended the 5th January, 1845.

Payments and Deductions made out of the Income in its Progress of Collection.		Amount Currency.	Total Currency.
	£ s. d.	£ s. d.	£ s. d.
<i>Port of Quebec.</i>			
Salaries, Incidents, &c. ....			5061 9 0
<i>Port of Montreal.</i>			
Salaries, Incidents, &c. ....			2270 2 11
<i>Return Duties.</i>			
At the Port of Montreal.....		3 9 5	
“ “ Quebec.....		194 14 0	
“ “ Fort Erie.....		1 14 8	
“ “ Toronto.....		4 9 10	
“ “ Queenston.....		1 14 9	
“ “ Amherstburg.....		16 10 11	
			222 13 7
At the several Ports in Western Canada, for Commission, &c.....			5145 17 6
Commissions to the several Inspectors of Licences in the Province of Canada, on the Amount of Excise collected.....			2481 8 6½
OUT OF REVENUE FROM PUBLIC WORKS.			
<i>Welland Canal.</i>			
244 Days Salary to the Collector of Tolls at Port Dunville, at 5s. per diem.....	61 0 0		
Postages, &c.....	0 16 10		
Eight Months Salary to the Collector of Tolls at Port Colborne, at £12 10s. per Month.....	100 0 0		
Do to the do at Port Dalhousie, at do.....	100 0 0		
Rent, Fuel, &c.....	5 10 0		
Fifty per Cent. to do at Chippewa, on £161 8s.....	80 14 0		
Postages, &c.....	0 7 1½		
Eight Months Salary to the Collector of Tolls at Port Robinson, at £3 15s. per Month.....	30 0 0		
		378 7 11½	
<i>Lachine Canal.</i>			
Amount of Salaries, Pay to Labourers, and Repairs to Canal, &c.....		2133 4 9	
<i>Cobourg Harbour Company.</i>			
One Year's Salary to the Collector of Tolls.....	100 0 0		
Allowance to Harbour Master for 1843.....	40 10 0		
		140 10 0	
<i>Oakville Harbour.</i>			
One Year's Salary to the Collector of Tolls.....		75 0 0	
<i>Toronto Harbour.</i>			
Commission to the Collector of Tolls.....	71 4 4		
Salaries of Light House Keepers.....	50 0 4		
Contingencies.....	0 6 3		
		121 10 11	
<i>Burlington Bay Canal.</i>			
Commission to the Collector of Tolls.....		146 13 0	
<i>Kettle Creek Harbour.</i>			
Commission to the Collector of Tolls.....		53 17 0	
<i>Carried forward.....</i>		£ 3049 3 7½	15181 11 6½

Appendix (I. I.) No. 22.—STATEMENT of the particulars of the Payments and Deductions, &c.—Continued. (I. I.)

1845.

1845.

Payments and Deductions made out of the Income in its Progress of Collection.	Amount Currency.	Total Currency.
	£ s. d.	£ s. d.
<i>Brought forward</i> .....	3049 3 7 $\frac{3}{4}$	15181 11 6 $\frac{1}{4}$
<i>Chambly Canal.</i>		
Pay to Lock Keepers, and Contingencies .....	105 7 6	
<i>St. Anne's Rapids.</i>		
Salary to the Collector of Tolls .....	75 0 0	
" of Lock Tenders .....	109 10 0	
Contingencies .....	7 13 0	
	192 3 0	3346 14 1 $\frac{1}{4}$
FROM CASUAL REVENUE.		
<i>Secretary's Office, (Eastern Section.)</i>		
Five per Cent. Commission to the Receiver of Fees on £1226 13s. 2d. ....	61 6 6	
<i>(Western Section.)</i>		
Five per Cent. Commission to the Receiver of Fees on £139 6s. 6d. ....	6 19 6	
<i>Marriage Fees.</i>		
One Year's Allowance to the Receiver of Fees for Commission .....	100 0 0	
Expenses of Printing .....	23 12 0	
" of Postages .....	246 8 7	
Balance due by the late J. R. Lemoine, Receiver of Fees at Quebec .....	22 2 2	
	392 2 9	460 8 9
Total Deductions in progress of Collection .....		£18988 14 5
PAYMENTS MADE BY THE RECEIVER GENERAL.		
<i>Port of Quebec.</i>		
Thos. Lambert..... One Year's Salary as an established Tide Waiter, to 31st December, 1844.....	50 0 0	
J. Carmichael..... Do as do .....	50 0 0	
		100 0 0
<i>Port of St. Johns.</i>		
Wm. Macrae..... One Year's Salary as Collector, to 31st Dec., 1844.....	400 0 0	
Do ..... Allowance as do for a Clerk from 1st January to the 7th July, 1844, at £200 per annum.....	103 16 1	
Do ..... One Year's do as do for House Rent.....	40 0 0	
Do ..... Incidental Expenses in the Three Quarters ended the 5th January, 1844.....	70 9 0	
Wm. Pring..... Salary as Surveyor from 8th July to 31st December, 1844, at £200 per annum.....	96 3 11	
Benjamin Burland..... One Year's do as Guager to do .....	100 0 0	
Wm. Leggett..... Do as Land Waiter to do .....	70 0 0	
L. C. Vandal..... Do as do to do .....	70 0 0	
Samuel Walsh..... Three Months do as Clerk to 31st December, 1844, at £50 per annum.....	12 10 0	
		962 19 0
<i>Phillipsburg.</i>		
P. P. Russell..... One Year's Salary as Deputy Collector .....	100 0 0	
Do ..... Do Allowance as do for Rent of a Custom House.....	25 0 0	
Alexr. Young..... Six Months Salary as Land Waiter, to 30th June, 1844, at £40 per annum..... £20 0 0		
James Henderson..... Salary as do from 7th July to the 30th September, 1844, at do .....	9 2 7	
		154 2 7
<i>Coteau du Lac.</i>		
Wm. B. Simpson..... One Year's Salary as Collector and Inspector of Merchandize.....	400 0 0	
Do ..... Do Allowance for Rent of a Custom House.....	36 0 0	
B. Tierney..... Do Salary as Comptroller.....	200 0 0	
<i>Carried over</i> .....	£ 636 0 0	1217 1 7 18988 14 5

Appendix (I. I.) No. 22.—STATEMENT of the particulars of the Payments and Deductions, &c.—Continued. Appendix (I. I.)

1845.

1845.

Payments and Deductions made out of the Income in its Progress of Collection.		Amount	Total
		Currency.	Currency.
		£ s. d.	£ s. d.
<i>Brought over</i> .....		636 0 0	1217 1 7
<i>Coleau du Lac.</i>			18988 14 5
Geo. N. Johnson	Six Months Salary as Land Waiter, to 30th June, 1844, at £30 per annum.....	£15 0 0	
A. McIntyre	Salary as do from 24th July to 31st December, 1844, at do .....	13 2 6	
Alexr. Holmes	One Year's do as do to do .....	28 2 6	
Wm. B. Simpson, Geo. N. Johnson & Alexr. Holmes	Do Allowance as Collector, and Land Waiters for a Boat and Hands .....	30 0 0	
		60 0 0	754 2 6
<i>Stanstead.</i>			
Robert Hoyle	Per Centage on his Collections, as collector in the Three Quarters ended the 5th July, 1844 .....	75 0 0	
Do	Six Months Allowance as do for Rent of a Custom House, to 30th June, 1844 .....	12 10 0	
Do	Expenses on remitting Monies to the Receiver General .....	4 14 1	
J. Thompson	Salary as Collector from the 19th July to 31st December, 1844, at £125 per annum .....	56 7 8	
Robert Vincent	Do as Surveyor from the 23rd July to do at £50 per annum .....	21 14 9	
Andrew Patton	One Year's do as Land Waiter .....	40 0 0	
Do	Additional Salary for the years, 1842 and 1843, at £25 per annum .....	50 0 0	260 6 6
<i>Beauce.</i>			
Thos. J. Taschereau	Per Centage on his Collections as collector in the year ended 10th October, 1844 .....	77 4 0	
Do	One Year's Allowance as do for Rent of a Custom House, and other Contingencies, to 30th September, 1844 .....	25 0 0	102 4 0
<i>Clarenceville.</i>			
Saml. J. Burton	Salary as Collector from the 8th to the 20th August, 1844, and at Freligsburg from the 21st August to the 30th September, 1844, at £100 per annum .....	23 1 11	
Charles Stuart	Do as do from 21st August to 31st December, 1844, at Clarenceville, at do .....	36 2 9	59 4 8
<i>Compton.</i>			
Thos. Gordon	Salary as Collector from 22nd July to 31st December, 1844, at £75 per annum .....		33 4 4
<i>Dundee.</i>			
L. H. Masson	Salary as Collector from the 8th July to 31st December, 1844, at £100 per annum .....	48 1 11	
Alexr. Gordon	Do as Preventive Officer at St. Regis, from do to do at £30 per annum .....	14 8 7	
S. S. Finden	Do as do from the 19th July to do at do .....	13 10 7	76 1 1
<i>Eaton.</i>			
Henry Moore	Salary as Collector from the 12th July to 31st December, 1844, at £75 per annum .....		35 5 1
<i>Huntingdon.</i>			
James Botham	Salary as Collector from the 12th July to 31st December, 1844, at £100 per annum .....		47 0 2
<i>Hemmingford.</i>			
G. N. Johnson	Salary as Collector from the 8th July to 31st December, 1844, at £75 per annum .....		36 1 5
<i>Lacole.</i>			
Ed. Hackett	Salary as Collector from the 8th July to 31st December, 1844, at £100 per annum .....	48 1 11	
Ed. March	12 Months do as Land Waiter to do .....	15 0 0	63 1 11
<i>Carried forward</i> .....		£	2683 13 3
			18988 14 5

Appendix (I. I.) No. 22.—STATEMENT of the particulars of the Payments and Deductions, &c.—Continued. Appendix (I. I.)

1845.

1845.

Payments and Deductions made out of the Income in its Progress of Collection.		Amount Currency.	Total Currency.
		£ s. d.	£ s. d.
<i>Brought forward</i> .....		2683 13 3	18988 14 5
<i>Potton.</i>			
J. H. McVey.....	Salary as Collector from the 25th July to 31st December, 1844, at £100 per annum.....	43 9 6	
W. McGowan.....	Do as Preventive Officer from the 8th July to do at £30 per annum.....	14 8 7	
<i>Russelltown.</i>			
John Davidson.....	Salary as Collector from the 8th July to 31st December, 1844, at £100 per annum.....	48 1 11	
<i>Canada West.—Toronto.</i>			
Geo. A. Maillieu ..	Salary as Surveyor from the 2nd August to the 31st December, 1844, at £166 13s. 4d. per annum.....	68 16 9	
<i>Kingston.</i>			
Thos. Kirkpatrick, Collector.	To enable him to pay the allowance to Landing Waiters in the 3 Quarters ended the 5th January, 1845.....	76 0 0	
<i>Port Dalhousie.</i>			
John Clarke, Collector.	To enable him to pay the Salary of a Landing Waiter at St. Catherines for the 2 Quarters ended the 10th October, 1844.....	30 17 6	
<i>Return Duties under Act 7 Vic. Chap. 1.</i>			
George Bullock.....	Return Duty on Cattle imported under contract with the Commissariat prior to 1st October, 1843, for Troops at Amhersburg.....	49 1 11	2965 7 6
Nathem Rorke.....	Do do do at Kingston.....	354 14 0	
W. H. & W. Boyd.....	Do do do at Montreal.....	592 10 8	
Thos. Seaner.....	Do do do at Chambly.....	133 16 8	
W. B. Fox.....	Do do do at Laprairie.....	196 14 8	
W. Bishop.....	Do do do at Queenston and Fort Erie.....	182 5 1	
John Hall.....	Do do do at Queenston.....	64 9 7	
Edmund Longley.....	Do do do at St. John's.....	67 10 6	
James Dinning.....	Do do do at Quebec.....	197 14 2	
J. W. Dunscomb, Com. of Customs. }	To pay for a Weighing Machine, Measures and Gauging Rods for the several Ports, C. E.....		1838 17 1
<i>Chambly Canal.</i>			
Michel Borne.....	1 Year's Salary as Collector of Tolls at Chambly.....	200 0 0	
David Phelan.....	Do as do at St. Johns.....	180 0 0	
M. Borne.....	To pay the Salaries of Lock Keepers and Contingencies.....	48 14 0	
<i>Excise.</i>			
Joseph Cary, Deputy Inspector General. }	To enable him to pay the Expenses of sending a Messenger with Blank forms to the several Inspectors of Licences, C. W.....		40 0 0
<i>Territorial Revenue.</i>			
F. W. Primrose.....	12 Months Salary as Clerk of the Terrars of the Queen's Domains to 31st December, 1844.....	100 0 0	
Do.....	Per centage on his Collections as Inspector General of the same in the 18 Months ended do.....	289 5 9	
<i>Welland Canal.</i>			
Hon. W. B. Robinson	Compensation to him as per Report of the Executive Council of the 2d April, 1844.....	450 0 0	
	Salaries to the Collectors and Lock Tenders.....	605 9 5	
	Repairs to the Old Work out of the Tolls of the present year.....	17985 6 1	
			19040 15 6
Total Deductions from the Revenue, Currency.....			43862 17 3

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STATEMENT of the Affairs of the Province of Canada on the 31st January, 1845, in which the year 1844 is included.

No. 23.

Table with columns: Dr., Currency (£ s. d.), Cr., Currency (£ s. d.), and a final Currency (£ s. d.) column. Includes entries like Thomas Wilson & Co., Loans to Incorporated Companies, and Provincial Works.

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Table with columns: Dr., Currency (£ s. d.), Cr., Currency (£ s. d.), and a final Currency (£ s. d.) column. Includes entries like Toronto Harbour, River Richelieu, and Works unprovided.



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**No. 24.**

STATEMENT of Monies Collected under the Provincial Acts 45 Geo. 3. Cap. 12, 51 Geo. 3. Cap. 2, and 2 Geo. 4. Cap. 7, and of the Expenses incurred in supporting and improving the Navigation of the River St. Lawrence for the Basin of Portneuf, in the District of Quebec, to the Division Line between the late Provinces of Lower and Upper Canada for the year 1844, under the Trinity Board of Montreal.

	Currency.		45th & 51st Geo. 3.	Currency.		Currency.
	£ s. d.	£ d. s.		£ s. d.	£ s. d.	
To Balance brought from last Year.....		1986 3 11	Duties Collected by Henry Jessopp, Naval Officer, in the 5 Quarters ended the 5th January, 1845.....	1565 0 9		
Robert Armour.....	125 0 0		Less.—2½ per cent Commission.....	39 2 4		1525 18 5
James Holmes.....	125 0 0		2nd Geo. 4. Cap. 7.			
Edward Armstrong.....	51 18 5		Duties Collected by the Naval Officer, on Steamers during the Season of 1843.....	£683 10 2		
W. K. Rayside.....	51 11 2		Less.—2½ per cent Commission.....	17 1 9		
Ditto.....	69 19 5		Do on do during the Season of 1844.....	£655 12 10		
J. N. Ogilvie.....	75 0 0		Less.—2½ per cent Commission.....	16 7 10		1305 13 5
James Holmes, Registrar & Treasurer.....	1500 0 0		By Balance expended over and above the Receipts carried to next year.....			1153 1 1
		1998 9 0				£ 3984 12 11
		£ 3984 12 11				

To Balance overpaid brought down.....£1153 1 1

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W. B. ROBINSON,  
Inspector General.



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**No. 25.**

STATEMENT of Tonnage Duties Collected during the Season of the Navigation of the Year 1844 at Quebec and Montreal, under Provincial Act 6 Will. 4. Cap. 35, Continued by the Ordinance 3 Vict. Cap. 15, and of the Sums paid thereout to provide for the Medical Treatment of Sick Mariners.

**Q U E B E C .**

EXPENDITURE.	Currency.	RECEIPTS.	Currency.
To Balance brought from last Year.....	£ s. d. 375 18 3	By Amount of Tonnage Duty levied at Quebec during the Season of 1844.....	£ s. d. 1732 16 6
To paid Joseph Morin, Treasurer, and one of the Commissioners for the Marine Hospital at Quebec, on Account of the Expenses of the same.....	1500 0 0	“ Balance carried to next year.....	143 1 9
Total Currency.....	£ 1875 18 3	Total Currency.....	£ 1875 18 3

To Balance brought down..... £143 1 9

**M O N T R E A L .**

EXPENDITURE.	Currency.	RECEIPTS.	Currency.
To paid Samuel Gerard, President of the Montreal General Hospital, on Account of the Expenses of the same.....	£ s. d. 93 10 0	By Balance brought from last year.....	£ s. d. 93 10 2
“ Balance carried to next year.....	133 8 5	“ Amount of Tonnage Duty levied at Montreal during the Season of 1844.....	133 8 3
Total Currency.....	£ 226 18 5	Total Currency.....	£ 226 18 5

By Amount brought down..... £133 8 5

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STATEMENT of the Funds arising from the Estates of the late Order of Jesuits, in the year ended the 31st December, 1844.

	Currency.		Currency.	
	£	s. d.	£	s. d.
Balance in the Receiver General's hands as per last Year's Statement.....	---	---	---	29592 18 11
Do unpaid from last Year in the hands of the Commissioner.....	---	---	1644 8 0	
Amount of Ordinary Receipts by the Commissioner in the Twelve Months ended the 31st December, 1844.....	2555	19 4		
Do by do from Edward Burroughs, Prothonotary at Quebec, in satisfaction of a Collocation of the Crown vs. Parant, by Judgment of Distribution of the 27th November, 1844, being so much on Account of the Debt due to the Estates by the late Sir John Caldwell, Bart.....	1671	7 8		
			4227 7 0	
Total.....	---	---	5871 15 0	
<i>Deductions by the Commissioner.</i>				
His Salary for Twelve Months to 31st December, 1844.....	200	0 0		
His Allowance for a Clerk, to do .....	100	0 0		
Contingencies of his Office to do .....	77	6 11		
Balance carried to next Year.....	1671	7 8		
			2048 14 7	
Amount paid the Receiver General.....	---	---	---	3823 0 5
Total Currency.....	---	---	---	£33415 19 4

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W. B. ROBINSON,  
*Inspector General.*

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**NO. 27.**

**DISTRIBUTIVE SCHOOL LAND FUND.**

STATEMENT of Monies arising from the Sale of School Lands in that part of the Province heretofore called Upper Canada, pursuant to Provincial Act 4 & 5 Vic. Cap. 19, and Warrants issued thereon between the 1st February, 1844, and the 31st January 1845, on account of the year ended the 31st December, 1844.

EXPENDITURE.		RECEIPTS.	
	Currency.		Currency.
	£ s. d.		£ s. d.
W. D. Moodie.....		By Balance brought from last year.....	1803 0 7½
Rev. J. C. Taylor.....	25 0 0	“ Cash credited by the Receiver General, being Interest on Debentures held on Account of the School Land Fund.....	1506 10 7½
“ Hugh Urquhart.....	34 19 0		
“ J. Geddes.....	90 0 0		
“ H. J. Grasset.....	127 10 0		
“ E. Hubbell.....	50 0 0		
“ B. Cronyn.....	70 0 0		
“ G. Okill Stuart.....	130 10 0		
“ A. N. Bethune.....	97 10 0		
“ Thos. Green.....	77 10 0		
Chas. A. Low.....	75 0 0		
W. Macaulay.....	30 0 0		
S. B. Ardagh.....	45 0 0		
	52 10 0		
	905 9 0		
	53 10 5		
Add—Warrants outstanding for 1843 and paid in 1844.....	958 19 5	Total Currency.....	£ 3309 11 3
To Balance carried to next year.....	2350 11 10		
	£ 3309 11 3		

By Balance brought down, Currency.....£ 2350 11 10

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No. 28.

STATEMENT of Monies received from the rate or Duty imposed by the Provincial Act of Canada 4 & 5 Victoria, Cap. 13, on Passengers or Emigrants arriving at the Ports of Quebec and Montreal, including a Sum credited the Provincial Government by the Commissary General on account of Emigration—and the Amount paid thereout for providing Medical Assistance for Sick Emigrants, and enabling Indigent Persons of that Description to proceed to the place of their destination during the Season of the Navigation of the Year 1844.

EXPENDITURE.	Currency.	RECEIPTS.	Currency.
	£ s. d.		£ s. d.
To Balance expended over and above the Receipts of last year.....	4019 16 4½	By Balance unpaid in the hands of the Collector at Quebec, from last Year.....	932 0 10
A. C. Buchanan, } Balance of his Disbursements for Emigration for 1843.....	401 5 3	By Amount received by the same during the Season of the Navigation, 1844.....	3777 5 10
Do } On Account of General Disbursements for the Year 1844.....	6650 0 0	By Amount received by the Collector at Montreal.....	216 17 6
William Filder, } Being the balance of the advances made from the Military Chest	819 1 3	“ the following sums allowed for Canadian Emigration by the Imperial Go-	
Commissary Gen. } on account of the Expenses of Emigration in 1840.....	1849 11 11½	For the Years 1843-44.....	£3744 0 0
To Balance in favor of the Fund carried to next Year.....		For the Years 1844-45.....	3500 0 0
		Sterling.....	£7244 0 0 at 24s. 4. Cy.
			8813 10 8
Total Currency.....	£ 13739 14 10	Total Currency.....	£ 13739 14 10

By Balance Brought down..... £1849 11 11½

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## R E P O R T

Of the Commissioners appointed to consider and report what alterations it may be expedient to make in the practice and proceedings of the Court of Chancery in Upper Canada.

(Copy.)

MAY IT PLEASE YOUR EXCELLENCY,

We, the Commissioners appointed by Letters Patent under the Great Seal of this Province, bearing date the 20th day of July, 1843, to consider and report what alterations it may be expedient to make in the practice and proceedings of the Court of Chancery of Upper Canada, respectfully beg leave to refer to our first Report, made on the 20th April last, and accompanying a series of Rules, which we recommended to be adopted, with the view of rendering the proceedings in Chancery less dilatory and expensive; and we beg leave now to report further to Your Excellency, that the consideration which we have since given to the subject has confirmed the impression which we have from the first been disposed to entertain, that it is only by such alterations as we can venture to recommend with the view of shortening the pleadings, and simplifying the proceedings, that we can hope to remedy in any great degree, what we believe to be justly complained of as a great and almost intolerable evil, namely, the expense which attends the prosecution and defence of suits in that Court, even of the most ordinary character. It is by this course, therefore, that we have been endeavouring to effect what we believe to have been the principal object of the Commission, and that our views on the point may be clearly understood, we beg to offer herewith the following explanation of them:—

From the year 1792, when the Civil Government of Upper Canada was organized, and the Common Law Courts began to be instituted, until the year 1837, when the Court of Chancery was established by an Act of the Legislature, no provision was made for an equitable Jurisdiction within the Province, or for giving to parties the benefit in any manner or degree of the application of those principles and maxims of equity, which according to the English system of Jurisprudence can be allowed to operate only in Courts of Equity. There were indeed two or three detached objects to which the Legislature applied themselves, with the view of supplying in those instances, the want of a Court of Chancery,—such as the partition of Real Estates held in joint tenancy, &c.; the appointment of Guardians to Infants; and a very imperfect provision for guarding and managing the property of Lunatics. But, with the exception of such enactments, very few in number, and which do not seem to have been frequently resorted to in practice, it may be said with truth, that Upper Canada was not only without any distinct Court of Equity, before the passing of the Chancery Act in 1837, but was without the means of applying in the administration of justice, those rules and maxims of equity, by which the rigour of the Common Law of England might be mitigated, as is done in some countries in Tribunals, whose constitution and general system of proceeding are based on those of the English Common Law Courts.

The Court of King's Bench had been established by the Act passed in 1794, and had been made to conform very closely with regard to its practice and proceedings, as well as its powers and authority, to

the Superior Courts of Record in England; having the same jurisdiction in civil and criminal cases which belongs to the Court of King's Bench, with the jurisdiction which in some civil cases is peculiar to the Court of Common Pleas,—and in matters regarding the King's Revenue, to the Court of Exchequer. It has always seemed clear to the Judges presiding in this Court, (and we do not know that a different opinion has been any where entertained,) that their duty was in all cases to administer the Laws of England, which had indeed by a Provincial Statute passed in 1792, been expressly adopted "as the rule of decision in all controversies relative to property and civil-rights," and that they could proceed by no other rule, and exercise no other powers than were exercised by the Courts of Common Law in England, except where they were directed by some special enactment. They held themselves disabled from extending equitable relief in any other cases than those in which the Courts of Common Law in England upon equitable principles have assumed a control over their own proceedings, in order to prevent the process and forms of Law from being applied to purposes of injustice and oppression.

Under the system then, as we have described it, there was no remedy for many cases of fraud, accident, or mistake, though they might occasion consequences injurious, if not ruinous, to parties; no means of preventing waste, or obtaining discovery, or compelling the specific performance of agreements, and the due execution of trusts, of foreclosing, and in some cases of redeeming mortgages; nor of obtaining other objects scarcely less necessary and important, which require in England, the intervention of a Court of Equity. With the one or two trifling exceptions of cases for which the Legislature had made special provision, we were, in fact, in the same situation as the people of England would be, if every Court of Equity were at once wholly abolished by an Act of Parliament, while the Courts of Common Law should be left with no enlarged powers to do only what they now do, and as they now do it.

It could not be supposed that a system of Jurisprudence so defective, would be long maintained in that state, in so populous a country; not that there are not countries much older, and more populous, without distinct Courts of Equity, that is, without tribunals constituted for administering only what may be called Equity as distinct from Law; for this latter system is an arrangement peculiar to England and the countries which have taken their Laws from her,—but there was not, nor is there now, we believe, any Colony or country having a population so large as Upper Canada, and in the same degree civilized, where a body of Laws so precise and inflexible as the Common Law of England generally is, has been left to govern all contracts, and all transactions and interests, without some attempt to modify it in its application by the influence and intervention of Equity. There was probably an apprehension not ill founded, that expense and other inconveniences, which it would be hard to bear, and yet not easy to obviate, would follow the introduction of any thing like the English Courts of Equity, and this may have

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restrained the Legislature from making any attempt of the kind before the year 1837,—though, by that time, the population of Upper Canada was not much less than 400,000, and though there was scarcely a West India Island belonging to the Crown (inconsiderable as some of them are in extent and population) in which a Court of Chancery had not been long established, more or less modelled upon that of England.

When the Legislature did take up the subject in 1837, they had a clear field for experiment, and there were different methods by which they might have proceeded, and among which, it was necessary for them to make their choice. It became most material for them to consider whether they might not content themselves in the first instance at least, with merely allowing the Court of King's Bench in all matters which might come in judgment before them, to give the parties the full benefit of the same equitable considerations, and of the same maxims and principles of equity, as would apply to the case, if the parties were before an equitable tribunal,—as for instance, that whatever conduct a Court of Equity would hold fraudulent, should be equally fraudulent at law; that the same effect should be given to the circumstances of accident and mistake, in Law, as in Equity; that whatever parties had clearly agreed to do, should at Law, as well as in Equity, be for certain purposes regarded as done; that wherever the fact of notice would prevent the hard operation of a Rule or Statute, or would be otherwise material to the protection or liability of a party in Equity, it should be equally so in Law. Without doubt, by enlarging the principles on which our Common Law Courts proceeded in these and other instances, and by enabling the Judges to modify their decisions, so as to make them conformable in such points to the Rules of Equity, many cases of injustice might have been remedied, and many important interests protected, without introducing a distinct Tribunal for dispensing Equity alone, to which the parties should be referred. But if the measure had stopped there, there would have been many cases in which the preventive and superintending powers of Courts of Equity are constantly called into exercise in England, which must still have gone without remedy here.

The Legislature might have taken another course, and after authorizing the Court of Common Law to give effect to equitable considerations in cases tried before them, they might have gone further, and made distinct provisions for obtaining by different means, the same ends, as are now accomplished by proceedings in Courts of Equity; not perhaps in all cases, but in those most important and of most frequent occurrence; and they might have attempted to provide a more summary and less expensive method of proceeding in each of such cases,—either through the instrumentality of the Common Law Courts, in all cases, or only in some, and by appointing for other purposes a Judicial Officer, clothed with some only of those powers, which in England are inherent in the Court of Chancery,—or by appointing *pro re nata* one or more Commissioners, for carrying the powers to be specially delegated, into effect.

For example, they might if they had thought it expedient, have enabled the Court of King's Bench to grant, and of course to dissolve injunctions; to decree specific performance of contracts, enforcing their decree by attachment for contempt; to repeal Letters Patent when fraudulently obtained, or improvidently issued; to entertain applications for foreclosing and redeeming mortgages; to compel a discovery (perhaps under certain restrictions,) and to do various other acts of a like definite character. But unless many of the purposes for which Courts of

Equity are resorted to in England were intended to be left unprovided for, it would have been hardly possible to have relied upon the Court of King's Bench of this Province for affording the aid of Equity effectually in all those cases to which the Legislature must have been desirous of extending it. That Court could certainly not have supplied the want, without a considerable addition to the number of its Officers; and independently of the questionable policy of committing the administration of Law and Equity to one Tribunal, the arrangements for one branch of duty might have been found to clash inconveniently with those necessary for other duties; and there is besides, a large class of cases in which the constitution and machinery of Courts of Equity are well adapted to render services rather ministerial and executive than judicial, and to which, Courts of Law, under the English system are by no means adapted,—such for instance, as the directions from time to time given for the execution of Trusts, the care and management of Estates of Infants and Lunatics, and other matters of that nature.

It has of late years been much discussed in England, (and the question has engaged some attention in this country,) whether the Superior Courts of Law might not be made to perform all the functions of a Court of Equity, and whether, under such a system, expense to suitors and to the public might not be saved, and more certain and complete justice done, where all is in the power of one Tribunal, than where the parties are exposed to be referred from one jurisdiction to another, for various purposes arising in the progress of a cause, and when no little embarrassment may be supposed to be experienced, and sometimes expense incurred, before it can be clearly ascertained whether the matter will be regarded as more properly cognizable in Law or in Equity.

To say nothing of countries where the Civil Law prevails, and not the Common Law of England, (for their example could not help us, unless we altered the whole frame of our Laws,) there have been British Colonies, it is well known, in which, Courts of Law established on the model of the Common Law Courts in England, and proceeding on the same general principles, have been also made to answer the purposes of a Court of Equity,—if not wholly, yet to a very great extent, under statutes committing specially to them certain equitable powers; and in some of the British Colonies alluded to which now form independent States, such a system having been long established and in use, has been ever since retained.

With means of ascertaining the prevailing opinions respecting the several methods of administering Equity, which have been tried or suggested, the Legislature of Upper Canada in 1837, determined to adopt a system as nearly as possible similar to that which exists in England. They left the Courts of Common Law to discharge their proper duties as before, and created a Court of Chancery wholly distinct from and independent of them as in England, with a single Judge to preside in it, under the designation of Vice-Chancellor, and giving to the Court, in express terms, the same jurisdiction, and the like power and authority as are possessed by the Court of Chancery in England, in respect of all the matters enumerated in the Act, which comprehend, almost without exception, all the subjects of Equity Jurisdiction in England.

The Act provides that the Court shall be governed by the same rules of decision as govern the Court of Chancery in England; and gives it the same power for enforcing obedience to its orders and decrees. In thus giving to us in all its parts, the English system,

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the Legislature must be supposed to have been influenced by the resolution to preserve the boundaries of Law and Equity distinct, by providing for their being dispensed by distinct Tribunals; and to leave nothing wanting to complete the analogy between this Country and England, as regards the nature of the two jurisdictions, the extent of the powers to be exercised within each, and the mode of exercising them.

We believe that in doing so, they took the course most in accordance with the real and permanent interests of the Province, as being the one best calculated to assist in binding us by a similarity of Law and Institutions to the Parent State; and they secured to us besides, as regards Equity, the advantage which they preserved to us in respect to the Common Law Courts, of that entire and close resemblance, both in constitution and principles, to the corresponding jurisdiction in England, which enables Judges, Practitioners and Suitors, to avail themselves of the treasures of wisdom, and experience accumulated during many generations, by the decisions of the greatest Judges, with such means of observation, deliberation and trial, as can only be presented in the course of many years, even in a country whose population and commerce equal those of England.

The Legislature having thus conferred upon Upper Canada, what they evidently meant should strictly resemble an English Court of Equity, it is a matter of great difficulty and delicacy to attempt making any extensive changes in it, without running the risk of disturbing most inconveniently, if not fatally, a system, whose beauty and efficiency in a great measure consists in that completeness, consistency and coherence of all its parts, which could only have resulted from attentive observation, during a very long course of experience.

It does not seem, however, to have been assumed by the Legislature that the English practice in Equity would be found in all respects suitable to the circumstances of this country, for they gave full power to the Vice Chancellor "from time to time to settle and declare the form of process, and to define the practice and proceedings to be observed in the Court, in prosecuting or defending suits therein; to regulate the amount of fees and disbursements to be taxed to parties, their Counsel and Solicitors, and to the Officers of the Court, as in his opinion should be necessary to facilitate the despatch of business and occasion the least expense."

The circumstances were favorable under which this Court was established in 1837, for the whole system of proceeding in Equity had recently undergone the most mature consideration in England, and many changes had been made in it under the sanction of Parliament, and by orders of the Court of Chancery, with the view of simplifying the proceedings and diminishing the expense. The Vice Chancellor had the opportunity of adopting those improvements, so far as they might seem suited to this country; or rather, they would become without adoption, part of the practice of his Court, except such of them as he might reject or modify. Of the various rules which have been from time to time adopted in England since the institution of this Court, the Vice Chancellor has also availed himself as far as he thought it expedient to follow them, and he has introduced some original rules framed with a view of better adapting the proceedings to the circumstances of this country.

Still after the Court had been a few years open, the experience of the profession and of suitors seems to have justified in a great degree the apprehensions which probably led the Legislature to postpone for so long a period, the establishment of an equitable jurisdiction.

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There is, we believe, a very prevailing feeling that the Tribunal on its present footing, is not suited to the circumstances of this country: and the task has in consequence been committed to us, of suggesting alterations, which may relieve it of that objection.

In England, the evils which were so long complained of as attending proceedings in Chancery, were delay and expense.

The delay there, was probably rather owing to the great accumulation of business, which occasioned arrears, than to the nature of the proceedings; though it seems to have been admitted that before the late alterations, the practice of the Court did enable parties to come to create unreasonable delays by various shifts and contrivances, and many of the new regulations were designed to cure this evil.

With regard to our own Court, we have not found upon enquiry among those who have the best means of judging, that the reproach of delay can be justly urged to any great extent, either as being occasioned by the nature of the proceedings, or from the time usually taken in disposing of matters, after they have been heard and are ready for decision. There is no doubt that, generally speaking, a much longer time elapses between the institution of a suit in Equity, and its termination, than is usually the case in actions at Law, but that, we are persuaded, is unavoidable from the nature or objects of equitable jurisdiction.

Considering the purposes for which the Court of Chancery interposes and the great extent of its powers, there can be no doubt, that a degree of caution is necessary for the protection of parties, which is not compatible with very rapid proceeding. Making due allowance for this, we think we are warranted in saying, that when there have been delays such as might seem to afford just ground of complaint, they have been rather owing to forbearance and arrangements among the Solicitors employed, with a view to their mutual convenience, than to any impediments in the working of the machinery of the Court.

We have, however, kept in view, the expediency of doing whatever can safely be done for expediting the business of the Court; and several of the Rules which have been recommended, and others which will be hereafter suggested, have been framed for that purpose. The more important consideration is that which regards the expense of proceedings in the Court of Chancery,—and it is to this point chiefly that our attention has been directed.

We have already observed that it is not now a question upon which we need offer an opinion, whether, in most of the cases in which Equity is resorted to, an easier and cheaper remedy might not have been provided through the instrumentality of another Court; for the Legislature have taken their course, and following the English system, have given us a Tribunal closely resembling the Court of Chancery, in its constitution and powers. This being done, it is still open to consideration, whether it is better that the Court so constituted should take the English Court of Chancery as its model in regard to its general practice and proceedings, or whether it would be wiser to depart from it very widely if not altogether in the hope of being able to frame a new system of practice and proceeding, more simple and less expensive, and on both accounts better adapted to the circumstances of this country, where the interests to be settled through the aid of such a Court are mostly of a moderate amount. It is not impossible that a person well versed in the constitution of Courts of Equity, and the principles which govern them, and familiar, from long experience with their practice,



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might be successful in an attempt to frame a wholly new system of proceeding better adapted than the present to the wants of this country, provided he could withdraw his attention for a time from other objects and pursuits, so that he could, without interruption combine his plans and trace the outlines of a connected system, which should be complete and consistent in all its parts. Such a task, if it shall ever be accomplished, must be in the first instance, the work of one mind, aided of course by the suggestions and corrections of others, and with the advantage of not being distracted by other duties.

We do not apprehend, from the terms of the Commission under which we are acting, that any such attempt to substitute an entire new system is expected from us, and our impressions at present are, at any rate, not in favour of making the experiment. The Court, and consequently the country, would lose by it in a very great degree the advantage of the assistance now derived from the long train of decisions of the English Courts of Equity, by which innumerable points have been settled, which, under a wholly new mode of applying the powers of Equity might be thrown open to doubtful discussion. The practice and pleadings of a Court are the modes by which its principles are brought into action. In a long course of operation, they all become interwoven and accommodated to each other, so that it is impossible at once to perceive how far any radical change in either may, of necessity, affect the others,—and for a long time certainly, if not for ever, it would be felt that much had been lost, by departing very widely from the English system, and casting ourselves loose from precedents and authorities.

Not meaning therefore to recommend so total a change in the proceedings or practice as would destroy the resemblance to the English Courts of Equity, it has been our object to reduce the costs of a Chancery suit, so far as it may be possible, within such limits as may leave no ground for reasonable complaint. With this view, we have examined carefully the present table of costs in use in the Court. But on consideration of the several items, we do not find that much can be effected by this direct method of reduction,—at least, not without evident injustice to those, by whom the business is to be done. We did not indeed expect that much could be accomplished in this way, for when the Act was passed, a Table of Fees was given in it, which it may be supposed the Legislature would take care not to make extravagant, and after the Court had been some time in operation, this Table was, by an Act of the Legislature directed to be revised with the assistance of the Judges of the Queen's Bench, with a view to reduction exclusively; for it was expressly provided that no item should be raised above the amount at which it had been fixed by the Statute.

Acting under a sense of what was desired by the revision, and with no motive to come short of a just execution of the duty, it may be reasonably supposed that the Vice Chancellor and Judges went as low as they believed they could properly go in arranging the new Table of Costs, and we have not been surprised to find that we could not with justice make any material reduction in the scale of allowance. We have, however, revised the Table and framed a new one, containing some alterations, and the copy of this Table which we append to our Report will shew, as we think, that nothing more is proposed to be allowed for any service rendered in the course of a Chancery suit or proceeding than will reasonably compensate the party performing it. In one respect indeed, the scale of allowance is not fairly commensurate with the service, but it is fixed by the Statute and cannot be increased by any other authority. We allude

to the fee of two guineas to be taxed as the fee to Counsel with his brief in all cases, without regard to the difficulty or importance of the cause and the nature of the argument.

It must be quite obvious to persons having any knowledge of these matters, that independently of the responsibility and anxiety which attend the discharge of a Counsel's duty in special and important cases, the research which is necessary to prepare for the argument and the argument itself, must in many cases occupy the time and exclusive attention of a Counsel to that extent, that he would be much more profitably employed for the same number of hours in doing the work of a mere copying clerk. The consequence inevitably is, that the Client who employs the Counsel must pay from his own pocket, whatever is necessary to make up a reasonable compensation, and this he loses under the present scale, although he may be successful in his suit, because he is unable to tax more than two guineas against the losing party. The costs of a suit therefore, are in effect not reduced by a restriction of this kind, admitting of no reasonable modification,—they are only thrown upon the wrong party. We think it right to call attention to this feature in the present Table, though it can only be altered by the Legislature.

Finding that we could not properly do much towards diminishing the costs, by merely lowering the items in the scale of allowance, we have endeavored to attain the object in the manner already stated, by making such alterations in the pleadings and practice as will lessen the labour. It is only by such measures we are persuaded that any very important reduction can be made in the costs of Chancery proceedings, which, it must be admitted on all hands, are at present exorbitant, when considered with reference to the nature and importance of the suits in which they are incurred.

The following opinions given by a very learned and experienced member of the Profession in England to the Commissioners on Courts of Common Law, are very applicable to the present condition of the Court of Chancery in Upper Canada: he says—(speaking of the superior Common Law Courts)—“The exorbitancy of the costs, so loudly and justly complained of, arises mainly, though not exclusively, from the relation to and comparison with the petty sums sued for in the superior Courts for want of other tribunals. The absolute amount of the costs in the bulk of these small causes, do not probably exceed or much exceed, the fair value of the talent and pains, the work and labour, and official services of all kinds, brought into action in the course of the proceedings, but that only shews that the real value of the machinery greatly exceeds the worth of the general objects to be obtained.”

Being asked his opinion of the fairness of the charges then allowed to be taxed in the Common Law Courts, he gives an answer distinguished, as it appears to us, by good sense, and a fair manner of viewing the question:—“I am far from thinking that the present ratio of costs allowed in adequate cases of value, say for £100 or upwards, for the assistance of Counsel, Attornies and Solicitors in conducting such cases to the superior Courts, would be too much, though I doubt whether the taxed costs now allowed to an Attorney or Solicitor for his professional assistance, is properly apportioned to the respective services performed by him for his Client. The real valuable services are, I believe, undervalued in the taxation, and frivolous charges are multiplied to supply the deficiency, which bring discredit on the Practitioners. After all the projected curtailments of useless expense are accom-

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“plished in the reform of the proceedings, it will probably be necessary and just to revise the measure of reward for their professional services, so as to preserve the same class of liberally educated gentlemen, for the security and benefit of the public; and if any revision of costs takes place, the value of their meritorious services performed, should be more justly appreciated and apportioned than they have hitherto been, and nominal services should be discarded from the taxation.”—*Answer of Sir Edward Hyde East, in the Appendix to the third Report of the Commissioners on Courts of Common Law.*

In the Common Law Courts in England, the remedy for the inconveniences pointed out in the above extracts, has been sought, partly by transferring causes of a limited amount to inferior tribunals, and partly by a regulation, that when the sum recovered shall not exceed £20, the plaintiff's costs shall be taxed according to a reduced scale set down in the Table, unless the Judge shall certify that the cause was proper to be tried in the Superior Court.

The Legislature of Upper Canada have resorted to the same measure in effect for keeping the costs of suits in the Queen's Bench within reasonable bounds; but there are difficulties in the way of either course, when attempted to be applied to proceedings in Equity. A Court of Equity acts upon the conscience; its powers are large for compelling what is honest to be done, to the letter; and not contenting itself with awarding damages for non-compliance, it assumes the right of giving a party not merely an equivalent compensation for a right withheld, but specific remedy for putting him in possession of his right. For accomplishing these objects, the Court must of necessity be entrusted with adequate means of compulsion, and neither the jurisdiction, nor the powers necessary for compelling obedience, are fit to be entrusted to unskilful hands. In England, it has accordingly not been proposed to commit to inferior tribunals, the powers of a Court of Equity, in order that the powers in such cases may be more summarily exercised, with a view of saving expense to the parties; nor do we believe that such a system would be found satisfactory in its results. We have considered the other alternative of laying down a reduced scale of costs to be taxed in causes of an inferior class as to value, but it does not appear to us that such a course is in its nature applicable to Equity proceedings, because it would be seldom possible to apply any certain criterion of value. Indeed, it is not often that the object of a suit in Equity is to obtain either a definite sum of money, or property of a known value. An injunction for instance, is wanted to stay waste, or to prevent some other interference with a right claimed; specific performance is prayed for of some contract, chiefly because the injury occasioned by the failure can hardly be measured by an equivalent in money; and so in innumerable cases the authority of Equity is appealed to, with a view to ulterior proceedings, of which the probable result cannot be measured by any certain number of pounds.

We have discussed and considered the practicability of a higher and lower scale of charges, according to the comparative importance of the suit, but we do not find an example for such a course in Courts of Equity, and we believe the experiment would fail. It may seem at first sight to persons unacquainted with the subject, a simple method of applying a remedy, but the nature of proceedings in Equity seems to make it impracticable, and indeed there are considerations of much importance and delicacy connected with this subject. It is to be considered on the one hand, that the state of things in this country from the beginning of its settlement has naturally given rise to a vast number of transactions affecting the titles to lands,

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out of all proportion more than could have taken place in England among the same number of people, and there can be little doubt that, out of these transactions, there must have arisen from the fraud or mistake, or negligence or unconscionable dealing of parties, very many occasions for calling in aid, the remedial powers of a Court of Equity. In the greater number of such cases, it is probable that the interests to be secured or protected are small,—so inconsiderable indeed, that to apply to them, all the proceedings of a suit in Equity, with the expense inseparable from them, seems to threaten the one party or the other with ruin, and to hold out but little promise of good to either; and yet it is very salutary to society, and just to individuals that fraud and hardship, even in small matters, should not be out of reach of a remedy; and indeed, when we speak of small matters, we use but a relative term, for upon the secure possession of a piece of land in this country, not worth more perhaps than £20 or £30 at the present moment, may depend the comfort and independence of a family in humble circumstances. These considerations would prompt us, if we could, to give to all parties the benefit of an equitable jurisdiction in small matters as well as in great, and in such terms as would make the expense bear some proportion to the object of the proceeding.

But, on the other hand, it is prudent to consider that Courts of Equity, in the effort to do perfect justice, take so wide a range, opening up transactions which, in view of the Law are closed, and often grounding the claim to interference on disingenuous allegations of fraud, which, though they may be capable of being satisfactorily disproved, are annoying, if not injurious to those charged with them; and there is so much reason to fear that they may be sometimes resorted to by litigants for the purpose of throwing vexatious impediments in the way of legal proceedings, that it would seem wise, to pause before putting it in the power of parties to make harrassing experiments of this kind at little risk, by rendering the Court of Chancery accessible on too easy terms.

It has appeared to us most expedient upon these considerations to endeavour to take a middle course, and so to curtail the proceedings and reduce the costs, that, while the resemblance to the English Chancery practice shall be preserved in essentials, the suit shall yet be brought, as regards expense, within a limit somewhat in proportion to the value of the business to be transacted, without affecting to make the Court of Chancery that kind of cheap tribunal, that parties may be tempted by the facility of access, to abuse its purposes, and make it what it is capable of being made, one of the worst inflictions a country can suffer under.

We proceed now to describe the alterations, which we have determined to recommend:—

First—As Bills to foreclose Mortgages and Bills to redeem, form a large proportion of the business in Chancery, from the facility which so many persons in this country have of giving security on Real Estate, and as in many of the cases, the value of the Estate is not large, we have thought it a desirable object to reduce the expense as much as possible by simplifying the proceedings, and at the same time to obviate unnecessary delays. With that view, we framed the series of Rules, which were submitted to Your Excellency, with our Report made on the 20th April last. The effect of those Rules will be to shorten the pleadings in such cases very materially,—to give the Defendant more precise and intelligible notice of the object of the proceeding, and of the steps which it may be necessary for him to take,—to give the Plaintiff more

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speedily and at much less cost than at present, the benefit of his suit, when no defence is intended, and to preserve to the Defendant, when he desires to make a defence, an opportunity and facility of making it, up to the latest stage of the proceedings. We have also endeavoured to save expense by dispensing with warrants, and even with the formal hearing, when they are evidently not necessary for the purpose of justice, and provision is made in the Rules for throwing on either party the charge of opposition and contests unnecessarily raised by him in taking the account before the Master.

The effect of the alteration made by these Rules, in diminishing the costs in such cases, will be very material.

Hitherto, the average costs of a suit to redeem or foreclose up to the decree (taxable against the Defendant) may be stated at about £20, when there is nothing special in the facts of the case. We expect the same ends to be arrived at under the operation of these Rules without the costs exceeding £10.

The other Rules which we transmitted with our Report on the 20th April last, relate to Chancery proceedings generally; they will have the effect of diminishing the length and consequently the expense of Petitions, by allowing parties to refer to the affidavits filed, or to the pleadings and evidence on which they are founded, instead of inserting the contents in the Petition.

They will save the expense of some unnecessary proceedings, by dispensing with subpoenas to rejoin and to hear judgment, and with warrants and orders nisi on certain occasions; and under one of these proposed Rules a very material reduction of costs will be effected by substituting for the formal enrolment of the final decree, a mere filing of the Bill, pleadings and other proceedings, with a fair engrossed copy of the decree, all annexed together and duly authenticated by the Registrar.

Having stated thus shortly the object of the Rules already proposed, which will be more clearly and precisely understood by referring to each of them, we beg leave further to report, that we resumed the consideration of the subject, as soon as our other occupations would permit, and pursuing the principle of endeavouring to shorten and simplify the proceedings, we recommend the adoption of the annexed Rules, the object and effect of which will be readily seen on inspecting them.

By the fourth Rule of the series a practice will for the first time be introduced analogous to the Chamber practice before the Judges of the Queen's Bench. There seems to be no good reason why such motions and applications as are matters of course in the progress of a cause, should be made in open Court by Counsel, when the more convenient and less expensive practice might be adopted, of going before the Vice Chancellor at Chambers upon a warrant, in like manner as parties go before a Judge for similar purposes upon a summons, and there need be the less hesitation in adopting this practice from the circumstance that the Judicial Officer, who will thus dispose of the matter in Chambers, is the same who would otherwise dispose of it in open Court. It will be open to Counsel to attend on such occasions, whenever the nature of the application may seem to call for it, and it will be always discretionary in the Vice Chancellor under the Rule to order any exception or application, when opposed in Chambers, to be argued in open Court. Generally speaking, however, these ordinary applications at Chambers, will be attended only by the Solicitors or their Clerks.

The fifth and sixth of these proposed Rules, will materially lessen the expense of the proceedings to which they apply; the former, by substituting for the formal Bill of revivor, a mere suggestion of the cause for reviving, and calling upon the party by subpoena, and notice endorsed, to show cause, if there be any, against the revivor,—the latter by dispensing with the necessity of setting forth at length, decrees, reports and other proceedings, when referred to in the same cause, and requiring them to be shortly referred to, or the substance only stated. The seventh, eighth and ninth Rules are also intended to lessen the trouble and expense in the particular proceedings to which they relate, viz., in the appointment of Receivers or Guardians, and upon sales of Estates under the direction of the Master.

We have prepared other orders, besides those now submitted, but they are at present retained under consideration, because they would most of them be more or less affected by the adoption of changes of a more important character, which we are strongly inclined to recommend, though we have not hitherto ventured to suggest them.

A short explanation of these, conveyed in general terms, will afford means of judging whether it would be prudent to adopt them.

It has been seen that in England, after very minute and searching inquiries, addressed to persons most capable of affording valuable information, and after a very thorough investigation of the subject in all its branches, by men of eminent ability and great experience, a revision of the system of proceeding in Equity has ended in retaining with but little alteration, the principles of pleading and the forms before in use, with the methods of proof, notwithstanding the apparently cumbrous nature of the machinery, and the acknowledged evil of the great expense attending suits in Equity.

It is but reasonable to infer from this, that it is the prevailing conviction in England, among those most competent to judge, that this system of proceeding, sanctioned by long usage is better adapted, both in regard to the pleadings and the proofs, for attaining the ends of justice, than any which could be substituted for it. They have therefore not thought it wise to attempt to gain cheapness and expedition (desirable as these no doubt are) by sacrificing the still more important interests of suitors, which they apprehended they might do by any very wide departure from the established practice. In coming to this conclusion, the Commissioners to whom the task of reforming the Chancery practice was committed, must of course have had regard to the immense value and importance of a great proportion of the business which in England is transacted in Chancery. There will arise occasionally in this country, causes involving interests of so great an amount, that the parties concerned in them might well be content to submit to the costs of the present method of proceeding, rather than lose any advantage, which the caution and precision, and laborious details of so well tried a system may assure to them. But such causes in this country will be rare in proportion. The great majority of the suits are, it must be owned, of such a character, that so long as the pleadings and practice continue what they are, the costs which must be taxed under any Tariff that could be reasonably established, cannot but appear grievously exorbitant, when considered with reference to the object of the suit. It is plain to us, that no Court can long stand under the odium that such a disproportion between the costs and the remedy must inevitably give rise to.

A persuasion of this has led us (though not without diffidence, and some degree of uncertainty as to the

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result of the experiment) to the conclusion, that we ought at least to make the attempt to place the system on a more reasonable footing, by striking at the root of some of the chief causes of expense and delay. To this end we think, at present (though future reflection may induce us to change the opinion) that it would be expedient to reduce the Plaintiff's bill to a mere statement of his case, setting forth concisely the facts necessary to shew his claim to the relief prayed, and ending with a suitable prayer for relief,—not inserting any matters which are mere evidence of facts, nor any interrogatories for the purpose of obtaining a discovery from the Defendant's answer; that the Defendant may, in his turn, demur or plead to the bill as heretofore, but if he answers, he must confine his answer to the mere setting forth of his defence, inserting nothing more than is strictly necessary to a precise and intelligible statement of the matter on which he relies; and that anything beyond these statements in the bill or answer, shall be deemed impertinent, and be expunged or disallowed on taxation.

That the Plaintiff and Defendant shall be respectively permitted to examine each other, *vivâ voce*, by Counsel,—the one upon the matters stated in his bill, and the other upon the answer; such examinations to be conducted at *nisi prius* before the Judge presiding. To make such a system of proceeding safe and beneficial to the suitors, a number of regulations will be necessary, which we have already considered, and shall endeavour to make as complete in the first instance, as we can reasonably hope to do, though we are quite aware that some experience of its practical working will be necessary before it can be properly adjusted.

It will be requisite to provide for restraining the examination within proper bounds as to relevancy, leading questions, &c. for the method of taking down, settling and authenticating the answers,—for the determining in what District the examination shall take place,—the notice to be given to parties,—the remedy where questions have been overruled by the Judge, which shall be afterwards decided to have been admissible,—the consequence of either party failing to attend upon notice,—the method of proceeding when the bill is amended, and various other matters, which it would be to little purpose to enlarge upon here, because we have not yet fully matured the proposed new system.

The advantages which we think may be conferred by it, will be principally these:—It will very materially shorten the pleadings, both the bill and answer, by excluding from the former, not merely the interrogatories, which occasion a great portion of the expense, but also the pretences charged, which are only inserted upon the ground that they are necessary to lead to the interrogatories. And it will to a great extent shorten the answer, by excluding all notice of the bill for any other purpose than to apply the defence directly to the facts charged in it.

If we can, by proper regulations prevent the proposed mode of examination by Counsel *vivâ voce* in an open Court from occasioning delay, we think great advantage will be gained by such a manner of eliciting the truth.

As regards the Defendant, the innovation goes no further than the substituting one mode of examination for another. As regards the Plaintiff the change is far greater, for it has not hitherto been allowed in Equity to examine the Plaintiff at all, in regard to the matters charged in his bill; nor has the Plaintiff been required to make oath as to the truth of his statements; except in certain cases when he proceeds for a discovery in regard to written instruments.

The Defendant, in order to obtain any evidence or admissions from the Plaintiff, which may be useful to him on the hearing, is now under the necessity of filing a cross bill, which is necessarily attended with much greater expense than the course suggested, and may, in many cases give rise to delay; and we think there is another good effect which would be likely to follow such a change in the practice, namely, that persons will be in some measure restrained from harassing others with suits in Equity, upon dishonest pretences, when they know that they will be exposed to be rigidly examined in the same cause upon the merits of their bill, and will be unable to keep back, without committing the guilt of perjury, any fact or circumstance, though known only to themselves, which may tend to disprove the alleged Equity of their case.

We do not recommend this change without hesitation. Its merely being a departure from the English system, in a very essential point, has led us to apprehend, that objections and inconveniences, which cannot be readily foreseen, may discover themselves in practice; especially when we consider that a suggestion, that the Defendant might, with the leave of the Court, examine the Plaintiff in any case upon interrogatories before the Master, so as to save the necessity of his filing a cross bill, was submitted to the Chancery Commissioners in England in 1824, and was not adopted, though it was said to have the sanction of the late Sir Samuel Romilly's approval.

We are at present, however, of opinion, that an experiment should be made of this system, as it affords a promise of doing something effectual, towards bringing the expences of a suit in Chancery, within reasonable bounds, by the only means by which it can be accomplished,—that is, by shortening and simplifying the proceedings.

But Legislative authority will be required as it appears to us, for making so considerable an alteration, or at least to place the power of making it beyond doubt; and we strongly recommend that the Legislature should, in an Act to be passed for this purpose, give a continuing authority to make Rules and Orders from time to time, for amending and modifying the new practice, which may be thus introduced, or for rescinding the former Rules on the subject, if it should be found better, upon experience, to return to the old system wholly or in part. We believe that it would be very unsafe to venture upon so great a change, without providing for a constant controul over the new practice, by the same authority which shall introduce it, and thus affording the means of adjusting the practice in all its parts, so as to suit the alteration, as subsequent reflection and observation may shew to be necessary.

We send with this Report, a draft of a Bill, such as we would propose for that purpose, and in this draft the authority for establishing in the first instance, a new practice, and for altering it, or restoring the former practice, is made to extend generally to the proceedings in the Court, and not merely to this particular proposition of examining the parties to the Bill *vivâ voce*.

If this shall be approved of, it will be necessary for the Legislature to consider that the Commission under which we are acting will expire on the 20th day of July next,—and as the Vice-Chancellor will desire to have the sanction of others to be associated with him in this species of Legislation, (if it shall appear expedient to delegate it) we take the liberty of suggesting, that the Rules which shall be made at any time under the authority of the proposed Statute, shall be made by the Vice-Chancellor, either with

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the concurrence of a majority of the Judges of the Queen's Bench, or with the concurrence of a majority of the present Commissioners, or of those who may, from time to time, be appointed Commissioners for this purpose.

We mention the alternative because those gentlemen among the present Commission who are practising in the Court of Chancery, and who were, no doubt selected on account of their experience, feel, that it may be imputed to them, that their connection with the business of the Court prevents them from exercising an unbiassed judgment; and they are, on that account, far from desiring to share in the duty,—while on the other hand, those Members of the Commission, against whom no such objection could be charged, are strongly impressed with the importance, or rather the necessity, of having gentlemen associated with them, who are intimately conversant with the practice of the Court, and with whom they can at all times freely consult and communicate.

These considerations being stated, it will remain to be determined, on what footing it will be most desirable that the measure shall be placed.

It may be found the better course, to continue the Commission in existence, for the purpose of considering and suggesting Rules and Orders, *to be afterwards made by the Vice-Chancellor, if concurred in by a majority of the Judges of the Court of Queen's Bench.*

We have framed the proposed Bill on that principle. It has occurred to us that it is expedient to provide also in the Bill for making Rules in a similar manner for regulating the practice in Appeals from Chancery, in order that the whole proceedings in Equity be carried on upon a consistent plan.

We respectfully submit this, our Second Report to Your Excellency's consideration.

Dated this twenty-fifth day of January, 1845.

(Signed,) J. B. ROBINSON,  
ROBERT S. JAMESON,  
ROBERT E. BURNS,  
WM. HUME BLAKE,  
J. C. P. ESTEN.

## APPENDIX.

(Note.—These proposed Orders accompanied the Report of the Commissioners made on the 20th April, 1844, and have been adopted and are now in force.)

For the purpose of rendering suits for the foreclosure and for the redemption of Mortgages more expeditious and simple, and of lessening the costs thereof,

It is ordered, That in all cases of suits for redemption or foreclosure between the Mortgagor and Mortgagee, the Bill may be in the form contained in the Schedule hereto subjoined, or in any other concise form which the Vice Chancellor may hereafter deem it expedient to prescribe. But that in case of any change of property on either side, the necessary facts in relation thereto may be stated and interrogated to, and in such cases it shall be in the discretion of the Master to allow any additional matter that he may consider to have been properly inserted.

## SCHEDULE.

That by an Indenture bearing date, &c., and made, &c., the hereditaments therein described have been conveyed by the said &c., to the said &c., and his heirs, subject to redemption or payment by the said &c., his heirs, executors or administrators, to the said &c., his executors, administrators or assigns, of the sum of £ with interest, on the day of which said sum and interest were not then paid (but remain due or otherwise as the case may be.) To the end therefore &c., (then an interrogatory as to the execution of the Mortgage with the prayer,) the Mortgagor being entitled in a Bill to redeem to state all payments and interrogate as to them.

1. It is ordered, That in all cases provided for by the foregoing order, the Plaintiff, if he shall require no answer from the Defendant, shall be at liberty to endorse the Subpœna *ad respondendum* with a notice in the following form:—

“You are served with this process to the intent that you may either in person, or by your Solicitor, appear in Her Majesty's Court of Chancery at Toronto, by filing your appearance with the Registrar of the said Court within days after the service hereof upon you, exclusive of the day of service, and that you may answer a Bill of complaint filed against you by for the foreclosure (or redemption as the case may be of a certain mortgage made by you for C. D. as the case may be,) to the said (or E. F. as the case may be) bearing date the day of 18 : and you will take notice that unless you enter such appearance, an appearance will be entered for you by the Plaintiff at the expiration of the said days, and unless you answer the said Bill at or before the expiration of twenty-eight days after such appearance shall have been entered by or for you, you will be considered as confessing the truth of the several matters alleged in the said Bill of complaint, and a decree of foreclosure will be made against you, and thereupon it will be referred to the Master of the Court to take an account of the monies due upon such mortgage, (and in case of Bills for foreclosure to tax the Plaintiff his costs) of which proceedings before the Master you will be previously notified.” A copy of which Subpœna with such endorsement shall be served upon the Defendant personally. And if at the expiration of the period limited for the entry of such appearance, no appearance shall have been filed by the Defendant, the Plaintiff shall, upon production to and filing with the Registrar an affidavit of the personal service upon the Defendant of such Subpœna so endorsed as aforesaid, be at liberty to enter an appearance for the said Defendant and proceed upon the said Bill as hereinafter provided.

2. It is ordered, That in all cases provided for by the foregoing orders, if, after the expiration of twenty-eight days from the time of entering such appearance, no answer be filed, the Defendant shall be deemed to have admitted execution of the mortgage, and such other matters as are sufficiently alleged in the Bill to entitle the Plaintiff to a decree, but not to have admitted any particular or specific amount to be due upon such mortgage, and the Plaintiff shall be entitled to a decree for the foreclosure or redemption (as the case may be) of such mortgage without a formal hearing of the cause, and the decree shall thereupon be drawn up by the Registrar upon the proœipe of the Solicitor for the Plaintiff.

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3. It is ordered, That when the Defendant shall elect to put in an answer in cases provided for by the foregoing orders, and he shall admit the statements in the bill, or such of the statements as he may be interrogated unto, he may admit the same in short form, and such answer may be filed upon

signature without oath, and may be in any form of words to the following effect: "I admit the allegations contained in the Plaintiff's bill, and submit that an account may be taken as therein prayed."

4. Ordered, That in cases in which the Defendant shall put in his answer to the Plaintiff's bill, and upon which answer the Plaintiff would, according to the present practice, be entitled at the hearing to a decree of foreclosure or redemption, as the case may be, and of a reference to the Master to take an account, the Plaintiff shall be entitled to the like decree without a formal hearing, in like manner as is provided in the case of no answer being filed.

5. Ordered, That in all cases where a Mortgage Defendant to a bill of foreclosure shall appear to and answer the bill unnecessarily, that is, without thereby establishing any claim which would not otherwise have been allowed, the costs occasioned to the Plaintiff thereby shall not be as in ordinary cases, added to the principal and interest, but shall be paid by the Defendant to the Plaintiff, who shall be entitled to a decree for the payment thereof as in other cases where the Plaintiff is decreed his costs.

6. It is ordered, That in all cases provided for by the foregoing orders, the Plaintiff upon bringing into the Master's office such decree or order as aforesaid, shall thereupon at once be entitled to the Master's Warrant to proceed, which Warrant shall be underwritten thus: "At which time the Master will proceed to take an account of what is due upon the mortgage mentioned in the Plaintiff's bill, and to tax the Plaintiff's costs, and the Master's report will stand confirmed in ten days after the filing thereof, unless you file exceptions thereto, or present a Petition of Review;" and the Master shall, by the said Warrant, appoint in his discretion a day to proceed, and shall state in the said Warrant how many days before the return thereof he requires the same to be served, which Warrant, together with a copy of the decree and of the Plaintiff's charge shall be served upon the Defendant, and at the return of such Warrant, upon affidavit of the due service thereof so underwritten as aforesaid, and a copy of the decree, and of the Plaintiff's charge, the said Master shall be at liberty to proceed in taking such account, and to tax costs.

7. It is ordered, That in all cases provided for by the foregoing orders, it shall not be necessary for the Plaintiff to set forth in his state of facts, any thing more than the date of the Mortgage, the principal sum secured thereby, assignments thereof, (if any) and from what date interest is claimed, together with any payments which may have been, or may be admitted to be made in discharge thereof, and if anything more be stated, and which shall appear to the Master to be unnecessary, the same shall be disallowed in taxation of costs.

8. It is ordered, That notwithstanding the Defendant may not have appeared or put in any answer to the Plaintiff's bill, he may appear in the Master's Office at the return of the said Warrant, and may contest the Plaintiff's claim made on account of the said Mortgage, and in case the said Defendant shall appear to contest such claim, the Master shall then direct how and in what manner the said account or claim shall be contested or proved, and generally with respect to any circumstances connected with the said

reference, and shall direct how and in what manner future Warrants shall be served.

9. It is ordered, That if the Defendant do not appear at the return of the said Warrant to contest the said account, the Master shall at once proceed to take an account of what is due upon the Mortgage, and to tax the Plaintiff's costs, and may make his Report without any further Warrant except the Warrant to settle the same, which Report shall stand confirmed in the same manner as now provided for, or hereafter to be provided for by any general order respecting the confirmation of Reports.

10. It is ordered, That in all cases where in the Master's Office either party shall unnecessarily and vexatiously contest the account of the other or any part thereof, the Master shall, before making his Report, proceed to tax such costs occasioned thereby as shall appear to him reasonable and just, either against the Plaintiff or Defendant, as the case may be, and shall state in his Report the amount of such costs, and by whose unnecessary and vexatious conduct the same were occasioned; and the party to whom such costs are to be paid shall be entitled, upon the confirmation of the Report, to such process of the Court to compel payment thereof as in other cases; provided always, that when the party entitled to receive the general costs of the cause is the party ordered to pay such costs aforesaid, he shall be at liberty to deduct such costs as aforesaid from such general costs, provided such general costs and such interlocutory costs as aforesaid are between the same parties.

11. It is ordered, That in all cases provided for by the foregoing orders in the taking of the account in the Master's Office upon Mortgage, the Master shall be at liberty to dispense with warrants to consider the decree to shew cause why he should not report, on preparing, and to sign the Report, and such Report shall be signed at the expiration of the time at which the same could be signed if such warrant to sign had been taken out, and the party taking the Report shall be allowed a common attendance only in respect thereof.

(Note.—These proposed Orders accompanied the Report made by the Commissioner on the 20th April, 1844; and have been adopted and are now in force.)

It is ordered, That in future where a Plaintiff desires to except to an answer for insufficiency, he shall not copy the Interrogatory to which the answer is considered insufficient; but shall instead thereof in his exception refer to the Interrogatory by its number as it stands in the bill. It is further ordered, That no copies shall be allowed either for the Court or the parties, their Counsel or Solicitor, on the argument of exceptions, that such exceptions shall not require Counsel's signature, and shall be argued before the Master.

It is ordered, That in future no Subpœna to rejoin shall be issued in any case, but the cause shall be deemed and taken to be at issue upon the replication being filed and served, and which may be in the form following, viz:—

"In Chancery

A. B. Plaintiff.

and

C. D. Defendant.

The Plaintiff replies to the Defendant's answer

E. F. Sol. for Plff."

And in the taxation of costs the Plaintiff shall be allowed the sum of three shillings for Replication, copy, and service thereof.

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It is ordered, That in future no Subpoena to hear judgment shall be sued out in any case; but the party setting down the plea or demurrer to be argued, or the cause to be heard, shall give a notice in writing stating that the plea or demurrer or the cause has been entered in the Cause Book with the Registrar for argument or hearing, and stating the day on which the same is to be argued or heard.—And it is ordered, that such notice shall be served eight days before the day of argument or hearing; and that it shall be the duty of the party entering such plea or demurrer or cause to be argued or heard at the time of entering thereof, to furnish the Registrar with the day on which the same is to be argued or heard, in order that the same may be entered in the Cause Book.

It is ordered, That in all cases the Master shall have a discretion to dispense with the Warrant to consider the order or decree brought into his office, and may grant the Warrant to proceed, in the first instance; and the Master may also exercise his discretion whether or not to grant a Warrant to shew cause why he should not Report; and in no case shall any warrant on hearing be sued out unless there be some person concerned in the matter upon whom to serve such Warrant.

It is ordered, That in future, upon a reference to the Master to take account between parties, in all cases where there have been Schedules of the account by the accounting party annexed to the answer, there shall be no Warrants taken out to bring in any accounts, except such accounts as are subsequent to the time of the Schedules annexed to the answer, that the party wishing to proceed with the reference shall bring in his charge, or at once file interrogations for the examinations of the accounting party; and thereupon bring in his charge, and the Schedules to the answer shall be used to substantiate the charge in the same way that is now the practice with respect to the accounts brought into the Master's Office in the shape of debtor and creditor, and the discharge shall be brought in, and shall be dealt with in the same manner as is now done in respect of the debtor and creditor account brought into the Master's Office.

It is ordered, That in future the orders *nisi* and absolute to confirm the Master's Report shall be abolished; and in place thereof one order, which shall be obtained upon a *præcipe* only, shall upon the filing of the Report, be obtained, stating that the Report will stand confirmed in ten days after the service thereof, unless cause be shewn to the contrary; and if no cause be shewn, the Report shall stand confirmed without further order.

It is ordered, That in all cases of application to the Court by Petition, either in a matter or a cause, whether the Petition be supported by affidavit, or the pleadings or evidence, it shall be in this form:—“The humble Petition of &c., prayeth, that upon the fact appearing by the affidavit filed in support hereof, (or by the pleadings and evidence in this case,) your Honor will be pleased to order that, &c.”

It is ordered, That in future the Sheriff of each District in that part of this Province formerly constituting Upper Canada shall within the limits of his District perform the duties which, according to the practice of the Court heretofore, have been performed by the Messenger or Sergeant-at-arms, and all writs or process of the Court which, by the law or practice of the Court have been directed to the Messenger or Sergeant-at-arms, shall be directed to the Sheriff of the District where the same is to be executed, and in no case shall the Sheriff in executing such writ or

process bring the party to the Bar of the Court; but he shall instead thereof commit the party to the Gaol of his District, and the party so committed shall be dealt with according to the course and practice of the Court, as if he were brought to the Bar of the Court, and as provided for or as may be provided for by any order of the Court.

It is ordered, That in no case shall the enrolment of any interlocutory Order in a cause be deemed necessary for any purpose; and that there shall be no enrolment of any proceedings or orders in any case, until after the final decree in the cause be pronounced.—And then after the expiration of thirty days from the time of the final decree being entered by the Registrar in the Order Book, the date of which entry the Registrar shall state in the margin of such book opposite the entry thereof, if no Petition for a re-hearing shall have been presented; upon being required by any party in the cause, the Registrar shall attach together the bill, pleadings and other proceedings filed in the cause, and shall annex thereto a fair engrossed copy of the decretal order or decree of the Vice Chancellor, signed by him, and countersigned by the Registrar, and the papers and proceedings so annexed and signed shall then be filed by the Registrar, and shall remain of record in his office, and such filing shall be deemed and taken to be an enrolment of the decree and proceedings, and shall have the same force and effect in every respect as the former method of enrolling decrees.

*Proposed Orders in addition to those heretofore suggested.*

1.—It is ordered, That hereafter, the Rule to produce witnesses shall be made returnable not less than three calendar months from the date thereof, and that at the expiration of such period the Rule to pass publication may be issued returnable not less than eight days from the date thereof.

2.—It is ordered, That objections to interrogations as leading or irregular, be taken within the period of two weeks from the service thereof on the opposite party, and that objections to depositions for irregularity be taken within two weeks from the period of passing publication.

3.—It is ordered, That in future any party shall be at liberty to use depositions taken by any other party to the suit, as well as those taken by himself, whether the same be used by the party taking them or not, and in the same manner as if the party taking them had himself used them.

4.—It is ordered, That exceptions to answers for insufficiency, applications for time to plead, answer or demur, leave to amend bill, to open or enlarge publication for production of papers and for payment of money into and out of Court, and applications of a like nature, shall henceforth be made to the Vice Chancellor sitting in Chambers, upon a warrant to be obtained by the Solicitor for the party making such application, calling upon the Solicitor of the opponent, to shew cause why such exceptions should not be allowed, or such application granted, for which warrant the Solicitor shall be allowed one shilling and threepence for obtaining, and the usual fees and allowances for service and attendance, as are now allowed upon warrants in the Master's Office: provided that where the Vice Chancellor shall see fit, he shall be at liberty to order any exceptions or applications when opposed, to be argued in open Court.

5.—It is ordered, That bills of revivor by a Plaintiff be abolished, and that in lieu thereof the Plaintiff shall file a suggestion setting forth the facts which occasion the necessity of reviving his suit and

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against whom, which suggestion shall be appended to the Plaintiff's bill, and in case where the Plaintiff shall require no answer to the matters set forth in such suggestion, he shall be entitled to a Subpœna to be endorsed in the following form or to the same effect:—"You are served with this process to the intent that you may shew cause (if any you have) why the suit of

against you, (or as the case may be) and in case you intend to shew cause against such revivor, you are to enter your appearance with the Registrar of the said Court within

days after the service hereof upon you, exclusive of the day of such service, and shew cause against such revivor by filing your answer at or before the expiration of

days after such appearance; and in case of your not entering such appearance, or of your not filing your answer as aforesaid, you will be considered as having no cause to shew against the said suit being revived, and the same will be revived accordingly." And in case of such default either in entering appearance or putting in answer, the Plaintiff shall be entitled, on motion of course or common petition, to an order of revivor; and in case the Plaintiff shall require an answer to the matter set forth in such suggestion, the practice in respect thereof shall be *mutatis mutandis* as at present.

6.—It is ordered, That no decree or orders of the Court, and no Master's reports, certificates or other proceedings in a cause, be in future recited or set forth in any affidavit, petition, state of facts or other proceedings in the same cause; and in case of the same being so recited or set forth, that they be disallowed, upon taxation of costs. This order not to prevent the same being therein shortly referred to by date or otherwise, or the substance thereof stated when it may be necessary.

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7.—It is ordered, That upon a reference to the Master for the appointment of a Receiver or Guardian, any party proposing such Receiver or Guardian shall bring into the Master's Office a proposal not only in relation to the person proposed for each appointment, but also as to the sureties for the person so proposed, and thereupon the Master, upon approving of such proposed Receiver or Guardian, shall without first reporting such approval to the Court, proceed in the taking of the recognizances of such Receiver or Guardian and his sureties, and in the appointment of such Receiver or Guardian in like manner as is now done after such report and the confirmation thereof by the Court.

8.—It is ordered, That when advertizements are issued for the sale of an Estate for Creditors, next of kin or otherwise, it shall not in future be necessary to issue first a general and then a peremptory advertizement; but that one advertizement only shall be necessary, which advertizement shall be peremptory: Provided, nevertheless, that it shall be in the discretion of the Master to issue a general advertizement in the first instance in cases where he shall deem it advisable to do so.

9.—It is ordered, That in proceeding before the Master for a sale by public auction, the party conducting such sale shall bring in before the Master a state of facts and proposal for an auctioneer or other person, if thought necessary for conducting such sale, together with the particulars and conditions of sale, which shall be contained in one state of facts, and be proceeded upon together, unless the Master shall in any case direct otherwise; and no report of the appointment of Auctioneer or other person to sell, shall be necessary, but the Master shall, if required, certify that he has made such appointment, which certificate shall not require to be settled by warrants or otherwise.

PROPOSED NEW TARIFF OF FEES FOR THE COURT OF CHANCERY.

SOLICITOR.	£ s. d.
Instructions for bill or answer ... ..	0 7 6
Letter of notice before filing bill ... ..	0 2 6
Instructions for a Petition where no bill filed ... ..	0 5 0
Drafting bill, answers or other pleadings, petitions, special affidavits and interrogatories, including copy to keep, per folio ... ..	0 1 0
Engrossing same, and making other copies when necessary, (other than office copies authenticated by Registrar,) per folio ... ..	0 0 6
Other copies to be authenticated by Registrar, per folio ... ..	0 0 5
Affidavit of service, or other common affidavit, including attendance ... ..	0 2 0
Præcipe for subpœna, or other process entering appearance, including attendance ... ..	0 1 3
<i>Note.</i> —One subpœna only allowed to each district, which shall include the names of all the Defendants in such district	
Every necessary attendance to serve process or for other purposes ... ..	0 1 3
Special attendance on the Master's warrant, or on examination of witnesses, or on the hearing of cause, plea, demurrer or special motion ... ..	0 5 0
Instructions for briefs and for interrogatories ... ..	0 5 0
Brief, including fair copy, per folio ... ..	0 0 6
(Subject to be reduced by the Master when containing superfluous matter, or of unnecessary length.)	



Appendix (J. J.) 4th March.	SOLICITOR— <i>Continued.</i>	£ s. d.	Appendix (J. J.) 4th March.
	Copy of brief for second Counsel when required, per folio ... ..	0 0 6	
	Copy of orders, petitions, or other papers or documents (not office copies) required to be served, per folio ... ..	0 0 6	
	Fee on settling minutes of decree or special order and attending the Registrar, and fee on passing same ... ..	0 5 0	
	Postage actually paid ... ..		
	Drawing bill of costs and attending taxation ... ..	0 5 0	
	<i>Note.</i> —Folio to consist of one hundred words.		
	COUNSEL.	£ s. d.	
	Fee to Counsel for settling and signing pleadings, petitions or interrogatories ... ..	0 10 0	
	Fee on common motions or motions of course ... ..	0 10 0	
	Special applications, arguments, hearings, &c. ... ..	1 5 0	
	(To be increased in the discretion of the Master to £2 2s., being the highest fee allowed by the Statute.)		
	MASTER, MASTERS EXTRAORDINARY, AND EXAMINERS.	£ s. d.	
	Every summons or warrant ... ..	0 1 3	
	Administering oath or taking affirmation ... ..	0 1 0	
	Making every exhibit ... ..	0 1 0	
	Drawing depositions, reports or deeds, per folio ... ..	0 1 0	
	One fair copy, when necessary, per folio ... ..	0 0 6	
	Copy of papers given out when required, per folio ... ..	0 0 6	
	Every attendance upon a reference ... ..	0 5 0	
	For each additional hour ... ..	0 5 0	
	Preparing, engrossing, and signing each advertizement ... ..	0 5 0	
	Every certificate ... ..	0 2 6	
	Filing each paper ... ..	0 0 4	
	Taxing costs including attendance ... ..	0 5 0	
	Making up and forwarding answers and depositions ... ..	0 1 3	
	Every necessary special attendance out of office, within two miles ... ..	0 5 0	
	Every additional mile (above two) ... ..	0 1 0	
	The Folio to consist of one hundred words.		
	REGISTRAR.	£ s. d.	
	Entering parties' names, and filing bill, answer, plea, or demurrer ... ..	0 2 6	
	Entering and filing all other pleadings, interrogations and deposition, or other evidence	0 1 0	
	Filing and registering affidavits, exhibits, or other papers ... ..	0 0 4	
	Entering appearance, ... ..	0 2 6	

Appendix (J. J.)	REGISTRAR--(Continued.)	£ s. d.	Appendix (J. J.)
4th March.			4th March.
	Every subpoena ... ..	0 3 0	
	Special writ, writ of execution or commission ... ..	0 5 0	
	Office copy of papers required to be given out, per folio ... ..	0 0 6	
	Examining and authenticating the same when office copy prepared by Solicitor, per folio ... ..	0 0 1	
	Attendance on appointment of Guardian ... ..	0 2 6	
	Awardment of record when re-ingrossment not necessary, per folio ... ..	0 1 0	
	Drawing fiat to Petition ... ..	0 1 0	
	Attending the Vice Chancellor for his signature to any document or paper, or on leaving abstract of proceedings ... ..	0 1 3	
	Making up and forwarding interrogatories ... ..	0 1 3	
	Setting down cause ... ..	0 2 6	
	Certificate of pleadings being filed ... ..	0 2 0	
	Certificate of state of cause ... ..	0 2 6	
	Drawing minutes of decree or special order, per folio ... ..	0 1 0	
	Drawing decree or order, per folio ... ..	0 1 0	
	Entering same, per folio ... ..	0 0 6	
	Receiving and paying out deposit ... ..	0 5 0	
	The Folio to consist of one hundred words.		

Whereas a Commission was issued under the Great Seal of this Province, bearing date on the twentieth day of July, in the seventh year of Her present Majesty's Reign, whereby the Chief Justice of the Court of Queen's Bench of Upper Canada for the time being, the Vice Chancellor of Upper Canada for the time being, the senior Puisné Judge of the said Court of Queen's Bench for the time being, and Henry John Boulton, Robert Easton Burns, William Hume Blake, and James C. Palmer Esten, Esquires, were appointed Commissioners with authority to make a diligent enquiry whether any and what alterations can be made in the Practice established in the Court of Chancery for the Province of Upper Canada, or in the Offices of that Court, either as a Court of Law or Equity, in causes, suits, or other matters in which that Court, or the Chancellor or Vice Chancellor thereof hath jurisdiction, in the different stages of such proceedings from the commencement to the termination thereof, by which the expense attending such proceedings and the time during which they depend in Court, may be lessened and abridged usefully and beneficially to the suitors of the said Court, and the ends of justice be promoted:

And whereas the said Commissioners, by their Reports respectively made on the twentieth day of April last, and on the twenty-fifth day of January last, have recommended certain alterations to be made in the pleadings, and in the practice and proceedings of the said Court, for the purpose of preventing delay and diminishing expense; and among other things, have suggested that it may be found expedient to confine the Bill and Answer in suits to a concise statement, in the one, of such matters as may be required for setting forth the Plaintiff's case, and shewing the relief desired, and, in the other, of such facts as may be relied on for the Defendant's answer; and further that it may be found expedient to provide for the examination of the Plaintiff and Defendant

*vidé vove*, upon oath, in regard to the matters stated in the Bill and Answer:

And whereas, for the purpose of ascertaining more conveniently and safely, the expediency of such proposed alterations, it is desirable that authority should for a time be provided for making whatever changes in the pleadings, practice, or proceedings may seem necessary from time to time, for giving full and due effect to the recommendations aforesaid, and for amending or modifying any of the Rules or Orders which may be made for that purpose, as well as for rescinding the same or any of them:

1. Be it therefore enacted, &c. &c. That the Commissioners appointed as hereinbefore recited, may continue in the discharge of the duties committed to them during the continuance of this Act, subject to such changes, by new appointments or otherwise, as the Governor of this Province for the time being may think fit to make by any Commission or Commissions to be from time to time issued under the Great Seal thereof.

2. And be it further enacted, &c. That it shall and may be lawful for the Vice Chancellor of Upper Canada, during the continuance of this Act, upon the recommendation of a majority of the Commissioners for the time being, and with the concurrence of a majority of the Judges of the Court of Queen's Bench of Upper Canada for the time being, to make such Rules and Orders as may seem to him and them expedient for carrying into effect the recommendations aforesaid, and from time to time to make other Rules and Orders, amending, altering, or rescinding the same or any of them.

3. And be it further enacted, &c. That the authority hereby given to make Rules and Orders for the purposes aforesaid, shall apply and extend not only

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to the making of such Rules or Orders as might heretofore have been made by the Vice Chancellor, according to the constitution of the said Court, but to the making of all such Rules and Orders as may in any way affect, relate to, or concern the process, pleadings, practice, and proceedings of the said Court, and more especially the taking, publishing, using, and hearing of testimony in any suit therein pending, or the examination of all or any of the parties to any such suit upon their oaths, including also the power to regulate, by Rules or Orders, the allowance and amount of costs.

4. And whereas, for the better adapting the said Court of Chancery to the circumstances of this Province, it is expedient that a power should exist for a time of regulating its pleadings, practice, and proceedings in all respects, by Rules and Orders to be made without the necessity of applying to the Legislature: Be it therefore enacted, &c. That it shall and may be lawful for the Vice Chancellor of Upper Canada, upon the recommendation of a majority of the Commissioners for the time being as aforesaid, and with the concurrence of a majority of the Judges of Her Majesty's Court of Queen's Bench of Upper Canada, from time to time, during the continuance of this Act, to make all such Rules and Orders as may seem to him and them expedient regarding the process, pleadings, practice, and proceedings of and in the said Court of Chancery, and the allowance and amount of costs to be taxed to any person for any service rendered in any suit or proceeding in the said Court, with the view of rendering the practice and proceedings in the said Court less dilatory and expensive, and better adapted to the circumstances of this country.

5. Provided always, that no such Rule or Order shall have the effect of altering the principles or rules of decision of the said Court, or any of them, or of

abridging or affecting the right of any party to such remedy as before the passing of this Act might have been obtained in the said Court; but may in all respects extend to the manner of obtaining such remedy, by regulating the nature and form of process and pleadings, and the practice of the said Court, as regards the method of taking, receiving, publishing, using and hearing of testimony, the examination of witnesses or parties, the requiring parties to verify on oath their statements contained in any petition or bill, or any other matter or thing which may seem expedient for better attaining the ends of justice, and advancing the remedies of suitors in the said Court.

6. And be it further enacted, &c. That during the continuance of this Act, Rules and Orders may, under the restrictions aforesaid, be made by the Court of Appeals at any of their sittings for hearing Appeals from the Court of Chancery of Upper Canada, upon the recommendation of a majority of the Commissioners for the time being, appointed or to be appointed as hereinbefore mentioned, for regulating the practice and proceedings in the said Court of Appeals, and the allowance and amount of costs to be taxed in respect of any business to be transacted in the said Court: Provided always, that nothing herein contained shall be taken to supersede the power of the Vice Chancellor, or of the said Court of Appeals, to make such Rules or Orders as he or they might respectively have made before the passing of this Act: Provided that such Rules or Orders shall not repeal or alter any Rule or Order made under the authority of this Act.

VII. And be it further enacted, &c. That this Act shall be and continue in force for years, and from thence to the end of the then next ensuing Session of Parliament.

Appendix  
(J. J.)

4th March.

## STATEMENTS

## OF AFFAIRS OF UNIVERSITY OF KING'S COLLEGE;

*Laid before the Legislative Assembly, 4th March, 1845,*

- No. 1.—Estimate of the INCOME of the University of King's College.  
 No. 2.—Return of the Professors of do do do.  
 No. 3.—Return of Students in do do do.  
 No. 4.—Return of the Expenses in fitting up the Parliament Buildings for the use  
 of the University of King's College.  
 No. 5.—Return of Furniture applied to each Professor.  
 No. 6.—Return of Chaplain.

No. 1.—AN ESTIMATE OF THE INCOME of the University of King's College, calculated on the state of  
 its affairs at the close of the year 1844.

PARTICULARS.	AMOUNT.		
	£	s.	d.
Investments, Debentures, at 6 per. cent.	27022	19	5
“ “ 5 “	550	0	0
“ “ 4 “	2025	0	0
Stock of Bank of Upper Canada, 6 per cent.	250	0	0
Stock of Gore Bank	187	10	0
Land and Mortgages	14720	7	7½
	<b>£44775</b>	<b>17</b>	<b>0½</b>
Rents, about		1500	0 0
Do: in arrear, about £16000, (say)		100	0 0
Purchase money outstanding K. C.	£53646	16	0
“ “ “ U. C. C.	6773	19	5
“ “ Block D. in Toronto	2968	17	3
		3900	0 0
Interest due on purchase money, about		700	0 0
Fees of Students in the University, estimated at		800	0 0
Dues of U. C. C., about 180 Students at £7 10s. each		1350	0 0
Arrears of Dues of U. C. C.		100	0 0
Annual grant of £1000 sterling to U. C. C.		1141	2 2
	<b>£12204</b>	<b>4</b>	<b>2</b>

H. BOYS,  
 Bursar, K. C.

Appendix (K. K.)

STATEMENTS OF AFFAIRS of University of King's College.—(Continued.)

Appendix (K. K.)

No. 2.—RETURN of the Names of the Professors in the University of King's College.

4th March.

4th March.

Names.	Salaries.	Emoluments.	Period of Lectures.	Religious Denomination.	Department.
Rev. John M'Caul, L.L. D.	£. s. d. 277 15 6 } 555 11 1 }	House Rent, none.	Throughout the Academic year	Church of England	Vice-President. Classics, Belles-Lettres, Rhetoric, Logic.
Rev. James Beaven, D. D.	555 11 1	Rent £62 10s.	do.	do.	Divinity, Metaphysics, Moral Philosophy.
H. H. Croft - - - - -	500 0 0	do. £65 -	do.	do.	Chemistry, Experimental Philosophy.
W. C. Gwynne, B. M. - - -	222 4 5	None. - - -	Two Terms.	do.	Anatomy and Physiology.
John King, M. D. - - - -	222 4 5	do. - - - -	† do.	Roman Catholic.	Theory and Practice of Medicine.
W. H. Blake - - - - -	111 2 2	do. - - - -	Academic year	Church of England	Law.
W. R. Beaumont - - - -	222 4 5	do. - - - -	† Two Terms.	do.	Surgery.
George Herrick, M. D. - -	222 4 5	do. - - - -	† do.	do.	Midwifery, Diseases of Women & Children.
W. B. Nicol - - - - -	222 4 5	do. - - - -	Academic year	do.	Materia Medica, and Pharmacy, Botany.
Henry Sullivan - - - - -	277 15 6	House rent, allowed fuel during his residence in University building.	Two Terms, Academic year.	do.	Practical Anatomy; Curator of Museum.
Rev. Robert Murray - - -	500 0 0	House Rent £48.	do.	Presbyterian.	Mathematics, Natural Philosophy.

\* At present, occupies the house of Principal of Upper Canada College, valued at £80.  
 † Amount of House Rent variable, not to exceed £65 per annum.  
 ‡ Attend the University Wards in the Hospital, and give Clinical Lectures throughout the year.

II. BOYS,  
Bursar, K. C.

No. 3.—RETURN OF STUDENTS in the University of King's College.  
IN ARTS.

Names.	Religious Denomination.	Professors attended.											Fees per Annum.			
		Dr. M'Caul.			Dr. Beaven.			Mr. Croft.		Mr. Murray						
		13.	1.	1.	1.	3.	3.	3.	5.	2.	4.	5.				
		Classics,	Logic,	Rhetoric,	Belles Letters,	Metaphysics,	Ethics,	Evidences,	Biblical Literature,	Chemistry,	Experimental Philosophy,	Mathematics,	Natural Philosophy,	£	s.	d.
Baldwin	Church of England	1	-	-	-	-	1	-	1	-	-	-	1	27	0	0
Bethune	"	1	-	-	-	-	-	-	1	1	-	-	-	27	0	0
Boulton	"	1	-	-	-	-	1	1	1	-	-	-	-	27	0	0
Crookshank	"	1	-	-	1	-	1	1	1	-	-	-	-	27	0	0
Draper	"	1	-	-	1	-	-	1	1	-	-	-	-	27	0	0
Grasett	"	1	-	-	-	-	1	-	1	-	-	-	1	27	0	0
Hagerman	"	1	-	-	1	-	1	-	1	-	-	-	-	27	0	0
Helliwell	"	1	-	-	1	-	-	1	1	-	-	-	-	27	0	0
Jessopp	"	1	-	1	-	1	1	1	1	-	-	-	1	12	0	0
Jones	"	1	-	-	-	-	1	-	1	-	-	-	1	27	0	0
M'Donell	Roman Catholic	1	-	-	1	-	1	1	-	-	1	-	-	27	0	0
M'Lean	Presbyterian	1	-	-	-	-	1	-	-	-	-	-	1	27	0	0
O'Hara, Robert	Church of England	1	-	-	-	-	-	-	1	-	-	-	1	12	0	0
Roaf	Congregationalist	1	-	-	-	-	1	-	-	1	1	-	1	12	0	0
Robinson	Church of England	1	-	-	-	-	1	1	1	-	-	-	1	27	0	0
Stanton	"	1	-	-	-	-	1	1	1	-	-	-	1	27	0	0
Stennett.	"	1	-	-	-	-	1	1	1	-	-	-	1	27	0	0
Thomson	"	1	-	-	1	-	1	-	1	-	-	-	1	27	0	0
Wedd	"	1	-	-	1	-	1	-	-	-	-	-	-	27	0	0
O'Hara, Walter	"	1	-	1	-	1	1	1	1	-	-	-	1	12	0	0
Boyd	"	1	1	-	-	-	-	1	1	1	-	1	-	27	0	0
Craigie	Presbyterian	1	1	-	-	-	-	1	1	1	-	1	-	27	0	0
Crickmore	Church of England	1	1	-	-	-	-	1	1	1	-	1	-	27	0	0
Dixon	"	1	1	-	-	-	-	1	1	1	-	1	-	27	0	0
Marsh	"	1	1	-	-	-	-	1	1	1	-	1	-	27	0	0
M'Michael	"	1	1	-	-	-	-	1	1	1	-	1	-	12	0	0
Wickson	Congregationalist	1	1	-	-	-	-	-	-	1	1	1	-	12	0	0
Wilkes	"	1	1	-	-	-	-	-	-	1	1	1	-	20	0	0
Checkley	Church of England	1	1	-	-	-	-	1	1	1	-	1	-	27	0	0

IN LAW.

Names.	Religious Denomination.	Professors attended.			Fees.
		Dr. M'Caul.		M. Blake.	
		No. of Lectures in each Week.			
		1. Belles Letters.	1. Rhetoric.	2. Law.	£ s. d.
Patton	Church of England	1	1	1	9 0 0
Smith	Do.	1	1	1	9 0 0
Bown	Do.	-	-	1	4 10 0
Cooper	Do.	1	1	1	9 0 0
Fitz Gibbon	Do.	-	-	1	4 10 0
Hurd	Do.	-	-	1	4 10 0
Irving	Do.	1	1	1	9 0 0
M'Donald	Presbyterian	-	-	1	4 10 0
M'Donell	Roman Catholic	-	-	1	4 10 0
Morphy	Church of England	-	-	1	4 10 0
Mittlebury	Do.	-	-	1	4 10 0
Read	Do.	-	-	1	4 10 0
Thorn	Do.	-	-	1	4 10 0
Proudfoot	Presbyterian	-	-	1	4 10 0

IN MEDICINE.

Names.	Religious Denomination.	Professors attended.						Fees.
		No. of Lectures in each Week.						
		5. Mr. Croft.	5. Dr. Gwynne.	6. Dr. King	6. Beaumont.	5. Nicol.	5. Sullivan.	
Small	Church of England		1	1	1		1	22 0 0
Bethune	Do.	1		1			1	14 0 0
Loscombe	Do.	1				1		7 15 0
Armstrong	Free Church		1	1			1	13 10 0
Harvey	Church of England	1					1	9 0 0
Henwood	Do.						1	4 10 0
M'Dougall	Roman Catholic	1	1				1	23 10 0
Merritt	Church of England		1	1			1	13 10 0
Moffatt	Do.		1	1			1	13 10 0
Salmon	Do.	1	1				1	19 10 0
Cameron	Do.	1	1				1	19 10 0
Secord	Do.	1	1				1	19 10 0
Klein	Lutheran		1		1		1	13 10 0

IN DIVINITY.

Names.	Religious Denomination.	Professors attended.		Fees.
		Dr. Beaven.	Mr. Herschfelder, (Tutor.)	
		Lectures in each week.		
		Divinity. 2	Hebrew. 3	£ s. d.
Bethune	Church of England		1	6 0 0
Champion	Do.	1		4 10 0

H. BOYS,

Bursar, K. C.

Appendix  
(K. K.)  
4th March.

STATEMENT OF AFFAIRS of University of King's College.—(Concluded.)

Appendix  
(K. K.)  
4th March.

No. 4.—RETURN OF THE EXPENSES incurred upon the Parliament Buildings at Toronto, in fitting them up for the temporary accommodation of the University of King's College.

Date of Payment.	Particulars.	Amount.
1842.		£ s. d.
July 5 ... ..	Mr. Craig, for Painting and Glazing ... ..	76 9 6
August 3 ... ..	Mr. Ritchey, repairs ... ..	95 12 10
1843.		
January 3... ..	Mr. Craig, Painting in the West Wing ... ..	3 12 9
February 4 ... ..	Mr. Ritchey, repairs ... ..	42 18 6
December 9 ... ..	Mr. Craig, Painting and Glazing ... ..	31 3 10
1844.		
May 18 ... ..	Mr. Ritchey, work in the Hall ... ..	42 15 10
	“ work in the Professors' Rooms ... ..	41 10 4½
	“ repairs ... ..	122 12 1½
October 16 ... ..	Jaques & Hay, altering the Library ... ..	22 2 6
		£478 18 3

The College also pays a premium of Insurance on these Buildings, to the amount of £56 5s., per annum.

H. BOYS,  
Bursar, K. C.

No. 5.—RETURN OF FURNITURE applied to each Professor.

Name.	Value of the Furniture of their anti-room or private room.	Value of Table and Chair.	Amount already included in the preceding column.	Remarks.
	£ s. d.	Room No. 1.	£ s. d.	
Dr. M'CAUL as Vice President, his chambers consist of two small rooms for the reception of Visitors to the University, and all persons who have business with him as the acting head of the Establishment.	58 7 9	Office Desk ... ..	10 10 0	{ This is an Office Desk with Alphabet and Drawers.
		Chair ... ..	2 5 0	
		Room No. 2.		
		Table ... ..	0 0 0	
Do. as Professor ... ..	... ..	Chair ... ..	1 2 6	
		No Furniture ... ..	... ..	
Dr. Beaven as “ ..	20 9 0	{ Table ... ..	4 5 0	Has no other private room than his Laboratory.
H. H. Croft as “ ...	10 0 0	{ Chair ... ..	2 5 0	
		{ Table ... ..	1 0 0	
Dr. Gwynne as “ ...	14 5 6	{ Chair ... ..	3 0 0	
		{ Table ... ..	0 10 0	
Dr. King as “ ...	... ..	{ Chair ... ..	2 10 0	
		No Furniture ... ..	... ..	
W. H. Blake as “ ...	... ..	“ ... ..	... ..	
		“ ... ..	... ..	
W. R. Beaumont as “ ...	15 1 3	{ Table ... ..	0 10 0	
		{ Chair ... ..	3 6 3	
Dr. Herrick as “ ...	... ..	No Furniture ... ..	... ..	
W. B. Nicol as “ ...	... ..	“ ... ..	... ..	
H. Sullivan, Esq., as “ ...	19 4 11½	{ Table ... ..	0 10 0	
		{ Chair ... ..	2 5 0	
“ “ as Curator ...	3 3 3	{ Table ... ..	0 10 0	
		{ Chair ... ..	0 5 0	
Rev. R. Murray as Professor ...	10 17 1	{ Table ... ..	3 10 0	
		{ Chair ... ..	0 14 0	

H. BOYS,  
Bursar, K. C.

No. 6. A RETURN respecting the Chaplain to the University of King's College.

No such Officer formally appointed.

The Reverend James Beaven, D. D., at the desire of the late Sir Charles Bagot, has performed Chaplain's duty in the University from its commencement. It has been proposed by the College Council to allow him £100 Currency, a year, for the duty; but such allowance has not yet been granted to him.

H. BOYS,  
Bursar, K. C.

## FIRST REPORT.

THE SELECT COMMITTEE to which was referred the Petition of M. F. Valois, and others, Inhabitants of Lachine and other parishes, and various other Petitions, relating to Roads on the Island of Montreal,—to the Longueuil and Chambly Turnpike Road,—and to a Plank Road from the Horse-Ferry along the West Bank of the Chambly Basin to the said Turnpike Road, with power to report from time to time, have the honor to REPORT in part:—

That your Committee have taken into consideration such of the Petitions referred to them as relate to Roads in the Island of Montreal, and having examined some of the petitioners, and other witnesses, in relation thereto, are of opinion that the Turnpike Road prayed for by the petition of M. F. Valois and others, from the Upper Lachine road to the village of Ste. Anne, is very much required, being necessary to continue the great line of communication between Montreal and the Upper Province: they, therefore, consider that the prayer of the petitioners should be granted.

Your Committee are also of opinion that the Turnpike Road prayed for by H. Brunet and others, from l'Abord à Plouffe to the Village of St. Geneviève, would be extremely beneficial, not only to the population of the whole upper part of the island, but, as giving access to the Montreal market, to the greater part of the inhabitants of the northern part of the district of Montreal, who have now to travel over bad roads on the Ile Jésus, in order to reach the Lachapelle bridge.

Upon considering the amount of the revenue at present accruing from the Lower Lachine road, your Committee conceive that the continuation of that road from the Pavilion to the eastward of the Lachine Church, is very desirable, and will be of great advantage to the public, particularly on account of the manufactories now established at the latter place, and many others may hereafter be established at the many places where water-power is to be found on that line.

As respects the road spoken of in the petition of Gabriel Roy and others, in the Côte St. Laurent, from the St. Lawrence Road to the l'Abord à Plouffe Road, your Committee cannot recommend its construction at present, as it could not be expected to prove so useful to the public as those recommended above.

Your Committee consider that the prayer of the petitions of J. A. Mathieson, and others, W. H. Waters and others, and the Honble. R. U. Harwood and others, would be in part complied with if a turnpike road were made from Lachine to Ste. Anne, as suggested at the commencement of this report; and they are also of opinion that a turnpike road from the County of Vaudreuil to Ste. Anne, is much needed, and should be constructed under the direction of the Board of Works, to complete the communication between Montreal and the Upper Province. But though several lines of road from Vaudreuil and Soulanges to Ste. Anne were proposed, your Committee cannot take upon themselves to recommend any particular line, but would prefer leaving the choice of a suitable line to the Board of Works. As respects the road from Ste. Anne to Lachine, through the centre of the island, desired by the Honble. R. U. Harwood and others, in their petition, it is conceived that such a road would be far from advantageous to the public at large, and would not afford

the same benefit as the front road, either to the public or to the neighbouring population, upon whom the principal charge of maintaining it would necessarily fall.

Should the above suggestions be concurred in by your Honorable House, your Committee would recommend that the roads to be constructed in accordance therewith, be placed under the control of the Trustees of the Montreal Turnpike Roads, and that they be authorized to borrow a further sum of £25,000 for their construction, at a rate of interest not exceeding 6 per cent.

The whole nevertheless humbly submitted.

A. JOBIN,  
Chairman.

5th March, 1845.

Mr. Lantier dissents from the opinion expressed by the Committee in reference to the propriety of continuing the front road from Lachine to Ste. Anne, instead of carrying it in a direct line from Montreal to Ste. Anne, as prayed for in the petition of the Honble. R. U. Harwood and others.

J. P. LANTIER.

## MINUTES OF EVIDENCE.

ANDRE JOBIN, Esquire, in the Chair.

THURSDAY, 23d January, 1845.

The Honourable *Denis Benjamin Viger*, Esquire, called in; and examined:—

1. What is the state of the road from l'Abord à Plouffe, in spring and autumn?—The road is bad in all seasons of the year, especially in those two seasons, when it often becomes impassable.

2. Would the improvement of that road benefit the public?—It could not fail to be of great use to the public. To the inhabitants of the end of the island of Montreal it would be an invaluable advantage, as they are now prevented during part of the year, and especially during the spring and autumn, from coming to Montreal, where the markets would be more constantly supplied if it were possible for them to come in at all seasons of the year, which they could do if that road were macadamized.

Mr. *Ferres*, late Secretary to the Trustees of the Montreal Roads, called in; and examined:—

3. How is it that one perch of macadamized road, (on the Montreal roads,) was not uniform in the different localities where roads were made in the island of Montreal—the price varying from 24s. 3d. to 50s. a perch?—The cost varied according to the facility of getting stone.



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4. What would be the probable expense of macadamizing the road from l'Abord à Plouffe to Ste. Geneviève?—About £800 a mile, with common facilities for getting metal, would complete a road sixteen feet wide and nine inches deep.

5. What do you consider would be the cost of repairs?—About £150 a mile for the first year, £50 per mile for the second, and about £40 per mile for the subsequent years.

FRIDAY, 24th January, 1845.

*J. Holmes*, Esquire, called in; and examined:—

6. In your opinion, what would be the expense of macadamizing the portion of road lying between the Pavilion and the church at Lachine?—£800 per mile.

7. State to the Committee the amount of toll annually received at the Lower Lachine Gate?—£358 19s. 10d.

8. What proportion do you consider arises from persons going to the races?—I should say £150.

9. Do not the inhabitants on that line of road pay only half toll?—Yes, they do.

10. In your opinion, would the increase of toll, should the whole be macadamized, pay the interest of the cost?—I think it would.

*Benjamin Holmes*, Esquire, called in; and examined:

11. Do you consider that the road from l'Abord à Plouffe to St. Geneviève, would be advantageous to the public?—When the Trustees were first appointed they were requested to suggest what additional roads would, in their opinion, be of public benefit; and they represented to Lord Sydenham, the macadamizing of a line of road from l'Abord à Plouffe to St. Eustache, crossing the western end of the Ile Jésus to Terrebonne; and also that the road from its present termination at Sault-au-Recollet, should be continued, and a bridge erected at that point, and thence through the eastern end of Ile Jésus to Terrebonne; and, from the experience I have had since of the advantage of turnpike roads to the country generally, I am quite confident of the propriety of carrying out that recommendation now.

12. Would you recommend the formation of the road between St. Laurent and the Sault au Recollet road?—The Petitioners were informed by the Trustees, that they approved of that portion of the road being turnpiked; but, in so doing, it must be borne in mind, that an outlay of about £2,500 would be necessary; and to cover the interest on the work, a toll-bar would have to be erected and toll levied, which perhaps the Petitioners did not contemplate, and it is very doubtful whether the travel would increase the general revenues; still, as a public improvement, they would be inclined to adopt the Petitioners' views, and make the road; but, of course, levying a toll to pay the interest on the outlay.

WEDNESDAY, 12th February, 1845.

*Mr. Alexander McIntosh* called in; and examined:—

13. What do you suppose would be the cost of a macadamized road, on the Island of Montreal, per mile, when the stone is plentiful and near at hand?—It can be done for about 37s. 6d. a rod, or £603 per mile.

*Mr. William Yule* called in and examined:—

14. Do you know the locality between l'Abord à Plouffe and St. Geneviève, and are stones to be found

in that locality in sufficient abundance for macadamizing a road?—I know part of that locality, and stone is very plentiful there; there is enough at the quarry at l'Abord à Plouffe for one half the road, and the waste stone left at the quarry of St. Geneviève must be sufficient for the other half; and there is no doubt that stone can be readily obtained on the line.

15. What do you suppose would be the cost of macadamizing the road, per mile, in that locality, considering the facility of getting stone on the spot?—I would consider that the road, in that case, may be done at from £700 to £1000, complete, except there were heavy cutting, and even in that case it would not exceed £1000.

16. What is the distance from l'Abord à Plouffe to the village of St. Geneviève?—I think it is nine miles.

17. What would be the cost of macadamizing the road from Lachine to the lock at Ste. Anne?—That road cannot be made much below £1000 per mile, on account of the difficulty of getting stones in some parts of the line.

18. What would be the cost of improving the road in Lower Lachine, from River St. Pierre to Lachine?—From £900 to £1000 per mile, on account of the scarcity of stone.

19. What is the distance from River St. Pierre to Lachine Church?—I think about five miles of unmacadamized road.

20. What kind of stone do you consider the best for macadamizing?—The granite, when it can be had, is the best, being much more durable, and not exposing travellers to so much dust as other stone would do; I would recommend that the road be made with that kind of stone, for, though the original cost would be thereby augmented, yet there would be a great saving in the annual repairs, so that in a few years the expense would be less than if made with grey stone; and I would also recommend the coursing or blinding of the road with granite gravel or pure sand.

*Mr. Peter Rutherford* called in; and examined:—

21. What do you estimate to be the cost of macadamizing a road, per mile, where there is a sufficient supply of stone at hand?—I should think it could be made, in that case, for from £700 to £800 per mile, except where heavy cutting is required, for which work 8d. a yard is generally allowed, and this does not include the repairs during the two first years.

22. What kind of stone do you consider the best for macadamizing?—Pure grey or bastard blue stone, is considered the best. Where granite gravel can be obtained, I strongly recommend it as a top covering or blinding; pure river sand is also to be recommended, and in that case the expenses of repairs during the first two years are much diminished.

*Mr. Penner* called in; and examined:—

23. Do you know whether there is much travel on the road from Ste. Anne to Lachine?—The number of travellers is such, that, if the road be macadamized, it will pay its expenses.

24. Do you know of any good material for macadamizing, on the lower Lachine road?—There is for about three miles, stone of good quality, and much better than is generally used.

25. Is there much granite gravel in the vicinity of that road?—There is a great quantity at the Tanneries des Rolland, about a mile and a half from that road,

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and at the upper end of the road there is plenty of gravel within a mile.

26. Are you aware whether the persons residing on the line of the Lower Lachine road, which is proposed to be macadamized, would be content to cede gratuitously, any reasonable quantity of land that may be required for that purpose?—Very few would dissent, if any, except in the case of buildings, gardens, or orchards.

27. What is the distance not macadamized in that part of the Lower Lachine road?—About five or six miles; and the surface of the ground is generally level.

Mr. *James Somerville* called in; and examined:—

28. Do you know if there is any stone on that part of the Lower Lachine road not yet macadamized, and what kind of stone can be had there?—There is basaltic stone called metal, all along the road, except from one to two miles beyond the race-course: that stone is harder than limestone, and more durable; the ground on that road is generally level.

WEDNESDAY, 19th February, 1845.

Mr. *James Hutchison* called in; and examined:—

29. Do you consider that the road between the Sault au Recollet and l'Abord à Plouffe macadamized road, should be macadamized?—That road is very bad. During three weeks in the fall and spring the road is impassable, and should be macadamized. Good material can be found in abundance about the place.

Mr. *James Shield* called in; and examined:—

*Answer to Q. 29.* I do; it is very bad in spring and fall, and plenty of material is to be found close at hand; that road is preferable for heavy loads to the Côte des Neiges road, on account of there being no hill to go up or down: the land on that side is very rich, and for that reason the roads are worse when it rains than they are on a lighter or mean soil.

30. Do you consider that an additional toll gate should be placed on that road?—I do.

Mr. *Hugh Brodie* called in; and examined:—

31. Are you desirous of commuting for the toll rates on the Upper Lachine road?—I should like to commute, but I never applied for permission to do so.

32. Do you consider yourself aggrieved in any way by the Road Trustees?—I do, because they went on to my land and took what materials they wanted for the use of the road; they took away my fences, prevented me from finishing a house, and refused me compensation for about two or three years.

33. How many times were the sleighs altered during the year 1843?—I have altered my own sleigh twice, to obtain the advantage of passing free through the toll gates in winter, in conformity to the advertisement of the Trustees, but it was in vain.

Mr. *Isidore Brayé de St. Pierre* called in; and examined:—

34. Do you keep a ferry from Montreal to Ile Jésus at the upper end of Ile Jésus, opposite St. Eustache?—I do keep a ferry there, and have kept it for three years.

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35. Is there much travel between the north of the district and Montreal, through that ferry?—A great many persons pass that way to Montreal. I have sometimes seen from 100 to 150 persons cross the ferry in one day.

36. Do you think more persons would be induced to travel that way to Montreal, if the road from St. Geneviève to l'Abord à Plouffe were macadamized?—I have no doubt that one third, and perhaps one half, of the population of the north of the district of Montreal, would travel that way, on account of not having any hills to go up or down in travelling through St. Geneviève, where the road is generally level; whereas in the road through St. Martin in the Ile Jésus, they have to go up and down many hills, some of which are very dangerous.

FRIDAY, 21st February, 1845.

Mr. *Michel F. Valois*, Esquire, Physician, of Pointe Claire, called in; and examined:—

37. Do you think that a road from Ste. Anne to Montreal, through the Island of Montreal, following the road of Côte Ste. Marie, and thence in a line as straight as possible as far as the St. Antoine road, would be more advantageous to the public in general, than if the old road from Ste. Anne to Montreal were followed, after having macadamized that part of the road which is not yet macadamized?—That road can only be useful to a very small portion of the inhabitants of the interior of the island, and cannot be as advantageous to the public in general as roads running along the island of Montreal would be, from the facility which the public would find in meeting with good roads just on landing upon the island; whereas, if the road were made to run through the centre of the island, it would require new ascents to reach the centre road, or the present roads must be macadamized, which would entail much greater expenses than would be incurred by macadamizing the roads on both sides of the island of Montreal.

38. If the roads were made through the centre of the island, instead of following the banks of the river, would the macadamized road from Lachine to Montreal lose much of its value, and would it cover its expenses?—The Lachine road would lose a great deal by the change.

39. If the road ran through the centre of the island, would the people on both sides of the island derive more advantage from it than if they followed the present roads on the shores of the island, supposing those roads macadamized?—The *habitans* would much prefer passing along the shore to passing through the centre: they would have at least as short a distance to go to town; and they would also have the advantage of being able to dispose of their produce at the different villages on their way, and especially at the village of Lachine which becomes more and more considerable, and where there is already a very fair market.

40. If the present road from Ste. Anne to Lachine were repaired, would travellers derive the same advantage by following that road that they would by following a road made through the centre of the island?—If the present road were put in order, the distance from Ste. Anne to Lachine would be shortened two miles and a half, and travellers would find every where on the road, good lodgings, and they could travel in safety.

41. Would it be more dangerous to travel during the night on a road made through the centre of the island, than to travel along the shore roads?—It

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would be very dangerous, not only by night, but by day also, to travel on that part of the road through the centre from the St. Charles road to Côte St. Luc being a distance of more than twelve miles without a single house, where nothing could be built but miserable huts, inhabited by suspicious characters.

42. What would be the mean distance which those residing on the borders of the island would have to go before reaching the centre road, and in what state are the roads leading to that one?—The inhabitants of the south of the island would have to travel over bad roads, a mean distance of at least four miles, before reaching the road in the centre of the island; and those of the north would have to travel a distance of at least six miles, over equally bad roads.

43. If the road were made through the centre, instead of following the old road along the shore, would that have the effect of considerably diminishing the value of property situated on the borders from the head of the island to Montreal; and might it not deprive those residing on the borders of the advantage of bringing their produce to the Montreal market?—I think, for the reasons above mentioned, that it would have the effect of greatly diminishing the value of property on the banks of the river, without increasing the value of that situated in the centre of the island; and would also deprive the inhabitants of the advantage of coming to the Montreal market in the bad seasons of the year, as is the case at present, when the roads are bad; and, in addition to which, they would have to keep up their front and cross roads, besides paying toll on the turnpike roads, which would be too great an injustice to the inhabitants of that locality, who have, up to this day, been put to great expense in keeping up their roads.

44. Would the centre road be shorter than the old one, if the latter were repaired, and would it cost more than the old one?—In my opinion, it would not be shorter, if the old one were made straight, as I have already stated. The centre road would cost much more than the other, on account of the value of the land, the sugar trees, and other valuable wood, and on account of the swamps of some extent which it must cross; the many bridges which would be required, and the scarcity of material; while on the contrary, materials may be had in great abundance along the river, and there are only four bridges to build, all of which would not cost, at the utmost, more than £200; and, from the information I have obtained, I can state that the proprietors on the river side would consent to give the land and the stone necessary for making the road.

45. Is the centre road much travelled during the winter?—In the winter it would hardly be used, as it is more advantageous and convenient for the public to travel on the river.

Mr. *Pierre Charles Valois*, of Pointe Claire, Notary, called in; and examined:—

*Answer to Q. 37.* I have no doubt that the road from Ste. Anne to Montreal, along the river, is of greater advantage to the public than a road made through the centre of the island would be; and, I think, that, in fine weather, three-fourths of the travellers would take the old road rather than pay toll on the centre one.

*Answer to Q. 38.* The Lachine road would greatly suffer by the change, and would not pay its expenses.

*Answer to Q. 39.* There is no doubt that if the road on the borders of the island were macadamized, the inhabitants of the island would derive much greater benefit by following that road than one running through the centre.

*Answer to Q. 40.* If the road from Ste. Anne to Lachine were made straight, the inhabitants of the south of the island would derive much greater benefit by using that road than by following the centre road.

*Answer to Q. 41.* It would be dangerous to travel not only by night, but by day, on the centre road, on account of the want of habitations along that road.

*Answer to Q. 42.* The mean distance to be gone over by those residing on the south, in order to reach the centre road, would be at least three miles; and those on the north would have five or six miles—both over bad roads.

*Answer to Q. 43.* It would reduce the value of property situated on the borders of the island, and prevent the inhabitants from bringing their produce to market, from the bad state of the roads they would have to travel to reach the centre road.

*Answer to Q. 44.* I do not think it would be shorter than the old one, if the latter were made straight; and I think the centre road would cost as much as the roads that might be made on the north or south side of the island, on account of the lands to be purchased, the valuable trees to be destroyed, (which are very numerous,) and the swamps and marshes on the whole of that line, and the many bridges that would have to be made on this road, which are more than five or six times the number of those on the old one.

*Answer to Q. 45.* I think that few people would pass over that road, as the roads on the ice would be infinitely preferable, and much shorter.

Mr. *Gabriel Pilon*, of Ste. Anne, Farmer, called in; and examined:—

*Answer to Q. 37.* I do not think that road would be of greater advantage to the public, but quite the reverse.

*Answer to Q. 38.* If the road were made to run through the centre of the island, the Lachine road would suffer from the change, and would certainly not cover its expenses.

*Answer to Q. 39.* The inhabitants from both sides of the river would have a much greater advantage in following the old road, if it were macadamized, and they would even prefer following it without improvement, in the fine dry weather.

*Answer to Q. 40.* If the old road were straightened, they would have more advantage in following it.

*Answer to Q. 41.* It would be dangerous to travel on a road made through the centre of the island, not only by night but by day; and travellers would be much exposed in every way, as they would be unable to procure assistance in case of accidents, to which travellers are often subject, whether as to their carriages or their persons.

*Answer to Q. 42.* The mean distance which the inhabitants of the south of the island would have to go over, would be three or four miles; and five or six miles for those from the north,—in both cases over bad roads.

*Answer to Q. 43.* It would have the effect of completely diminishing the value of the property situated on the river side, and of preventing the inhabitants from bringing their produce to market; and it would be committing a great injustice and injury towards those on the river side, by obliging them to keep up

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old roads to communicate with the centre road, besides paying toll at the turnpikes;—it might also force a great many proprietors to sell their property in order to get rid of so many obligations.

*Answer to Q. 44.* The centre road would not be much shorter, if the old one were made straight, and the cost of the former would be double that of the old road from Ste. Anne to Montreal, on account of the swamps and marshes, and the want of materials for the roads, the expense of purchasing land, and the destruction of the trees which would have to be cut down all along the line.

*Answer to Q. 45.* No one would take that road in winter, as every one would follow the road on the ice.

Mr. J. B. Quesnel called in; and examined:—

*Answer to Q. 37.* The road through the centre of the island can be of no advantage to the public; that along the river is much to be preferred.

*Answer to Q. 38.* The Lachine road would suffer greatly by the change, and would not cover its expenses.

*Answer to Q. 39.* The inhabitants of both sides the island have, without the least doubt, more advantage in having the road on the border of the island, than in the centre; and all the population of the district of Montreal would have much more advantage in following the road on the borders of the island, than that in the centre.

*Answer to Q. 40.* Travellers would find it much more advantageous to follow the old road, if it were made straight.

*Answer to Q. 41.* I think that a road through the centre of the island would be very dangerous for travellers, not only by night, but by day; as the centre road would run through forests not less than a thousand acres in superficies, where it would be easy for robbers to hide.

*Answer to Q. 42.* The mean distance which the inhabitants of the south of the island would have to go over, would be at least three or four miles, and five or six miles for those of the north—with very bad roads in both cases.

*Answer to Q. 43.* It would greatly diminish the value of property on the borders, without increasing that in the centre of the island; and the inhabitants would not only have to pay the turnpikes, but to keep up the old roads.

*Answer to Q. 44.* The centre road would not be shorter than the old one, if the latter were made straight, and it would cost twice as much as the old one.

*Answer to Q. 45.* Very few people would take that road in winter—travellers would prefer passing on the river.

Joseph Allard, Esq., of Lachine, Commissioner of Small Causes, was called in, and corroborated the evidence of Mr. J. B. Quesnel.

WEDNESDAY, 26th February, 1845.

François Xavier Mouton dit Lamouche, of the parish of St. Martin, Ferryman, called in; and examined:

46. Do you keep the ferry between Ile Jésus and the Island of Montreal, and at what place?—I keep a ferry between Ile Jésus and Montreal, at the head of Ile Jésus, opposite the Rivière du Chesne.

47. Do many people cross at that place?—Yes; sometimes my two boats are not sufficient, and even the assistance of my neighbour, who has also two boats, is very often, in the fine season, insufficient to convey every one across.

48. If the roads from Ste. Geneviève to l'Abord à Plouffe were macadamized, would more people cross at your ferry to go to Montreal?—I think there would be twice as many, because the road is shorter by Ste. Geneviève, and because there are many hills in Ile Jésus, which is not the case in the Island of Montreal.

THURSDAY, 27th February, 1845.

Moses Hays, Esq., of Montreal, called in; and examined:—

*Answer to Q. 37.* I consider it would be decidedly advantageous, both by shortening the route, and enabling the farmers to have their extensive farms divided, and a road of communication between them.

49. Do you consider that the road open from Ste. Anne to Montreal by the interior, would be much shorter, more advantageous to the people living above the Island of Montreal and in the upper part of the province, and to the people living in the interior of the island?—Decidedly, by giving them a shorter communication, and a better route.

50. If the road ran through the centre of the island, would the people on both sides derive more advantage from it than if they followed the shores on both sides?—Yes, they would.

51. Do you consider there would be any danger in travelling on that road?—No, I think there would be no danger.

52. What would be the probable difference of distance between the two routes?—I think about five or six miles.

53. If the road by the interior be six miles shorter than the road on the front, do you think that in the winter season the front road would be maintained, and that it would pay its expenses as well as the road in the interior?—I think it will be maintained, provided the tolls are the same on both roads.

54. Do you know the interior of the island, and do you think it would be difficult and expensive to open a road in the interior?—To open a road in the interior would be cheaper and easier, and no great difficulties to be met with; and I am well acquainted with the localities of the island.

55. If a road were opened through the island, do you think it would be much travelled?—Certainly; and form a main avenue to the city, and contribute much to increase its trade.

Honorable Robert U. Harwood, of Vaudreuil, called in; and examined:—

*Answer to Q. 37.* The centre road will intersect all the cross roads, viz.: St. Charles, St. John, Les Sources, Ste. Marie, Siesse, and Côte St. Luc, which are all double concessions thickly settled, containing, I think, four times more inhabitants than reside on the river front of the island above Lachine or l'Abord à Plouffe. All these people will have a direct road open to market, and be thereby benefitted. The county of Vaudreuil, and the whole travel of the Ottawa and St. Lawrence, could not but receive immense benefit by having the distance shortened; and another great advantage in the centre road would be, that the inhabitants would be sure of a road in win-

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ter by land, whereas in the road that goes through Lachine and follows the front, the road on the ice being shorter, little or no revenue would be obtained in winter, as the road on the ice would be solely used. The ice in winter often becomes covered with water, and is both dangerous and disagreeable, yet the road by land cannot be resorted to, being blocked up with snow from not having been used. From the villages of Pointe Claire and Ste. Geneviève, the distance will be shortened four miles by the centre road. From Beauharnois, Chateauguay, and the whole south shore, the ice is never good below Pointe Claire, consequently the centre road saves them, in winter, a distance of four miles; and ferry boats from the south shore to Pointe Claire could be established with advantage, there being no current, and it being practicable to ferry in a fog, or in the night, which is not the case to Lachine. The inland road from Pointe Claire to Montreal would be therefore greatly used by market people with their carts; and a continuation of the road leading from the bridge at l'Abord à Plouffe, to strike this centre road, would shorten their distance into town, and avoid the mountain,—a consideration of vast importance to all residing on the north shore; and to the city, by enabling firewood to be brought in at a much cheaper rate. I have been over the greater part of this route: it follows, generally, what may be called the backbone of the Island of Montreal, affording abundant supply of stone for making the road; requiring but small bridges, and not many;—and I found the inhabitants very desirous to have the road opened. I consider the centre road from Ste. Anne would not cost more money than the road from Ste. Anne to Lachine alone, affording advantage to both sides of the island, and, that being so much shorter in winter, the whole Upper Canada and south shore travel above Chateauguay would use this road, consequently a great revenue would be obtained in winter, increasing with the increase of the country above, which it would be in vain to hope for from a road leading from Lachine to Ste. Anne, as the ice road would be shorter in winter, and in summer travellers from a distance go by steam communication.

56. Do you think it would be very advantageous to the inhabitants of the two sections of the province, that a road of communication should be opened from the Island of Montreal at Ste. Anne, to the Cedars plank road, passing through Ile Perrot by bridges at Vaudreuil rapids and Ste. Anne?—It would be of the highest advantage, if a free communication were at all times open between Montreal and the upper province, by bridges at Ste. Anne and Vaudreuil rapids.

57. Do you think that to carry out that object it would be proper to commence the road from the Cedars village, to come, in as straight a line as convenient, to or near the Seigneur's mill at Vaudreuil,—to connect that road by a bridge at that place, with Ile Perrot; to continue the road from that bridge across Ile Perrot to the place opposite the dam of the canal of Ste. Anne, and to build a bridge at that place to connect Ile Perrot with the Island of Montreal?—There was certainly a mistake made by the Board of Works in recommending the planking of the road from Coteau du Lac to the Cascades,—the object in view at the time, being to open a free communication between Upper Canada and Montreal, as well for the transfer of the mails as for other objects. This object was not attained by opening the road in question; it would have been attained if the road had been opened from Coteau du Lac to Vaudreuil rapids, and connected by bridges with the Island of Montreal,—that route being the shortest and the most convenient for the trade from the upper part of the country, is most assuredly the most proper to carry out the object in view.

58. Do you think that to carry out the above object, it would not be better to commence the road from the plank road at the Cascades, come up as far as Pointe aux Renards—connect at that place the main land with Ile Perrot by a bridge, and continue the road from the bridge to a place opposite, or nearly opposite, the Canal dam at Ste. Anne?—No; the object in view would not be attained by that route, and it would be a longer one and more difficult.

59. Do you not think it would be better to commence the road from the Cedars plank road by the side road leading along the property of Eleazer Hayes, Esq., at the Cedars, and continue it either to the Pointe aux Renards, or to the mill of the Seigneur at Vaudreuil?—No; that road would be longer than the one alluded to in Q. 56, less advantageous, and more expensive on account of steep hills.

60. With reference to the route from the Cedars plank road, commencing at the Cedars village, will it be shorter or more advantageous to the majority of the inhabitants of the neighbourhood, the surrounding country, and the upper part of the province, than any of the other routes, and if not, which would you recommend, and for what reason?—That route would be the shortest, the most advantageous to the majority of the inhabitants of the neighbourhood and surrounding country, and to the people of the upper part of the province.

61. What would be the approximate difference in the cost of each of the proposed routes, either from the Cascades to Pointe aux Renards; from the Cascades to the Seigneur's mill; from the Cedars village to either Pointe aux Renards, or the Seigneur's mill; or from Mr. Hayes' road to either of the two points, and thence to Ste. Anne; and which of these routes would be the shortest, the most frequented, the cheapest, and the easiest to make and repair?—The road from the Cascades to Vaudreuil rapids, and thence to Ste. Anne, would be cheaper now for the making; but for the people above that line, and especially above the Cedars, it will be longer by at least four miles, and perhaps not so easy to keep in repair, while the route proposed from the Cedars village to Vaudreuil rapids, and thence to Ste. Anne, would be not only the shortest, but the most frequented, and the most convenient for the people of the upper part of the country; but, in my opinion, a road starting from the Coteau du Lac landing, would unite in a greater degree all those advantages.

62. If a bridge were built at or near the place at Vaudreuil called the Mill Ferry, or Vaudreuil rapids, would it be less expensive, shorter in length, less exposed to be damaged by the ice, or the rise of the waters in spring, and built on a better and safer bottom, than a bridge built at or near Pointe aux Renards or any other place on that line; and if not, which place would, in your opinion, unite all these advantages?—A bridge built at or near the mill could be erected for much less money, and would be safer as being built in shallow water on rocky bottom, protected from injury from the ice by the surrounding islands, and being nearer to the Ottawa, it would not only be useful to the people from the St. Lawrence, but equally so to the people from the Ottawa; while a bridge at Pointe aux Renards would be less useful and more exposed to the ice, and the bottom would not be so good.

63. What would be the approximate difference in the expense of building either of the two bridges, and which would be the least expense?—The bridge at the mill would be the cheapest, and considerably the safest, and the difference of expense would be materially in its favour.

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64. If a road were opened as proposed, do you think that the tolls that would be collected upon it would pay the interest of the money expended on the road and necessary bridges, together with repairs, and ultimately refund the capital?—The bridge at the mill being the most advantageous for the inhabitants residing on the St. Lawrence and the Ottawa, there is no doubt but the tolls would pay the interest and repairs, and refund the capital in a very short time.

65. Do you think this road would be advantageous to the merchants, lumber merchants, farmers, and travellers from the Ottawa, and which of the proposed routes would be most likely to suit them, as well as persons from the St. Lawrence and the inland parts of the counties of Vaudreuil, Glengary, Stormont, &c.?—The route starting from the upper bridge, that is, the bridge at the Vaudreuil Rapids, would be highly advantageous to the trading community at large, and to all the inhabitants residing on the Ottawa and St. Lawrence, and the surrounding country, and would contribute at all times to furnish the Montreal markets.

66. Do you think the bridges at Ste. Anne and Vaudreuil would be very expensive?—No; Mr. M'Naughton, of Ste. Anne, understood, on Monday last, from two contractors, that they would guarantee to build a bridge at Ste. Anne for £1500; this bridge would be protected from injury from the ice and rise of water by the canal dam, and a bridge at the Vaudreuil Rapids, or Mill Ferry, would be still safer and cost much less; but as a draw-bridge would be required over the locks, the expense would be greater, but I am not prepared to give an opinion as to the amount.

67. Would it be difficult to procure the materials necessary for such works?—Wood could be floated there and bought cheap, and stone is very abundant on the spot, so that materials could be readily obtained.

*Alex. Roy*, Esquire, of the Cedars village, called in; and examined:—

*Answer to Q. 56.* Without doubt it would be most advantageous.

*Answer to Q. 57 and 58.* Supposing the road were to start from the Cascades, the place called Pointe aux Renards would be the fittest for the people living on the Ottawa; the bridge would probably be more advantageous at the Rapids, but I would recommend a place at mid-distance between the mill and Pointe aux Renards, called Forbes' Point, where the bottom is firm.

*Answer to Q. 59.* I do not think it would be proper to adopt such a course.

*Answer to Q. 60.* If the piece of road from the Cedars to the Cascades were not made, the route from the Cedars village would be the best and most advantageous, if it was shorter.

*Answer to Q. 62.* I consider that Pointe aux Renards would unite all the advantages to a greater degree than any other place.

*Answer to Q. 64.* I think the expense would be covered by the tolls.

*Answer to Q. 65.* That route being generally more frequented by the people from the St. Lawrence, their wants should be the first consulted.

*Answer to Q. 66.* I have no idea of the cost of such a work.

*Answer to Q. 67.* It would be very easy to procure the necessary materials.

Mr. *William Waters*, Postmaster at the Cedars, called in; and examined:—

*Answer to Q. 56.* Undoubtedly so; it would be most advantageous.

*Answer to Q. 57 and 58.* The route from the Cedars to the Cascades, and from the Cascades to Pointe aux Renards, would be the most advantageous; to build a bridge there, and continue the road through Ile Perrot to opposite Ste. Anne, and there connect the Ile Perrot with the island of Montreal by a bridge, would be the proper route.

*Answer to Q. 62.* A bridge built at Pointe aux Renards would be on a safe and hard bottom, more sheltered from north wind, and less exposed to the ice, as from the distance of the rapids, the water being still, the ice would not be pushed against the bridge by the current, and the ice would decay before passing it.

*Answer to Q. 64.* I really believe the tolls collected on the road and bridges would pay the interest of the money, the repairs and contingent expenses, and ultimately refund the capital.

*Answer to Q. 65.* The route I have recommended would be the most advantageous for all parties from the different sections of the Province.

*Answer to Q. 67.* It would not be difficult to procure the necessary materials.

FRIDAY, 28th February, 1845.

*Paul Timothée Masson*, Esquire, of the Parish of St. Joseph de Soulanges, called in; and examined:—

*Answer to Q. 56.* I reside at the Cascades, and would strongly recommend the propriety of continuing a road from the Plank road to the Island of Montreal across Ile Perrot. The travel on the Cedars Plank road would be greatly augmented if it were continued to the Island of Montreal, with bridges to connect Ile Perrot to the Island of Montreal on one side, and with the parish of Vaudreuil on the other side. To further that object, I consider that a road should be opened from Cascades at a place called Mariot's road, leading to Vaudreuil, in a line as straight as possible, and convenient to a place called Pointe aux Renards,—connect that place by a bridge to Ile Perrot,—continue the road from that place to, or nearly opposite, the Locks at Ste. Anne, and there connect Ile Perrot to the Island of Montreal by a bridge. A bridge at Pointe aux Renards would not be as advantageous or convenient to the people living on the Ottawa, as if it were placed above; but it would be more convenient to the people living on the St. Lawrence: a place in the immediate neighbourhood, called Pointe à Jacquot, or Point Corbes, would seem a less inconvenient place. I consider it will be very nearly as short a distance for the traveller to pass by the Cascades, as to go in a line nearly straight to the Cedars village, to Vaudreuil; besides, the latter route would be more expensive. I consider Pointe aux Renards the best place to build the bridge, as the bottom is good,—the place only two miles or thereabouts from the Cascades; and on the opposite side, on Ile Perrot, would be the best possible place to pass. A road leading to Ste. Anne, to avoid the high water in the spring, the distance by that route would be only five miles from the plank road at the Cascades to Ste. Anne. I consider that road is highly necessary, not only as a great public improvement, advantageous to the public at large, and likely to draw to Montreal a

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great increase of business and trade, but a necessary completion of the projected route from Montreal to Upper Canada, as well for the transfer of the mails as for the travelling community at large. In the fall of the year, when the navigation is closed, and before it opens in the spring, it is hardly possible to convey the mails from Ste. Anne across the ferries at Vaudreuil, which difficulties would be saved by the opening of that road. It happens frequently, that in those seasons, and during the dark nights of the fall and spring, the mails are detained whole nights at the Cascades, there being no proper road to convey them to Montreal. I think that the cost of the road would not be high, and that the bridge at Pointe aux Renards and Ste. Anne would probably not be endangered by the ice or the rise of the water.

68. Do you know the north part of the district of Montreal, and can you say if the population of that part of the district would derive any advantage by a macadamized road from Ste. Geneviève to l'Abord à Plouffe; would that road also be very useful, not only to those living on the river side, but also to those inhabiting the interior of Montreal Island, and, would it pay its expenses?—I do know the locality of the north part of the district of Montreal, because I was born at the river Duchesne, and remained there until the age of twenty years; my family is still there, and I have very often travelled through that part of the country, and I can say that the population of that part of the district will find great benefit in travelling to Montreal on a macadamized road, from Ste. Geneviève to l'Abord à Plouffe; part of that population travels already that way, although the road is now very bad. If the road be macadamized on the shores of the island, the great population living in the interior of the island would also be benefitted by it; and I have no doubt that the road will pay its expenses, because it will be used, not only by the population of the adjoining country, but by that of the county of the Lake of the Two Mountains.

69. Do you know the locality between Ste. Geneviève and l'Abord à Plouffe, and if so, do you believe that the making of the road in that locality would be very expensive?—The making of the road in that locality will not be expensive, because it passes through a level country, and stones are in great abundance, and can be got for nearly nothing.

70. Do you consider that a road through the centre of Montreal island would be more advantageous to the public at large, than following the old road on both sides of the Island of Montreal?—I consider it would be far more advantageous to follow the road on the shores of the island as much as possible, for the following reasons:—Because a road in the centre of the island would be as long for the people living on the shores, as following the old road, on each side of the cross road they would have to follow up, in order to meet that middle road; because the people living on the shores will, in the summer season, continue to travel on the old road, and thereby save the toll on the middle road, and the population above Montreal will also do the same in the fine season; because in the winter time, nobody will travel on the middle road, people will always prefer the ice road in winter; because it will be dangerous to travel through a middle road on account of the great distance to be followed up in that road without finding any habitations, and travellers being exposed to be robbed on the way. On the contrary, travellers on the shores of the island will find assistance on every occasion from the inhabitants, the people going to market will have an opportunity of selling their produce on the way in the villages of Ste. Anne, Pointe Claire, and Lachine, which villages would suffer great damage if the road were made to pass through the centre of the island.

Mr. *John Birmingham*, of Coteau du Lac, called in; and examined:—

*Answer to Q. 56.*—It would be a very desirable object, and much needed; should be adopted by all means, and put in such a manner as to be convenient for all persons, either from the St. Lawrence or from the Ottawa, or the interior. I consider that the shortest road should be the line adopted.

*Answer to Q. 57.*—With reference to the place where this road should pass, the manner in which it should be done, where the bridges should be built, and the approximate amount of expenses, I think it would be much better to leave it all to the Board of Works, who are most assuredly the best judges in such matters.

Mr. *Daniel Alexander Wilson*, of Coteau du Lac, called in; and examined:—

*Answer to Q. 56.* It would be of immense advantage to the community at large, to the city of Montreal, and to the inhabitants of the upper part of the Province, that a free communication road should be made from Montreal to Upper Canada.

*Answer to Q. 57.* I think that to carry out that object, it would be highly proper to put in connexion the Cedars plank road from the Coteau with the Island of Montreal, by a road from Coteau du Lac to Vaudreuil at Pointe aux Renards, there to connect the main road by a bridge to Ile Perrot, continue the road across Ile Perrot to or nearly opposite the lock-dam at Ste. Anne, where a bridge should be built which would be likely to be safe from the ice and the rise of water in the spring—being protected by the dam of the locks; that route would be shorter by about five miles, and greatly more convenient to the people of the interior and to those living on the St. Lawrence.

*Answer to Q. 58.* That route would augment the distance by at least five miles.

*Answer to Q. 59.* I do not think that line would be advantageous.

*Answer to Q. 60.* The route from Coteau du Lac would be the shortest, the most advantageous to the people at large, and would be the cheapest—would best satisfy the public and the people living either in the rear or in the front, and would be more convenient to the people living in the neighbouring counties, and the most followed and used, as well as the easiest to keep in repair.

*Answer to Q. 62.* By building a bridge at Pointe aux Renards, which would be the safest and cheapest to build and keep in repair.

*Answer to Q. 64.* A road as proposed would be so much used, and draw so much of the travelling community from Montreal to Upper Canada, and *vice versa*, that there is no doubt it would amply repay itself and all expenses in a short time.

*Answer to Q. 65.* Such a road would certainly be of the greatest advantage to all persons travelling to the south of the Ottawa and the north of the St. Lawrence, and the interior of the country at large from Montreal, and *vice versa*, as well as for the conveyance of the mails, especially in the spring and fall of the year.

*Answer to Q. 67.* No; it would be very easy to procure the necessary materials. A road from Ste. Anne to Montreal, by the interior, to Petite Côte St. Antoine, would be preferable to a road on the front, as it would be shorter, less expensive to

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make and to repair, more central and more convenient for the people living in the Upper Province, who would prefer to travel on a road which they would be certain to find at all times well kept in good repair, the advantage and superiority of which would be known to those who travel on the front road. Such road would be cheaper and more used than the front road.

TUESDAY, 4th March, 1845.

Mr. François Xavier Desjardins, of Vaudreuil, merchant, called in; and examined:—

*Answer to Q. 53.* It would be highly advantageous that a road of communication should be opened between the Island of Montreal and the upper part of the Province; such a road would facilitate the transfer of the mail especially, and all persons engaged in commercial and agricultural pursuits would derive from it the greatest possible advantage. It is necessary that it should start from Montreal, in a direct line to Ste. Anne, where it should be put in connection with Ile Perrot, by a bridge at or near the locks and dam at Ste. Anne, continue the route from that bridge across Ile Perrot to the place opposite the Seigneur's mill at Vaudreuil, or nearly so, where a bridge could be easily built, and sufficiently protected from the ice and rise of water, the place being narrow and shallow and protected by islands; thence through the centre of the County of Vaudreuil, and through the Counties of Glengary and Stormont, to join the great road leading from the St. Lawrence to the Ottawa. Such a road would be of immense advantage to the public at large, and would decidedly become one of the most advantageous routes in the whole Province, as it would pass through the interior of thickly settled Counties, and facilitate to the residents of the Counties of Vaudreuil, Glengary, &c., the access to our markets, while, as long as the roads continue in their present state, a great number of these persons are prevented from coming to market, being absolutely shut up in the woods. Potash and grain being produced to a great amount in the interior, it is certainly very desirable that the inhabitants should have a road to market, and this would be a far shorter route than the present by at least thirty miles, from Bredalbanc, on the Ottawa, to Montreal.

71. Do you think the tolls on such a route would be sufficient to pay its expenses?—It would not only pay the expense of management and repairs, but would also, in a very short time, refund the capital expended. When it is considered that this road would be travelled by the thickly settled districts of the interior, in winter as well as in summer, and that by shortening the distance between Bytown and Montreal, and between Cornwall and Prescott and Montreal, it would draw travellers from the remote parts of the Upper Canada districts, the expense of opening such a route would not be so great as might at first appear. The difficulties to overcome are not extraordinary, the country being level and generally well timbered. The bridge to be constructed at Vaudreuil would be more useful at the Seigniors' mill than any other place, on the side of those residing on the Ottawa; and it would be less expensive. I have no property on the route I have recommended that could be increased in value by it, either directly or indirectly. With regard to the road from Ste. Anne to Montreal, I think that these public roads should always follow the shortest and most central line. The people on the front of the Island of Montreal having the advantage of the navigation would not suffer such great inconvenience as has been represented, while those living in the interior would derive from it the greatest possible advantage. A road through the interior would intersect the cross roads, save the expense of making

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a road on each side of the island, shorten the distance to market not only for the people living on the island, but for those in the upper part of the province, and more particularly for those in the interior between the St. Lawrence and the Ottawa, and would on that account alone draw an immense trade to Montreal; and as it would pass in the high lands of Montreal, it would facilitate the transfer of quarry stones to supply the city with building materials. It is to be expected that that road would be used, because the advantages it would unite would at all times induce the travelling community to pass on it.

George René Saveuse de Beaujeu, Esq., Seigneur of Soulanges and Nouvelle Longueuil, called in; and examined:—

*Answers to Qs. 56, 57, 58.* It would be highly advantageous that a road of communication should be opened between the Island of Montreal and the upper part of the province, not only to facilitate travelling, but also to facilitate the transfer of the mails; trade in general would be benefitted by it, and it would give to the farmers of the surrounding country, a more ready access to the Montreal market.

72. To carry out that object, what line would you recommend?—If it be the intention of the Government to make use of the Cascades plank road in carrying out that object, it would be better for the road to commence at the Cascades, going on to Vaudreuil as far as Pointe aux Renards, to connect that place with Ile Perrot by a bridge, open a road from thence to opposite Fraser's house at Ste. Anne, where, although the river is wider, it is shallow, and a bridge built there would be less exposed to injury from the ice and the rise of water, and I think that on account of the interests of the proprietors along that line, the facility afforded by the navigation at the Cascades, and the ferry between the Cascades and Beauharnois, it would be preferable that it should commence at the Cascades,—to say nothing of the extra expense of purchasing the land and completing a longer distance of road to open it in any other direction.

*Answer to Q. 59.* It would lengthen, instead of decreasing, the distance, and there would also be a very steep hill.

73. Do you think the route you propose will be shorter, and more advantageous than any other route, to the majority of the inhabitants of the surrounding country, and the upper part of the Province?—I think there would be little difference in length, in comparison with other routes. I think it would have been better, at first, to open a road of communication between Upper and Lower Canada in the interior, and to have continued it in a straight line through the Island of Montreal.

*Answer to Q. 61.* Decidedly, by adopting the road from the Cascades to Pointe aux Renards, it will be found the cheapest; a bridge at Pointe aux Renards would be perfectly safe, the bottom of the river being rocky, the channel only one hundred feet wide, and only six feet water or so in summer, with no current. By Pointe aux Renards, it is understood the point so called on Ile Perrot, opposite the farm of Xavier Valois, on the side of Vaudreuil.

74. Do you think the tolls on that road would pay the expenses and refund the capital?—It certainly will be so; whereas the road as it is there will never pay its expenses, unless it is continued as proposed; and it would be easy to procure the materials to make the road and bridges.

75. Do you consider it preferable to open the road from Ste. Anne to Montreal by the interior, instead of following the front road?—If easy to be made it would be preferable, being shorter. If the road on the front be adopted, it should be made as short as possible, by avoiding the points.



## SECOND REPORT.

THE SELECT COMMITTEE to which was referred the Petition of M. F. Valois, and others, Inhabitants of Lachine and other parishes, and various other Petitions, relating to Roads on the Island of Montreal,—to the Longueuil and Chambly Turnpike Road,—and to a Plank Road from the Horse-Ferry along the West Bank of the Chambly Basin to the said Turnpike Road, with power to report from time to time, again have the honor to REPORT in part:—

Your Committee have considered the Petition of the Rev. P. M. Mignault and others, praying for a planked road from the horse ferry, along the west bank of Chambly Basin, to the Longueuil and Chambly Turnpike Road, and have taken evidence therewith, which is appended hereto, and are of opinion that the road in question would prove extremely beneficial to the public.

Your Committee have also considered the Petition of the Trustees of the said turnpike road, and the accounts of monies received and expended by them, sent down by His Excellency; and they would recommend that authority be given to the Trustees to borrow a further sum of £4,000, to enable them to discharge the debts contracted by them for the completion of the original turnpike road, and to carry into effect the further improvement above recommended.

All which is respectfully submitted.

A. JOBIN,  
Chairman.

10th March, 1845.

## MINUTES OF EVIDENCE.

ANDRE JOBIN, Esquire, in the Chair.

WEDNESDAY, 12th February, 1845.

John Yule, Junior, Esq., called in; and examined:—

1. Do you think that according to the terms of the Ordinance relating to the Longueuil and Chambly Turnpike Road, it would be right to run a branch thereof along the basin, so as to be as advantageous to the inhabitants of the village of Chambly basin, as to those of the Canton?—I think that according to the terms of the Ordinance, the Commissioners could not run a branch of the road along the basin.

2. Setting aside the terms of the Ordinance, do you think it would be just that the inhabitants should have that branch road?—I think it just that they should have that advantage.

3. What, in your opinion, would be the cost of making the road along the basin of Chambly?—As far as I can judge, it would cost about £700.

4. Would the proposed road give any increase in the amount of tolls, beyond the present receipts?—I do not think so.

5. If the Trustees were authorized to borrow money for the purpose of making the proposed road, what means then would they have of paying the interest?—Reckoning the revenue of the steamer with the road, we could, I presume, pay the interest out of the revenue; but as, after paying the interest

on the cost of the road, there appears to be a deficit of about £70, it would be necessary, if the interest were paid from the proceeds of the road alone, to increase the tolls, or add a toll gate on the proposed road.

6. Do you consider the revenue derived from the steamer as likely to be permanent?—No, it is not.

7. Supposing that branch of the road were made and placed under the management of the Trustees, do you think the road from Longueuil to Chambly, with its appurtenances, would pay the interest on the capital without an increase of tolls?—That would depend on the opposition we might meet with on the St. Lawrence ferry, as, from the first, we depended chiefly upon the revenue of the steamer to pay our expenses and interest.

Mr. William Wilson, of Chambly, called in; and examined:—

Answer to Q. 1. The inhabitants have suffered losses, and ought to be indemnified, as the road has deprived them of the advantages of trade; they would be indemnified if they were allowed a road on the front of the basin.

Answer to Q. 2. I do really think so.

Answer to Q. 3. Without including bridges, it might cost £680.

Answer to Q. 4. I do not think so.

Answer to Q. 5. If we were allowed enough money to make the road in question and to build another steamer, it might cover all expenses.

Answer to Q. 6. That will depend on the protection that may be extended to it.

Answer to Q. 7. If the steamer met with any opposition, it is not probable that the proceeds will cover the interest and expenses; but, on the contrary, if it were certain that the Legislature would grant an exclusive privilege for it, no matter how small, the proceeds would cover the expenses and interest, and would even leave a balance that might be applied towards liquidating the principal.

8. Do you think the report and estimate of Charles Thibeau and Narcisse Laroque, now submitted to you, to be correct?—I do.

Mr. Amable Demers, of Chambly, called in; and examined:—

Answer to Q. 1. Yes, it would be very just.

Answer to Q. 2. Yes.

Answer to Q. 3. £500.

Answer to Q. 4. I do not think so.

Answer to Q. 5. By the tolls that are now collected.

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*Answer to Q. 6.* If it were kept up, the revenue might be permanent, and there might even be some hope of an increase.

*Answer to Q. 7.* Yes.

*Answer to Q. 8.* I do; and they have been made from a knowledge of the facts.

Mr. *Edward Glen* called in; and examined:—

*Answer to Q. 1.* Yes, for they might have made it from the beginning without crossing the fields; and that at a much smaller cost, as the distance would have been four arpents shorter.

*Answer to Q. 2.*—Yes, very just.

*Answer to Q. 3.*—Between £500 and £600.

*Answer to Q. 4.*—No, unless another toll gate were erected.

*Answer to Q. 5.*—By the general traffic on the road, which would always increase with the population on that side of the basin.

*Answer to Q. 6.*—Yes.

*Answer to Q. 7.*—Yes.

*Answer to Q. 8.*—Yes.

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Mr. *Eusèbe Frechette*, one of the Commissioners of the Chambly Turnpike Road, called in; and examined:—

9. Do you think that, according to the meaning of the Act, the persons residing on the Chambly Basin were entitled to a branch of the macadamized road along the basin?—I think the road ought to have been carried through the village on the basin at first, and it could have been done then without increasing the expense.

10. Do you think the persons residing on the Chambly Basin have been injured by the road being carried in its present direction, and that it would be right to make one for them along the basin?—Yes, I think they should have a branch road, as they have suffered in their property and their trade, which has been greatly decreased.

11. If that branch were made, would the tolls with the profits of the steamboat, be sufficient to pay the interest of the whole sum expended?—Judging from the revenues of the present year, I should think they would.

12. How much would the road along the basin cost?—About £600, currency.

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THE SELECT COMMITTEE to which was referred the Petition of M. F. Valois, and others, Inhabitants of Lachine and other parishes, and various other Petitions, relating to Roads on the Island of Montreal,—to the Longueuil and Chambly Turnpike Road,—and to a Plank Road from the Horse-Ferry along the West Bank of the Chambly Basin to the said Turnpike Road, with power to report from time to time, have the honor to make their final REPORT:—

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Your Committee have considered the Petition of Benjamin Brewster and others, complaining of injustice done them by the Trustees of the Montreal Turnpike Roads, and other petitions of a similar nature, and have taken evidence on the matter, which they append to this report. Your Committee are ready to admit that in the construction of the Longue Pointe Road, (where the petitioners reside,) some persons may have sustained injury, and had their property depreciated in value by the alteration of the former line of road; but they are satisfied that the Commissioners have, whenever it has been in their power, made compensation for damages caused by their operations, and have given sufficient explanation of their conduct in relation to the said road. Your Committee are at the same time of opinion, that it is expedient to alter the present system of managing the road, by providing that the toll gates be annually let by auction to the highest bidder; and also, by giving out the repairs every year to public competition,—and they would further recommend, that so much of the Act of the Parliament of Lower Canada, of 36 Geo. 3, chapter 9, as requires the occupiers of lands adjoining the several macadamized roads to perform statute labour thereon, be repealed,

inasmuch as those persons paying tolls for the use of the roads contribute their full share towards keeping the same in repair.

All which is respectfully submitted.

A. JOBIN,  
Chairman.

20th March, 1845.

#### MINUTES OF EVIDENCE.

ANDRÉ JOBIN, Esquire, in the Chair.

FRIDAY, 14th February, 1845.

*Benjamin Brewster*, Esq., called in; and examined:—

1. Have you been called upon to pay statute labour on the Upper Lachine road, besides paying the toll on that road?—I have been called upon to pay the statute labour, by public advertisement, but I refused to pay it.

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THURSDAY, 20th February, 1845.

Mr. James E. Campbell called in; and examined:—

2. Have you sold timber to the Montreal Turnpike Road Trustees, if so, have the goodness to state what quantity, what description, what it amounted to, whether it was by public contract or by private bargain, and to what use this timber was applied?—I have not sold any timber to the Trustees. I have bought a raft or dram of hemlock square timber, and a few sticks of other kinds, for the Trustees, by the order of the Secretary, I think about four or five thousand feet, for building the wharf opposite Messrs. Handyside; I paid, I think, two pence half-penny a foot.

3. Have you had any conversation with any of the surveyors that were employed by the Road Trustees, relative to the two lines of road that were traced by them, the one in the front, and the other in the rear, of the premises of the late Mr. Trustee Handyside's distillery; and did either of the surveyors say to you, that you knew he was a servant, and must do as he was ordered?—One of them, I think Mr. Thompson, said to me he thought the back line would be least expensive.

4. Do you not think there has been a large sum of money thrown away in building that immense wharf in front of Mr. Trustee Handyside's property, which would have been avoided by adopting the rear line?—I think the rear line was a better one, and would have saved the expense of the wharf, and the damage caused by the ice, and also the sum paid to Mr. Greece for damages, as he would have allowed the road to pass his property by the rear line without charging anything, except about ten pounds for the removal of the fences.

5. Do you think the trustees, in adopting the line in front of Mr. Handyside's property, did so to favor him,—entailing an everlasting and growing expense on the public, and destroying private property under the highest state of cultivation, consisting of orchards and gardens?—I cannot say that they did it to favor Mr. Handyside, but at the same time I consider that the road should have passed in the rear line. With regard to the orchards and gardens, I think the proprietors thereof have been paid for the land or damages.

6. Do you think the ice will injure that wharf every year?—I think it would very likely be the case every year, more or less.

Mr. Simon Valois called in; and examined:—

7. Do you think it was necessary to alter the old line of road from Montreal to the Bout de l'Île?—I do not think it was: on the contrary, it has been a great injury to the proprietors, and also to the public. The proprietors on the line of road from Ruisseau Bignon, to the end of Côte St. Martin, offered to the Trustees to give them without charge, from ten to thirty feet to straighten the road, and also the stone requisite for making the road and maintaining the banks; offering at the same time to reimburse to the Trustees the expense of maintaining the bank, by instalments of £8 6s. 8d. per arpent on the width of their farm, during three years.

8. Did the Road Trustees, or Grand Voyer on that road, ever assemble the proprietors for the purpose of taking their advice respecting the proposed change in the line of road?—I have never been notified to that effect.

9. Do you not think there was a large sum thrown away in building the wharf in front of Mr. Trustee

Handyside's house?—I think the Trustees should have continued the road in the rear of Mr. Handyside's property, as had been done in every other part, especially as at that particular spot a large expense would have been saved which was incurred in building that wharf; but still, the front road was the best for all purposes.

10. Do you think the Trustees, in adopting the front line, did so for the public good, or for any individual interest?—I do not see, nor can I conceive, why the Trustees did not adopt the rear line all the way, or why they brought the road in front of Mr. Handyside's property, as the expense above mentioned would have been saved by continuing the rear line.

Mr. J. B. Dezery called in; and examined:—

11. Did the Road Trustees make a forcible entry upon your property for the purpose of quarrying stone?—They have opened a quarry upon my property without my leave, and carried out about two hundred toises of stone, and they destroyed many maple trees, for all of which damages I have been paid but nine pounds.

12. Do you think the Trustees, in adopting the line in front of Mr. Handyside's property, have done so for the public good, or for any individual interest?—I cannot conceive why the Trustees did not adopt the rear line all the way, as the expense of taking it in front of Mr. Handyside's property was far greater than continuing the rear line.

Mr. Francis McNamee called in; and examined:—

13. Had you any contract with the Turnpike Road Trustees, and if so, state what it was, and how they treated you?—I had a contract with them for the second and third sections of the Longue Pointe Road, for macadamizing those sections, for which I was to receive two pounds a rod containing sixteen feet and a half, English measure, and eighteen wide. After having laid broken stone on eighty rods of the third section, by their orders, they refused to macadamize that part of the road;—the stone was left there, and I was obliged to take for them what they chose to give me; and the road was planked instead of being macadamized. The Trustees also gave me a contract for broken stone, to repair the road; which stone was delivered as they requested, and they afterwards would not receive them from me, nor give me any remuneration for them; they lie there still, although I offered to give them to the Trustees for anything they chose to give me, but they would not take them. They entered upon my premises without leave, took away my stones, and would not pay either for stone or damages; although, when I went on the property of other persons to get stone, when I had a contract, the Trustees deducted from the amount of my contract the sum claimed by those persons for damages, amounting to £25 10s., although I was authorized by them to take stones wherever I could find them, on paying the damages according to arbitration.

14. Did Mr. Handyside, the Trustee, when you took stone upon his premises, charge you heavier damages than were allowed to other persons?—The arbitrators, Messrs. James Somerville and Knox, appraised the damages committed on Mr. Handyside's property at double the sum at which they appraised the damages on the property of some other persons.

15. Were you not ordered by the Trustees to stop work, in 1841, when the election of Messrs. Delisle and Leslie was going on at St. Laurent, and to take your men to St. Laurent to assist Mr. Delisle in his election against Mr. Leslie?—I went out with my

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men to St. Laurent, and remained there two days with them, according to the order of the Trustees, to support Mr. Delisle's election, and I paid the men out of money that I got from the house of Messrs. Maitland for the purpose. I would not have gone to St. Laurent if I had not been in the power of the Trustees, and I was afraid of being injured if I refused to obey their order; and notwithstanding my submitting to their orders in every respect, they deducted £107 from the amount of my contract, which was justly due to me.

TUESDAY, 25th February, 1845.

Mr. J. B. Millet dit Latremouille called in; and examined:—

16. Were you employed by the Road Trustees in taking down the proprietors' line fences on the new line of road leading from the Ruisseau Migeon to Longue Pointe, to admit of the land being ploughed by the Road Trustees in the year 1840, and what time of the year was it in—September or October?—Yes: it was at the end of October or beginning of November.

17. When the fences were taken down, did not the cattle stray off the farms?—Yes; there was nothing to prevent their straying.

18. Were you ordered to proceed without any regard to the protests or remonstrances of the proprietors?—No. I was ordered if any one resisted, to inform the Trustees, and they would take the necessary steps to take them down; but I met with no resistance.

19. Did you not take down the fences of gardens and orchards along the line?—Yes; and also the fences belonging to Mr. Decary's orchard.

20. Was the line traced in that direction with a view of favoring the late Mr. Trustee Handyside?—In my opinion it was.

Frederick Cornelius Greece, Esquire, called in; and examined:—

21. Did you see the operations of the Turnpike Road Trustees on that part of the Turnpike road leading from the Ruisseau Migeon to Longue Pointe?—Yes.

22. Did you see the late Mr. Trustee Handyside accompanying the Surveyors when they were tracing the new line, and pointing out to them the line most favourable to himself?—He was frequently with the Surveyors, and laid out the road to suit his own purposes.

23. Was not the line altered on your premises, so as to prevent the road from encroaching on his property where his trees were growing in front of his house?—Yes, it was as I stated at first.

24. In altering the first line of road that was traced, did it not occasion a much greater expense to the public, as well as damage to yourself?—Yes, the extra expense to myself would be £150, and to the public £100 more, independent of the large sum of money that was expended in front of Mr. Handyside's house, in building a wharf and filling up about 18 feet wide of new road and 15 feet deep.

25. By running the line of road in rear of people's houses, or through the farms, has it not been the means of destroying lands in the highest state of cultivation, besides being a constant damage?—It has been a considerable damage to every farm on the

line, and must continue so; and it was not necessary to take it away from the river's edge, as the banks could have been maintained, and the inhabitants offered to maintain them.

26. When the old road on the river's edge was in use, were the public ever prevented from going out upon that road and coming to Montreal?—I never remember, for the last twenty-five years, that we were ever prevented for one single day from going to Montreal by the old road; but, by the new road, it has been impossible for two days at a time twice within the last three years, and the road has been for the last three weeks almost impassable.

27. From the spring of 1841, when the Trustees commenced operations on that road, were not the inhabitants obliged to keep up the roads in front of their premises, and pay toll at the same time?—I was obliged to keep up the road in front of my premises, and I paid them for tolls £39 17s., and the usual value of repairing my own road was about £2 10s. annually.

28. Was not a road made by the Trustees on purpose for Mr. Handyside to come from the Distillery to the Turnpike road, and then another immediately opposite to it, to go down to the river?—Only a part of the road from his private bridge to the main road, and from the main road to the river, was made by the labourers who usually worked on the road and under the usual foreman; but I do not know at whose expense.

29. Has not the wharf that was built opposite to Mr. Handyside's been destroyed in whole or in part, for the last three years, by the ice?—It has been twice injured by the ice, and once by the weight of earth: in the spring of 1844, two thirds of it had to be renewed.

30. Have you not always heard that the Trustees had given up the old road to the proprietors?—I always understood it so from the Trustees.

Mr. Jean Bte. Gaudry dit Bourbonnier called in; and examined:—

31. Did not the Turnpike Road Trustees commit the most wanton damage on your property, by opening large ditches through it; and did they not fill up the ditches again at the public expense, sooner than let it be seen that they paid for such a breach of trust?—Yes, they opened a large ditch on my land, and did not fill it up until I sued them before the Quarter Sessions: there was no necessity for opening the ditch, as there was a natural water-course on the land.

32. Were you paid damages by the Trustees for opening the ditch, and how much?—I was paid damages, but cannot say how much, particularly for the ditch, as it was included in the amount awarded to me for the road.

33. How much were you offered by the Trustees in the first instance, and how much were you actually paid for damages done to your property?—In the first instance I was offered £34, and afterwards for the ditch, they offered £15,—and after having been sued they gave me £160, and paid the whole costs, without coming to the verdict of a Jury.

34. Was it necessary to alter the line of road?—There was, in my opinion, no necessity for altering the line. The old line of road would have been more convenient, both for proprietors and for the public, as the proprietors offered to furnish materials for making the roads and for maintaining the bank; and the roads would not have been impassable in the winter season as they are at present.

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35. Was the line traced in that direction with the view of favouring the late Mr. Trustee Handyside?—I cannot say whether it was, but it has the appearance of having been so.

36. In your opinion, how much did it cost to build the wharf opposite Mr. Handyside's, and to widen the road as it was done?—In my opinion, I think it must have cost between £900 and £1000.

37. If a necessity existed for altering the line of road, ought it not to have been moved back from the river's edge, there more particularly than at any other place?—It would have been better to move back the road at Mr. Handyside's, than to have let it remain as it is: it would have been less expensive, as well in making as in keeping it in repair.

38. How were you treated by the Bench of Magistrates, when you applied for the verdict of a jury?—When we were called to the Court, with our arbitrators and witnesses, by summons from the Court, the Magistrate, Mr. Gagy, then sitting on the Bench as Chairman, left the Court without receiving the verdict of the jury or hearing any further testimony on the subject, which was the cause of my paying £2 4s. costs, besides £2 more that I was called upon to pay, but have not yet paid.

Mr. John Hodson called in; and examined:—

39. Have you sold any timber to the Montreal Turnpike Trustees; if so, have the goodness to state the quantity, what description, what it amounted to, whether by public contract or by private bargain, and to what use that timber was applied?—Yes, I sold them a quantity of hemlock and pine last year—about June or July; about 20,000 running feet of scantling—tamarac and hemlock. It was by private contract, but there were several tenders previously received by the Trustees, and my tender was 30s. below the others. It was used for the plank road. Another lot, to the value of about £30, was used entirely in the wharf.

40. Do you remember signing a petition, headed by the signature of Benjamin Brewster, to His Excellency the Governor General, containing various complaints against the Turnpike Trustees, and one among others, viz: "that the system adopted at present by the Trustees, compels the people living upon the roads to pay toll twice over, being called on, under penalties, to commute the statute labour in cash"?—No.

41. If you do not remember having signed such petition, is that now produced your signature?—It is.

42. As you acknowledge that to be your signature, and as the petition contains the charge referred to, you are requested to state what you know concerning the correctness of the charge?—I know nothing of such a system, nor was that charge contained in the petition brought down for my signature.

43. Do you believe the charge to be correct?—No, by no means; on our road we pay no statute labour.

44. As you admit that your signature was affixed to the petition in question without a knowledge of its contents, please say if you desire it to be erased?—I do.

45. There are other signatures affixed to it, of persons living, like you, at the Cross, and have you not reason to believe that they, like yourself, were ignorant of that charge in the petition, and would be willing, also, to have their names erased?—I know that Mr. Griffiths, one of the signers, would wish his

name erased, and I believe that the other signers in my neighbourhood are of the same opinion, on account of that charge contained in the petition.

46. There are certain allegations in the said petition regarding the exaction of toll at the Lower Lachine turnpike gate; have you any knowledge whatever of the practice of exacting toll upon that road?—I have no knowledge of it. When the petition was brought to me the contents were not read: it was a sheet containing an outline generally of what was wanted, but the allegations regarding the exactions of statute labour and the practice of the Lower Lachine turnpike gate, I know nothing about.

47. Have you a knowledge that the winter before last an advertisement was put in the newspapers, signed by the Secretary of the Montreal Turnpike Road Trustees, stating that if people on the line of the turnpike roads would take down their fences on the line of road, it would be taken in lieu of commutation for statute labour?—I cannot say.

WEDNESDAY, 26th February, 1845.

Mr. James M Vey called in; and examined:—

48. Have you been called upon to pay statute labour on the Longue Pointe road?—I was called upon, in an advertisement by the Turnpike Trustees, to pay my statute labour, or take down my fences along the road.

49. Was there not a notice put up in the early part of October 1843, describing the form of sleigh to be used which would exempt the farmers using them from paying toll?—I altered my sleighs in conformity to that advertisement, and was put to considerable expense on that account.

50. When you came to the gate with your sleigh so altered, in compliance with that advertisement, were you permitted to pass toll free?—I think I was permitted to pass free when my sleigh was so altered.

51. Are you not aware that, within 14 or 15 days after the first advertisement, an alteration was made in the regulations?—I am aware that an alteration took place, having been obliged to alter my sleighs a second time.

52. Have the Turnpike Road Trustees destroyed property in a high state of cultivation, consisting of orchards, gardens or emplacements, to bring the new line of road in front of Mr. Handyside's property?—They have destroyed such property; but I will not take upon myself to say they did it with that intention, though it is my opinion they did.

53. Did they not run the line out into the river St. Lawrence, and there make a wharf about three or four arpents long, at the public expense, evidently to favour Mr. Handyside?—They did so, apparently with that view.

54. Are you aware that that wharf has been crushed by the ice several times since it was made, and that it is liable every year to be destroyed from the same cause?—Yes; the first time it was damaged very slightly.

55. Do you think the Trustees have squandered a large sum of money in adopting the line in front of Mr. Handyside's house in preference to that in the rear?—Had the rear line have been chosen, the expense would have been far less.

56. Do you recollect seeing Mr. Handyside accompanying the Surveyors, and pointing out the line

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most favourable to himself?—I have often seen him with them pointing out the line, but I cannot say whether he intended it for his own benefit: he said it was for the good of the public.

57. Do you recollect seeing the line of road favourable to Mr. Handyside, having been marked out with white flags, on the day that the Chairman of the Board of Works and the Road Trustees came to view and decide on the best of the two lines leading from Ruisseau Migeon to Longue Pointe, and that there was no flag on the line that was best for the public?—I cannot answer the question, as I know nothing about it.

58. Do you recollect that the Trustees took possession of the property of private individuals along the new line, tore down the fences, and set it out to be ploughed, many months before they acquired it, or even served the proprietors with notice that they required it for the use of the public?—I do.

59. Did you act as arbitrator on behalf of Mr. Jean Baptiste Bourbonnier, to assess the damages done to his property?—Yes, I was arbitrator for damages done by cutting a ditch from the road through his fields.

60. Were the parties bound by any written agreement?—Yes, the parties signed a bond under a penalty, to abide by the decision of the arbitrators: Mr. Somerville and I, with Mr. Evans as umpire, proceeded to arbitrate, came to a decision, and made award, which award was left in the possession of Mr. Somerville and Mr. Evans; and when Mr. Bourbonnier wanted to get possession of it, it could not be obtained.

61. Did the Trustees abide by the award you made?—They did not.

62. Was there a second award made by Mr. Somerville and Mr. Evans, without your being present?—I believe there was.

63. Did Mr. Bourbonnier abide by the second award?—No, he did not.

64. On what terms did he settle with the Trustees?—He commenced a suit at law before the Quarter Sessions, and after the jury had been to see the damages, and had returned again to Court, they were too late to proceed that night; and on the following day they were empanelled, and the chairman, Mr. Gagy, left the Court, consequently there were no further proceedings; and eventually they settled privately with Mr. Bourbonnier.

65. Did not the Trustees pay additional costs in consequence of not abiding by your award?—Yes, they paid considerably more.

66. Did you act as arbitrator for Mr. Michel Durand and his sister, and state what steps were taken for the adjustment of Mr. Durand's claim for damages?—Mr. Knox and I were appointed arbitrators, under a bond of authority of £100 or more, to abide by our decision, if we made one; but we did not agree upon the appointment of a third person. Mr. Knox wrote me a note stating that he would come down and arbitrate relative to the site of the road, but he did not come.

67. Do you think Mr. James Somerville would give anything like an adequate compensation for damages done by the Road Trustees?—I think not.

68. Have you any knowledge of respectable citizens having been abused, or threatened by the

Trustees to be sent to gaol?—In consequence of my having turned people off my property, and prevented them from trespassing and taking stones, the late Mr. Handyside, one of the Trustees, threatened to send some Hussars after me and my son.

69. How long have you lived on that line of road?—About 15 or 16 years.

70. During that time, have you ever been prevented on the old line of road from going out upon it, in consequence of the accumulation of snow; and at the present time is it not almost impassable?—From my experience during that time, I would give the preference to the old road, and I think it was more easily kept in repair than the present one.

Mr. Benjamin Trudeau called in; and examined:—

71. Are you a proprietor at Longue Pointe?—Yes.

72. Did you not join in a petition to prevent the road from being carried by the Trustees through your farm?—Yes.

73. What were the terms of that petition?—We offered to allow the road to pass close to our houses, leaving only a footpath; to keep the road in repair, and, should the banks of the river ever give way, to repair them at our own expense: and, in another petition we offered to furnish all the stone necessary to macadamize the road twelve inches thick, and supply the stone that might be required for permanently securing the banks from falling away, and to pay 200 livres per arpent frontage, towards the expense of doing this work, payable in three years, and we offered to give mortgages on our property to secure the payment.

74. On what terms did you settle with the Trustees for damage done to your property by running the new line of road through your farm?—They paid me £9 or £9 10s. and I requested to have the receipt that I signed read to me, which they said was not necessary, and for this reason I do not know what I signed, as I cannot read; but they told me that they gave me up the old road in part payment of land taken for the new—to do with it whatever I thought fit.

75. When the old road was used, could you not in the worst weather pass and repass on it?—At all times: I never knew any one to be hindered.

76. Are you not often prevented from using the present road during the winter season?—Yes, whenever the weather is bad.

Mr. Hypolite Decary called in; and examined:—

77. Are you not living at the Côte St. Martin, on the road leading to Bout de l'Île?—Yes.

78. Did you suffer any injury from the operations of the Trustees of the Turnpike Trust?—They destroyed my board fence, cut down eleven apple trees, two cherry trees, one butternut tree, an elm and an ash, and encumbered my land with stone, besides the inconvenience of the road running through the farm in rear of my buildings, and the road in winter being always in a bad state; and I also suffered by their entering upon my property without permission, and when I remonstrated with them, a person, I think one of the Surveyors said, that if I tried to stop them, they would get the police and send me to gaol.

79. Did they notify you that they would purchase the land, before taking possession of it?—They gave me notice after taking possession of the land, when it was necessary to appoint Arbitrators.

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80. Could the road on the edge of the bank be kept in repair?—It could be kept up and maintained at much less expense than the new one.

81. Do you conceive that the road was traced so as to bring it in front of Mr. Handyside's property for the purpose of favouring him?—I have no doubt of it.

THURSDAY, 27th February, 1845.

Mr. *Thomas Evans* called in; and examined:—

82. Will you examine the petition of B. Brewster and others, and say if it is in your hand-writing?—It is.

83. Were there any signatures on the sheet when you wrote the petition?—None whatever.

Mr. *William Evans* called in; and examined:—

84. Will you examine the petition of B. Brewster and others, and more particularly the 5th paragraph, and inform the Committee whether you have a knowledge that while persons, living within a mile and a half of the town on the Lower Lachine road, pay full toll at the turnpike gate, others living at a greater distance on the same road, and consequently travelling farther on the road, pay much less?—I know that my sons, who live about a mile from the gate, pay full toll, while others living at a greater distance pay only half.

85. Have you been called upon to pay statute labour?—Only by an advertisement in the newspaper, dated 4th November 1843, which paper I now produce.—(The *Times* of 20th November, 1843.)

86. Have you altered your sleigh according to the terms of the notice issued by the Trustees on 19th October, 1843, in order to obtain the advantage of that notice?—When the Ordinance was passed for the regulation of winter carriages, I had three new double sleighs made in conformity to the terms of the Ordinance; but when this notice appeared, I found that none of them were of the dimensions specified therein.

87. Have you applied for permission to commute the tolls on this road?—I applied to the Secretary of the Trust last year, and he said that it was impossible that anything of the kind could be done at that time.

88. Are you aware that the people on the Lower Lachine road pay only half toll?—I am aware of that, and I am myself compelled to pay full toll, although under similar circumstances, besides having half a mile of road to maintain at my own expense, from my house to the turnpike road.

Mr. *Hiram Gilbert*, of Montreal, Butcher, called in; and examined:—

89. Did you sign the petition of B. Brewster and others?—I did; and saw it before John Hantser had signed it; it was then written in full, as it is at present: I saw it also immediately after he had signed it.

90. Have you applied to the Trustees to commute your tolls?—I have applied to two of the Trustees and the Secretary, and been refused.

91. What distance on the macadamized road do you use?—About 3 acres.

92. What is the greatest amount of toll you have paid in a year?—I think about £35: I am sure that for two years it was as much as £32.

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93. When you applied to the Trustees to commute in conformity with the 12th section of the Ordinance, what reply did you receive?—They answered in a contemptuous way, "we may if we choose, but we are not compelled by the law to do so."

WEDNESDAY, 5th March, 1845.

Mr. *Peter Fisher*, of Longue Pointe, yeoman, called in; and examined:—

94. Do you own any property at Longue Pointe?—Yes.

95. Does the new line of Turnpike Road run through your property?—Yes.

96. Did not the Turnpike Road Trustees enter upon your property, tear down your fences, let your cattle stray about the country, and plough as much of your land as they required for the use of the road, without having previously acquired it, or even served you with notice that they required it for the use of the public, notwithstanding your protest and remonstrance?—Yes, they did.

97. Will you state how the Trustees treated you in the spring of 1841, when they commenced operations on the new line?—After passing Mr. Clarke's farm, they came to mine, and at the same time tore down my fences in my absence, and let my cattle loose; the cattle went into the grain crops of my neighbour, Mr. Clarke, that were several inches above ground, and did him great damage which it was out of my power to prevent, as I was at work on another part of the farm. As soon as I was informed what the Trustees had done, I went to my neighbours to enquire what I should do about my cattle, whether I or the Trustees ought to gather them, and whether I could make the Trustees pay for them if they should be lost; and I was advised to look after them myself. I therefore went with my men and collected them and fastened them up in my yard, to prevent them from being lost, or from doing any more damage to my neighbours; but great was my surprise when, shortly after I had secured them, Mr. Yule, the Road Trustee and Superintendent of Roads, came up with carts laden with timber to make the plank road, and forced a passage through my yard by breaking the gate by order of the Trustees, as I was afterwards told. I resisted the outrage, merely by fixing my gates and keeping them closed; and I told Mr. Yule, at the same time, I had rather the Trustees would pass through my meadows, than open my yard to let my cattle stray again. When the Trustees found that I fastened my gates and would not allow them to be forced open, being determined to trample upon all sacred rights, they ordered their Superintendent, Mr. Wm. Yule, to go and swear a grievous assault against me, which he did; and in a short time two policemen came down from Montreal, went up where I was with a pair of horses, (it being seed time,) seized upon me as if I were a felon, and forced me into the Montreal Police Office, where I was obliged to give bail for an offence I never committed, or in default be sent to gaol. I was taken from work, and the horses left in the field without any person near to take care of them, or to take them home, and I was obliged to attend the Court all the term following, waiting for my trial; but no one appeared against me, and I have heard nothing of the matter since. Mr. Trustee Handyside, and Mr. Ferres, Secretary to the Trustees, were looking on at the manner in which I was treated, and appeared to exult much at it. The Trustees afterwards tore down my fences, and made a road through my meadow. I have not been paid for the damage done me by the operations of the Trustees; and I deem it my duty to state, that

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in coming to force a passage through my yard, they passed by the end of the new road, and made the difference of cartage several acres longer by crossing my property.

98. Did you join in a petition with many other proprietors of the parish, in offering 60 feet front of your property, and to sustain the banks of the river at their own expense,—and that the public might sustain no loss, giving an obligation on your property for the due fulfilment of the agreement, provided the Trustees would continue the road in front a certain distance, which would not have made the new line either longer or more crooked?—Yes, I did so; but we received no answer to our petition, and our offer was not complied with.

99. Are not the banks in front of your property secured by having stones put down?—Yes, the bank is secured by stones, except in one small place which might easily be made secure also.

100. How long ago is it since these stones were put there?—About 20 or 25 years, to the best of my recollection.

101. Does not the present road, in consequence of the accumulation of snow in the winter season, very often become impassable?—Yes, very frequently.

102. Do the Trustees pay that attention to it which you think they ought to do?—No, I do not think they do.

103. When the road was on the edge of the bank, did it ever become impassable in the winter season?—Yes, sometimes, in the case of a very heavy snow-storm, it became so; but it could always be made passable after the heaviest storm, by a couple of hours' work.

104. Did you ever see the carpenters, carters and labourers employed to work upon the road, working for weeks together at Mr. Handyside's private work?—Yes, I have seen them working at a road leading to the water, which I believe to have been his private property; and they made a wharf on the river side, where Mr. Handyside was in the habit of unloading schooners.

Mr. James Ferguson of Longue Pointe, Grocer, called in; and examined:—

105. Are you not the owner of a house and garden situate near the property lately in the possession of Mr. Handyside, one of the Road Trustees?—Yes.

106. Was not a new line of turnpike road, leading from Montreal to Bout de l'Île, run through the centre of your property, with the apparent intention of favouring Mr. Handyside?—Yes.

107. Was Mr. Handyside always with the Surveyors, pointing out to them the line most favourable to himself; and had he the line altered several times to suit his own interest?—Yes, he altered it to suit himself.

108. When the line came opposite his property, was it not run out into the River Saint Lawrence several feet, and a costly wharf built there to suit his purposes?—Yes.

109. Was not this wharf torn to pieces several times after it was made, and is it not likely to be destroyed by the ice every year?—Yes, and it runs the same danger that it did before.

110. Did you see the carpenters, carters and labourers employed on the road, working at Mr. Handyside's private work for weeks together?—I

have seen them working at a road leading to the water; they filled up four or five feet there, built a wharf and macadamized the road, and were employed some weeks.

111. Do you think the Trustees have destroyed private property to a great extent, and entailed a great expense on the country, by adopting the line in front of the late Mr. Handyside's property, in preference to that surveyed and marked out in the rear of his buildings?—I think the land destroyed by their going in front was more valuable than that which would have been used if they had gone in rear of his buildings.

112. Is the present line of road opposite Mr. Ermatinger's farm, just above yours, overflowed every spring?—It is overflowed every spring, and I consider it to be owing chiefly to the neglect of the Trustees in not keeping the drains properly opened. One day last week I was completely inundated.

FRIDAY, 7th March, 1845.

Mr. David Higgins, of Montreal, Sawyer, called in; and examined:—

113. Did you see the Montreal Turnpike Road Trustees, or their late Secretary, Mr. James Moir Ferres, with a number of men at night, destroying the ice road leading from the south side of the St. Lawrence to Montreal, and place a large quantity of timber upon it, to prevent the public from passing to the city of Montreal by that route; and was not the said road destroyed, and the timber placed within the limits of the City of Montreal, and beyond the jurisdiction of the Trustees?—I saw the timber, which was fastened together by chains, placed near the toll-gate, but cannot exactly say whether it was placed within or without: it was carted by John Skimmings, and I saw Mr. Ferres about the place during that night. I afterwards assisted in putting up a gate and fence, in a small street, on Mr. Dufresne's property, within the limits of the City of Montreal, to prevent the people from coming up there: it was taken down a few days after, but I cannot say by whose authority. I was set to work at the gate and fence by order of the Trustees, and was paid by them.

114. Were not the lives of the people who passed on the road abovementioned in the most imminent danger from the operations of the Trustees in this instance, and was not a horse or horses killed in consequence of the same?—I heard that a horse was injured there, and I think it was about that time. It was dangerous for people to pass while the timber was there, especially at night; but it was not allowed to remain there long.

115. Can you state what number of carpenters and laborers the trustees employed at that work, and what do you think it cost the public?—When I worked at it, there were about seven or eight carpenters and laborers. I worked only two days, and I received 2s. 6d. per day. I do not know what the carpenters received, but I suppose the job may have probably cost about £10.

Mr. James Higgins, Laborer, was called in; and the evidence of Mr. David Higgins being read to him, he corroborated the same in every particular.

Mr. Joseph St-Aubin, Carter, called in; and examined:—

116. Were you employed by the Turnpike Road Trustees, as a carter, to work on the public road?—Yes.

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117. Who hired you, and how much per day were you paid for the time you worked?—I was engaged by Mr. Yule, and received 5s. per day, for one week, and afterwards only 4s.

118. Who kept the accounts of the work done on the road; was it Mr. Yule the Superintendent?—It was Mr. Thomas.

119. During part of the time that you were in the employment of the Trustees, were you not, with many others, carpenters and laborers, employed in working at a private road for the late Mr. Trustee Handyside?—Yes, I and others were a part of the time employed on a private road of Mr. Handyside's.

120. Who paid you for the whole time you worked on the roads, as well on the private as on the public road?—Mr. Ferres.

121. At what times were you paid?—Once a fortnight.

122. Did you give any receipts when you received payment?—No.

123. Was there any difference made when you were paid for work done to the public road, or that done to Mr. Handyside's private road?—None.

THURSDAY, 13th March, 1845.

Mr. *William Tate* called in; and examined:—

124. Did you see the operations of the Montreal Turnpike Road Trustees, on the Côte St. Luc road, situate at the back of the Montreal mountain?—I did, I was living at the time on Mr. Robertson's farm.

125. Is the St. Luc road, situate as above stated, bounded on one side partly by a property belonging to the heirs of the late Colin Robertson, Esq., and on the opposite side partly by a property owned at the time the said road was macadamized, by Benjamin Holmes, Esq. one of the Trustees?—Benjamin Holmes, Esq. had a property on that road, just opposite Mr. Robertson's farm upon which I was living myself.

126. Was the fence of the late Colin Robertson, Esq., bounding the St. Luc road, moved back on his property by the Trustees, and was part of Mr. Holmes' fence on the opposite side of the road moved out several feet upon the public road, thereby adding to his property land to which he had no right?—Mr. Robertson's fence was removed back on his farm about fifteen feet, to give the breadth required for the road; and the line in front of Mr. Holmes' property, though projecting on the road, was not removed; but that line so projecting on Mr. Holmes' property had so projected before Mr. Holmes became proprietor of the land.

127. Did the Trustees commit any acts of damage on Mr. Robertson's property, situate as above described; and did they use any means to prevent Mr.

Robertson from getting a sufficient compensation?—The Trustees took stone and gravel off Mr. Robertson's farm, and I understood from him that he received only £27, or thereabouts, as a compensation, which he did not consider sufficient, as he had suffered damages to a greater amount.

Mr. *Joseph Jeannot dit Lachapelle* called in; and examined:—

128. Where you born at Longue Pointe?—Yes, I was born and brought up there.

129. Are you proprietor of any land on the Longue Pointe road?—I am.

130. Did you secure the banks of the river in front of your property?—I did so about twenty years ago, and the ground of the bank has not fallen away since that time.

131. Since the road has been removed, have you been obliged to abandon your property?—My property being too far from the new road, I was obliged to purchase another piece of land on that road, and to build a house thereon, to enable me to continue my business as a tavern-keeper. I have been obliged also to lease out a piece of ground as a road, to lead to the new road from my former property; and by the changing of the old line, my property has much diminished in value.

132. Is the new road as good in winter as the old one was?—The new road is not so favourable as the old road in the winter season: it is sometimes impassable on account of the snow.

133. Have you applied to the Trustees for compensation?—I have applied to Mr. Ferres, the Secretary of the Trustees, for redress, and he told me that the Trustees had paid all damages.

Mr. *Andrew Galt*, of Longue Pointe, called in; and examined:—

134. Did you own any property on the Longue Pointe road, when the new road was made?—I had no property at Longue Pointe when the new road was made. I have bought the property whereon I now live since that time.

135. Have you any access to the new road, and have you applied to the Trustees to get access to it?—I have no access to the new road, and when I applied to the Trustees to get access to it they refused to comply with my request.

*Daniel Salmon*, Esquire, Advocate, called in; and examined:—

136. Were you employed by the proprietors on the Longue Pointe road, to take their interest on that road?—I have been employed by them to draw petitions, and as a lawyer to sue the Trustees for the recovery of their rights, and to defend many of them when prosecuted by the Trustees. I know the locality of Longue Pointe road from Ruisseau Migeon down to Bout de l'Isle.

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## FIRST REPORT

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Of the Special Committee to which were referred the Public Accounts, with power to report from time to time.

THE Special Committee to whom were referred the Public Accounts laid before your Honorable House this Session, as well as those laid before the late Parliament in the Sessions of 1842 and 1843, and which remaining unexamined by any Committee of the late Assembly, Your Honorable House have also thought proper to refer to Your Committee for investigation, beg leave to make this their FIRST REPORT.

Your Committee commenced the duty entrusted to them, by first examining in detail those items in the accounts laid before the late Assembly in the Sessions of 1842 and 1843, and the present Session, expressing the sums advanced for the Public Service during the years 1841, 1842 and 1843, without the authority of Parliament, and on the responsibility of the Executive Government, and "for which an appropriation is required." It is accordingly to this branch of their enquiry that the present Report is confined.

Your Committee called upon the Deputy Inspector General, Mr. Cary, to produce the different accounts, papers, and vouchers relating to the sums so expended; and they were accordingly laid before the Committee, and explained by that Officer satisfactorily to the Committee, who found no cause to question their accuracy.

After examining the Deputy Inspector General, Your Committee deemed it their duty to require the attendance of the Chairman of the Board of Works, the Hon. H. H. Killaly, with the view of obtaining from him such information as he could afford relative to the outlay of the several sums specified in the items to be found in Statement, letter G. of the Public Accounts to be found in the Appendix to the Journal of your Honorable House for 1843, headed: "Statement of the amount expended by the Board of Works in the Province of Canada, without the authority of Parliament, and for which an appropriation is required," and the authority under which this expenditure, making a total of £14,943 17s. 3d. currency, was incurred, and the necessity for it.

The statements of Mr. Killaly to your Committee, who append to their present Report his explanations as to the several purposes to which the above outlay, incurred in 1841 and 1842, was made by his Department, as exhibited in the accounts under revision, are also satisfactory: He states, in substance, that the sums advanced were indispensably necessary, and that they were solely for the purposes mentioned in the Public Accounts; that they were made at the periods therein specified, by the advice and on the responsibility of Her Majesty's responsible Advisers for the time being, in this Province, of whom he was one, giving it as his conviction, that had not the Government assumed the responsibility of making the advances in question, at the time it did so, for the several purposes specified, the public interests might have suffered seriously, and that much heavier expenses probably would have been incurred in the long run, by a delay; and your Committee have found no cause to doubt the justness of his statements.

Your Committee therefore recommend, as the result so far of their enquiry, the introduction and passing of a Bill of Appropriation, including the

whole of this class of expenditure to be found in the Public Accounts laid before the late Assembly in the Sessions of 1842 and 1843, and in the present Session, amounting in all to £43,207 16s. 5d. currency, which, on the responsibility of Her Majesty's Advisers in this Province at the period to which they refer, was advanced from the Treasury towards the Public Service, as accounted for in the accounts under revision, and explained by the Public Officers who have been called upon for the purpose, and of indemnity of all concerned in the advising and advancing of the sums alluded to, and authorizing the said amount to be charged against the Consolidated Revenue Fund of the Province.

Your Committee append, in case it shall be necessary hereafter to refer thereto, a Schedule specifying the items or sums constituting the total above mentioned, (Nos. 1, 2, 3 and 4,) as taken from the accounts before your Committee, and on the Journals of the House, and for which total they recommend a Bill of Appropriation and Indemnity; and would respectfully recommend that, in like manner, to prevent all misunderstanding as to the items or sums hereby intended to be included, the same Schedule be appended to any Bill that may be introduced and passed on the subject.

Your Committee have further to remark, before concluding this Report, that deeming it their duty to call for the vouchers or copies of the Order or Orders in Council, pursuant to which they presumed the several advances for the repairs to the different Public Works, and other purposes mentioned in the accounts, were made, they were surprised to learn from the Clerk of the Executive Council, who appeared before them, that—excepting a letter from the Hon. H. H. Killaly, Chairman of the Board of Works, dated 13th October, 1841, and a memorandum endorsed upon it by Sir R. D. Jackson, then administering the Government, (copies of which he produced, and are hereunto annexed, No. 5,) and by which letter he requested a sum of £4000 to be placed at the disposal of the Board for the purpose of re-building the bridge at Gananoque, on the main post road between Montreal and Kingston, and for repairing and securing the bridge over the Grand River at Paris, on a main line of communication, to save it from total destruction, and further, for the bridging and repairing of a portion of the Mail Road between Chatham and Sandwich,—there were no writings, orders, nor minutes of any kind relating to any of the expenditures in question to be found of record in his office, explanatory of the motives or reasons for those advances from the Treasury of the Province. Your Committee are of opinion, that in all cases where the Government for the time being shall hereafter feel themselves compelled to resume the responsibility, (and such cases may occur,) of making, before a vote of the Assembly can be obtained for the purpose, any advances from the Treasury towards the Public Service, whether for indispensable repairs to Public Works, such as those alluded to, or for any other just or necessary purpose, the reasons inducing the assumption of such responsibility ought to be distinctly and fully recorded in the Books or Registers of the Executive Council Office, together with every explanation necessary to a full and right understanding of the subject, whenever the same shall become mat-

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ter of enquiry before either branch of the Legislature, in order that they may be enabled fully to judge of the propriety of the advances, and the expediency of giving to them the sanction of a Legislative enactment.

Your Committee have also to notice a discovery made in the course of their enquiries, of a serious omission in the printed copy of the Journals of your Honourable House for the Session of 1843, of the vote passed on the 4th day of December of that year, for £57,680 14s. 11d. towards the current services thereof,—an omission which has not been satisfactorily accounted for to your Committee, and into which, therefore, they recommend that an enquiry be made.

The whole nevertheless humbly submitted.

ROBERT CHRISTIE,

Chairman.

6th March, 1845.

### MINUTES OF EVIDENCE.

ROBERT CHRISTIE, Esquire, in the Chair.

MONDAY, 20th January, 1845.

Joseph Cary, Esquire, Deputy Inspector General of Public Accounts, called in; and examined:—

1. What is the amount of the excess paid for printing over the amount voted by the Legislature in 1842?—£583 9s. 5d.

2. There are three items in the accounts of 1842, for emigration in 1841. viz.: to Mr. Buchanan at Quebec, £263 6s. 2d; Mr. Hawke at Kingston, for balance of his contingent account, £1702 15s. 8d, and James Allison at Montreal, for ditto, £180 4s. 2d, making a total of £2,136 6s. 0d. How comes it that this is charged upon the general funds of the Country, and not upon the Emigration fund?—It arises from a want of funds that year, owing, I believe, to the expiration of the Emigrant tax. There were funds for the purpose, but not sufficient, and this amount is the excess.

WEDNESDAY, 22nd January, 1845.

Hamilton H. Killaly, Esquire, President of the Board of Works, called in; and examined:—

3. The Committee wish to know by what authority the several items mentioned in No. 21 of the Public Accounts of 1844, as expended by the Board of Works, were incurred?—With respect to the *Chambly Canal*, the Commissioners for that work having reported to the Governor that the funds at their disposal were expended, and that they considered a further sum of £10,000 or £12,000 would be necessary to finish the work, and were of opinion that if it were not completed before the winter set in, the River Richelieu would overflow and destroy the works already done, I was sent for to the Council, and my opinion on the subject asked, when I fully concurred in the Commissioners' statement, and recommended that a sum should be provided for the completion of the Canal; it was accordingly so ordered in Council immediately, and the Board of Works acted upon that order. The course pointed out by the Council being, that the returns and pay lists should be submitted to the Board of Works, and on being audited by them, the amounts should be paid.

The *Chaudière Bridge* having been represented by the Commissioner to be in a dangerous state, requiring

a very considerable expenditure for repairs, which he recommended should be executed under the Board of Works, inquiries were made by the Council as to what receipts from the Bridge were applicable to those repairs; the Inspector General reported about £450, and the repairs were accordingly ordered.

The *Bayonne Bridge* being swept away by the rising of the waters of the River St. Lawrence, and those of the Bayonne, it was necessary to rebuild it, so as to restore the communication between Quebec and Montreal, interrupted by the destruction of this bridge; this expenditure was consequently incurred on the responsibility of the Government, and I presume a Minute in Council on the subject is on record.

The original grant for the Ste. Anne Rapids was merely a grant to commence the work, by an Ordinance of the Special Council, in Sir John Colborne's time: the sum so appropriated was found insufficient, and this sum was applied to its completion, by order of the Governor in Council. I suppose there must be some memorandum of the matter in the Executive Council Office.

The sum expended on the *Toronto and Sauguin Road* was laid out in procuring a survey, in compliance with an Address of the House in 1842.

The expenditure on the *Tecumseh Road* was in consequence of a representation from the Deputy Post Master General, stating that the Road between Chatham and Sandwich was impassable for the Mail. The sum was originally to be expended under three Commissioners, but was subsequently placed under the Board of Works. I cannot state by what authority the original grant was made.

The case of the *Paris Bridge* is exactly similar to that of the *Chaudière Bridge*; the Commissioners originally appointed had ceased to act, and on the application of one of them to the Government, describing the very dangerous state of the bridge, the Board of Works was directed to have the repairs effected.

As to the *River de l'Isle Bridge*, an application was made to the Governor and Special Council by the inhabitants of the neighbourhood, requesting an aid to build this bridge, as it was on the high road between Upper and Lower Canada; they were informed that an aid of one half the expense would be given, and the sum entered in the Public Accounts is the half allowed, and which was granted on the condition that the work should be done under the direction of the Board of Works: the inhabitants contributed their half.

With respect to *Light Houses*, there is every year some expenditure not estimated for, which the nature of the work renders unavoidable. These items of expenditure were made on the responsibility of the Government, and had it not assumed that responsibility the works must have gone to ruin.

The sum put down to the *Cap Rouge Bridge* I imagine to be an excess over the original grant intended to complete the work.

MONDAY, 27th January, 1845.

*Etienne Parent*, Esquire, Clerk to the Executive Council, appeared before the Committee, and stated that he was authorized by the Council to produce to the Committee all papers and documents having reference to the items of expenditure by the Board of Works as mentioned in the Public Accounts for 1843, letter G; he accordingly laid before them a letter and a Minute of Council thereon, which he stated to be the only document on record relating to the said expenditure; a certified copy of which letter and Minute is appended—(App. No. 5.)

Appendix  
(M. M.)

6th March.

Appendix  
(M. M.)  
6th March

Appendix  
(M. M.)  
6th March

No. 1.—“ STATEMENT of Warrants issued on the Receiver General of the Province of Canada, in  
“ Payment of certain indispensable Expenses of the Civil Government for the years 1840 and 1841,  
“ for which an Appropriation is required.”—Taken from the Public Accounts, (Journals of Assembly,  
Appendix K,) for the year 1842.

Names.	Service.	Amount Sterling.
S. B. Harrison ...	Salary as late Private Secretary to the Lieutenant Governor of the late Province of Upper Canada, from 1st January, to the 9th February, 1841, at £187 4s. per annum ...	£ s. d. 20 10 3
Do. ...	Repairs and Contingent Expenses of the Government House at Toronto, to the 31st December, 1840 ...	88 19 4
R. A. Tucker ...	Contingent expenses as Registrar of the late Province of Upper Canada, from the 17th October to the 31st December, 1840 ...	1 10 1
W. H. Loo ...	Salary as acting Clerk of the Executive Council of do., from the 1st January to the 9th February, 1841, at £50 per annum ...	5 9 7
Richard Bullock ...	Balance of the Contingencies of his Office of Adjutant General of Militia, in the year ended 31st December, 1840 ...	8 0 7
William M. Steers ...	Salary as Clerk in the Office of do., from the 10th February to the 31st December, 1841, at £158 ...	158 4 8
Sir A. N. M'Nab ...	Amount of his Account as Queen's Counsel at the Assizes for the Western, London and Niagara Districts, in the year 1839 ...	25 4 0
J. S. Cartwright ...	Amount of his do. as do. at the Autumn Assizes, for the year 1840, at the Johnstown District ...	21 8 0
Robert Stanton ...	Balance of his Contingent Account for Printing done for Government to 31st December, 1841 ...	46 7 0
C. C. Small ...	Contingent Expenses of the East Wing of the Public Buildings at Toronto, from the 16th May to 31st December, 1841 ...	652 18 1
R. S. Jameson ...	On account of the expenses of the Temporary Lunatic Asylum at Toronto ...	105 19 9
Fisher and Komble ...	Balance of their account for Printing the Ordinances of the late Special Council ...	450 0 0
James Fitzgibbon ...	On account of the Contingencies of the Legislative Council ...	2414 2 10
Do. ...	To enable him to pay sundry persons employed in copying the Acts of the late Session of the Provincial Parliament to be transmitted to the Secretary of State ...	148 8 9
W. B. Lindsay ...	On account of the Contingencies of the Houses of Assembly ...	2857 11 7
Joseph Bouchette ...	Being to enable him to pay for the extra assistance in the Surveyor-General's Office, rendered by himself and others, from the 1st October, 1840, to the 31st March, 1841 ...	9957 8 0
	Total Sterling ...	14811 5 1
	Equal to Currency ...	£16456 18 11½

No. 2.—“ STATEMENT of Warrants issued on the Receiver General of the Province of Canada, on  
“ account of the undermentioned Services, during the year 1842, for which an Appropriation is  
“ required.”—Vide Public Accounts for 1842, in Journal for 1843.—Appendix A, letter D.

Names.	Service.	Amount.	Total Sterling.
Robert Murray ...	Deputy Superintendent of Education, for Salary of a temporary Clerk, from the 14th June to the 20th September, 1842, at £157 10s. per annum ...	£ s. d. 47 0 8	47 0 8
R. S. Jameson ...	For Contingencies, as Superintendent of Education, to 26th January, 1843, ...	142 1 0	142 1 0
A. W. Cochran ...	Commissioner of Gaspé Enquiry ...	80 0 0	
Do. ...	Do. Balance of Contingencies ...	11 5 2	
Do. ...	Do. Remuneration ...	112 10 0	
P. B. Dumoulin ...	Do. do. ...	112 10 0	
J. E. Turcotte ...	Translation of the Acts of last Session ...	826 5 2	826 5 2
T. A. Bagley ...	To pay Inundation Commission Expenses ...	71 9 0	71 9 0
Major F. Richardson ...	Encouragement to Work on the War of 1812 ...	225 0 0	225 0 0
J. Cremazie ...	Do. on Criminal Law ...	225 0 0	225 0 0
	Sterling ...	1126 5 10	1126 5 10
	Equal in Currency to ...	£ 1251 19 10½	£ 1251 19 10½

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No. 3.—“STATEMENT of Amount expended by the Board of Works in the Province of Canada, “ without the authority of Parliament, and for which an appropriation is required.”—See also Public Accounts of 1842, laid before the Legislative Assembly in 1843.—Appendix A, letter G.

NAME OF WORKS.	Currency.	
	£ s. d.	£ s. d.
Toronto and Sauguin Road, Expended in 1842... ..	... ..	436 8 6
Tecumseh Road ... .. 1841 ... ..	900 0 0	
Do. do. ... .. 1842... ..	707 3 3	1007 3 3
Paris Bridge ... .. 1841 ... ..	75 0 0	
Do. Do. ... .. 1842... ..	238 16 9	313 16 9
River Delisle Bridge ... .. 1841 ... ..	... ..	113 8 1
Gananoque Bridge ... .. 1842... ..	... ..	997 19 7
Bayonne Bridge, ... ..	... ..	986 15 2
Rouge Hill Road ... ..	... ..	97 0 10
Presqu' Isle Light House ... ..	... ..	24 7 7
Gull Island Light House ... ..	... ..	522 19 4
Queenston and Grimsby Road ... ..	... ..	2613 16 0
Chambly Canal ... ..	... ..	7812 2 6
Cap Rouge Bridge ... ..	... ..	17 19 8
Total expended for Public Works, during the years 1841-2, and unprovided for,	Currency,.....£	14943 17 3

No. 4.—“STATEMENT of Amount expended by the Board of Works in the Province of Canada, “ between the 1st January, 1843, and the 31st January, 1844, without the authority of Parliament, “ and for which an appropriation is required.”—See Public Accounts of 1843, laid before the Legislative Assembly in the present Session.—Appendix A, No. 21.

	£ s. d.
Chambly Canal ... ..	6355 1 5
Chaudière Bridge ... ..	717 2 4
Bayonne Bridge ... ..	150 0 0
Sie. Anne Rapids ... ..	3333 4 5
Currency...	£10555 8 2

No. 5.—Letter from the President of the Board of Works to Mr. Secretary Harrison.

(COPY.)

OFFICE OF BOARD OF WORKS,  
13th October, 1841.

Sir,

I have to request that you will draw the attention of His Excellency, the Administrator of the Government, to the necessity of placing at the disposal of this Board a sum of money for the purposes of rebuilding the bridge at Gananoque on the main Post road with Montreal; it is extremely desirable that this should be done at once: also, for the repairing and securing the bridge over the Grand River at Paris, which is also on a main line of communication,—the expenditure of a few hundred pounds on this bridge will save it from total destruction, it being in a very dangerous state. Another work intended to be accomplished is the bridging and repairing of a portion of the road between Chatham and Sandwich, by which the Mail is now and will be carried for two seasons at least.

It is likewise proposed to have the necessary preliminary surveys and location made of the several Works already approved of by the Legislature; the season is now very suitable for such operations, and by their being immediately undertaken, a full year will be saved—a matter of vital importance. In the whole of the foregoing, the sum of £4000 will be

ample, and I consider there will be no difficulty whatever in obtaining it from any of the Banks. Upon the loans for these and several other Works being negotiated, the expenditure now proposed can be charged against each appropriation respectively.

I have the honour to be,

Sir,

Your very obedient servant,

(Signed,) H. H. KILLALY.

S. B. HARRISON, Esquire,  
Secretary West.

SECRETARY'S OFFICE,  
13th October, 1841.

Referred to the Honourable the Executive Council for their consideration.

(Signed,) S. B. HARRISON.

IN COUNCIL, 13th October, 1841.

Ordered, That the Receiver General be instructed to negotiate a temporary loan with one of the Banks for the sum of £4000, and that the same be placed at the disposal of the Board of Works, for the purposes mentioned in the letter of the President.

(Signed,) R. D. JACKSON.

Certified, E. PARENT.

# THIRD REPORT

OF

## COMMITTEE ON PUBLIC ACCOUNTS.

The Special Committee appointed to examine the Public Accounts, laid before the House during the several Sessions of the last Parliament, and the present Session, beg leave to make their Third Report, as follows :

Your Committee, since their First and Second Reports, have examined the Accounts of the application of the Supplies voted during the several Sessions of the Legislature, in the years 1841, 1842, and 1843, by the late Assembly, towards defraying certain indispensable expenses of the Civil Government for those years, as well as the expenditure for 1844, in so far as the Account for this last year has been laid before Your Honourable House,—and have now the honour to submit this, their Third Report—second as respects the Public Accounts referred to them.

The Accounts with which Your Committee have now to deal, relate partly to payments made under certain Acts of the 1st and 2d Session (1841 and 1842) of the last Parliament, appropriating moneys towards defraying the indispensable expenses of the Civil Government for those years, and partly to payments under votes of the last Session (1843) of the Assembly, for the like purpose, but which, owing to circumstances, were not embodied in the shape of a Legislative enactment, by the late Parliament.

Amount appropriated by Act 4 & 5 Vict. cap. 50, and to be accounted for, £49,853 3 8 cy.  
Expended and accounted for, 45,196 19 3

Less than the appropriation, 4,656 4 5 cy.

The necessary expenses of the Civil Government for the year 1841, unprovided for by law, were voted by the Assembly in the Session of that year, and an Act (4th and 5th Vict. cap. 50,) pursuant to the vote, was passed, appropriating for the various purposes enumerated in it, £49,853 3s. 8d. currency, to be accounted for in detail, "during the first fifteen days of the Session of the Provincial Parliament next after the expenditure." It would appear to Your Committee that of this sum, £45,196 19s. 3d. currency has been expended, being £4,656 4s. 5d. currency less than the amount appropriated by the Act.

The supply voted in 1842, "for the purpose of defraying the necessary and indispensable expenses of the Civil Government of the Province for the year 1842, and not otherwise provided for," was £83,303 6s. 8d. currency, and an Act (6th Vict. chap. 9) was accordingly passed, placing that sum at the disposition of the Executive Government for the service of the year, and enacting that "an account in detail of the several sums paid and applied under the authority of this Act, shall be laid before both Houses of the Provincial Legislature, within fifteen days after the opening of the Session next after the expenditure of such sums respectively."

The same Act also placed at the disposition of the Executive a further sum of £27,777 15s. 6d. currency, "for the purpose of defraying the necessary and indispensable expenses of the Civil Government, from the 1st January, 1843, to the 31st March of the same year," liable also to be accounted for as above provided.

Your Committee have examined the application of those moneys, as exhibited in the Accounts laid before Your Honourable House, and find the actual outlay of the appropriation for the year 1842 to have been £76,847 16s. 9d. currency, being £6,455 9s.

Amount appropriated by Act 6 Vict. chap. 9, and to be accounted for, £83,303 6 8  
Expended and accounted for, 76,847 16 9

Less than the appropriation, £6,455 9 11

11d. currency less than the sum appropriated for the year by the Act alluded to. This sum of £76,847 16s. 9d. is made up of the items detailed in the three accounts which are hereunto appended, (severally numbered 1, 2 and 3,) to the end that they may be referred to in case of need hereafter. The first of the said Accounts is to be found in the Appendix to the Journals of 1843, of Your Honourable House, headed, "B. 9. Statement of payments on account of the expenditure of the Civil Government of the Province of Canada for the year 1842, provided for by the Act 6 Victoria, chapter 9." It exhibits in detail the expenditure of £70,257 4s. 6d. of the sum appropriated by the Act (App. No. 1.)

The second exhibits, in detail, the expenditure of the further sum of £4,644 18s. 1d. currency of the aforesaid appropriation, and is to be found among the Accounts in the Appendix to the Journals of the present Session (1844-5), headed "No. 18. Statement of Warrants issued on account of the expenditure of the Civil Government of the Province of Canada, from 1st January, 1843, to 31st January, 1844, for services of the year 1842, provided for by Act 6th Victoria, chapter 9." (App. No. 2); and the third, accounting for £1,945 14s. 2d. currency, is to be found in the Appendix to the same Journal (1844-5) among the accounts laid before the House on 26th February last, headed, "No. 16. Statement of Warrants issued on the Receiver General of the Province of Canada, on account of the expenditure of the Civil Government, for services for the year 1842, paid between the 1st February, 1844, and 31st January, 1845, provided by Act 6th Victoria, chapter 9." (App. No. 3.)

In the Session of 1843, the supply, of £57,680 14s. 11d. in addition to the £27,777 15s. 6d. voted, as already noticed, at the previous Session, for the service of the first quarter, ending with the 31st March, 1843, was placed by vote at the disposition of the Executive, to enable it to meet the whole of the necessary expenses of the Civil Government for that year.

This vote (omitted in the printed copy of the Journals, as mentioned in the first report of Your Committee) stands recorded in the manuscript Journals of the House, and took place on the 4th December, 1843, and is as follows:—"Resolved, that in order to enable Her Majesty to meet the necessary and in-

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"dispensable expenses of the Government of the Province for the year 1843, not otherwise provided for, there be granted to Her Majesty, out of the Consolidated Revenue Fund of this Province not otherwise appropriated, a sum not exceeding £57,680 14s. 11d. currency, to be accounted for in detail at the opening of the ensuing Session of the Legislature."

In addition to this vote of supply, it was also, at the same time, pursuant to a Message from His Excellency, the Governor General, of the first day of the same month of December, "Resolved, that a sum not exceeding £1,407 17s. 9d. sterling, be granted Her Majesty, to defray certain items of expenses of the Civil Government of this Province for the year 1843, as recommended in the Message of His Excellency, the Governor General, of the 1st instant." A copy of the Message containing the items referred to, making in currency £1,564 6s. 4d., is appended to this Report. (App. No. 4.)

The total so voted for this year (1843), and to be accounted for, consequently, was £87,022 16s. 9d. currency, including the £27,777 15s. 6d. granted by the above mentioned Act of appropriation. It is also to be observed, that a vote on the same day (4th December, 1843) was passed, placing in like manner at the disposal of the Executive £21,364 12s. 7d. currency, to defray the necessary expenses of the Government not otherwise provided for, from the 1st January to 31st March, 1844, and to be accounted for in detail.

The amount expended under the votes for 1843, is first £47,234 17s. 9d. sterling—(in currency, £52,483 4s. 2d.)—as appears in detail in the account to be found in the Appendix to the Journals for the present Session, (a copy whereof is hereunto appended, App. No. 5,) headed "No. 19. Statement of Warrants issued on account of the expenditure of the Civil Government of the Province of Canada for the year 1843, paid between 1st January, 1843, and 31st January, 1844—out of a vote of the Legislative Assembly of last Session." In this account there is an item of £119 2s. 10d. currency over and above the aforesaid sum, said to be for a survey of a projected canal, intended to have been called the "Missisquoi Canal." This was included in the Estimate for the year 1843, as part of the expenses incurred in 1841 and 1842, for services "unprovided for." Your Committee, on referring to the Deputy Inspector General, Mr. Cary, being satisfied that the expenditure has been duly incurred, include it as a charge proper to be covered by an Act of appropriation for the other moneys comprehended in this Account, as admitted by your Committee. With respect to the items (of £1,312 17s. 1½d. and £3,895 8s. 8½d. currency,) in the said account relating to Schedule A of the Civil List for 1841 and 1842, your Committee not yet having entered upon the examination of the Accounts explaining the application of the moneys appropriated annually by the Union Act, for the Civil List, during the last four years, are not for the present prepared to Report upon them.

A further account in detail, of payments for 1843, amounting to £26,043 14s. 5d. currency, has been laid, this Session, before Your Honourable House, and is, in like manner, to be found in the Appendix to its Journals, headed, "No. 17, Statement of Warrants issued on the Receiver General of the Province of Canada, between the 1st February, 1844, and the 31st January, 1845, on account of the expenditure of the Civil Government of Canada for the year 1843—out of the vote of the Legislative Assembly of that Session," and is appended hereunto, (App. No. 6.)

<p>£52,483 4 2 26,043 14 5 <hr/>£78,526 18 7</p>	<p>This and the former sum, making together a total of £78,526 18s. 7d. currency, constitute, in so far as the Accounts before your Committee shew, the amount chargeable upon the votes for 1843, and are short of the sum voted, by £8,495 18s. 2d. currency.</p>
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The sums expended on account of the Civil Government for the year 1844, and for which a vote additional will be necessary, is £52,264 4s. 8d. currency, £21,364 12s. 7d. of which is provided for by the vote of the 4th December, 1843, above referred to. The details of this expenditure are also to be found in the Appendix to the Journals of the present Session, among the Accounts of 1844, headed, "No. 18—Statements of Warrants issued on the Receiver General of the Province of Canada, between the 1st February, 1844, and 31st January, 1845, on account of the expenditure of the Civil Government for the year ended the 31st December, 1844, and for which a provision is required."—(App. No. 7.)

In this last account there are several items of a description, not, as your Committee apprehend, contemplated in the vote of Supply at the last Session of the late Parliament, which was confined to those sums necessary to defray the ordinary expenses of the first quarter of 1844. The expenses alluded to, are those incidental to the removal of the Seat of Government, and which, at this advanced period of the Session, there is not sufficient time to investigate with the attention that ought to be bestowed upon them.

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Your Committee recommend a minute investigation of them at the next Session: they relate to repairs made to the St. Ann's Market, or building used as the Parliament House, £3,322 12s. 2d.; Repairs, &c., to Monklands, the Governor-General's residence, £5,860 5s. 2d.; Repairs and alterations to the old Government House, Montreal, used as Public Offices, £1,639 3s. 4d.; and transport of Government Offices and effects from Kingston to Montreal, £3,147 5s. 10d., making a sum of £14,746 6s. 6d., which, until examined, ought not, your Committee submit, to be included in any vote of appropriation.

Reserving, therefore, these charges for future examination, and deducting their amount from the account alluded to, the sum of £37,517 18s. appears, by the accounts laid before Your Honourable House, to have been actually expended, towards defraying the (usual and ordinary) necessary services of the year 1844, and which being nearly in accordance with the votes for the previous years, ought, in the opinion of your Committee, to be admitted. Against this sum, however, the vote of 4th December, 1843, for £21,364 12s. 7d. is to be placed, leaving £16,153 5s. 5d., to be provided for by an additional vote, besides the amount that it may be still necessary to vote for defraying the residue of the indispensable expenses for 1844.

From the above, the necessity of covering, by an Act of appropriation, the moneys expended under the votes of the House during the Session of 1843, will be apparent to Your Honourable House. They amount, according to the foregoing Statement, to an aggregate of £86,762 19s. 4d. currency, and for which your Committee accordingly recommend the passing of a Bill of appropriation. Your Committee annex a tabular statement of the Supplies voted for the years 1841, 1842, 1843, and 1844, exhibiting at one view the expenditure under the votes for each year, and the amount saved or short of the votes.—(App. No. 8.) The balances of course remain in the

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Treasury, and are available at the vote of the Legislature, to the public purposes of the Province, as part of the Consolidated Revenue Fund thereof.

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Your Committee, in conclusion, have to draw the attention of Your Honourable House to some charges in the Public Accounts, worthy of remark. The Department of the Adjutant General of Militia for Lower Canada, is an annual charge upon the Province, for several years past, of £750, and for which it does not appear to your Committee that any adequate service in return is performed. Your Committee called upon the Adjutant General for an explanation of the duties of his office, and his answers to the questions put to him on the subject, are annexed to this Report. There are in Lower Canada no Militia laws in activity, nor indeed, if any such be in existence, are they enforced. The head of this Department, nevertheless, receives, and for several years has received, £500 a year. There are two Clerks in his office; one receiving £137, the other £91 a year,—at a *per diem* allowance to the former of 7s. 6d., and to the latter of 5s., besides a Messenger at £20 per annum,—an expenditure of the public moneys which, in the opinion of your Committee, calls for immediate reform. The duty imposed by a law of the late Province of Lower Canada, on the Adjutant General, of paying out among certain Militiamen, pensioned in consequence of wounds received in service during the war with the United States, a sum, in small pensions, amounting at present in all to £390 annually, your Committee recommend to be transferred to the Receiver General: and as a revisal of the Militia Laws has been alluded to in the Speech from the Throne at the opening of the present Session, your Committee being of opinion that one Adjutant General's Department, and under one head, ought to suffice for the whole Province, also recommend accordingly, that when the subject is taken up it may be enacted that the whole Militia of Canada shall be under the superintendence of but one such Department, and that there be but one Adjutant General of Militia for the whole Province.

Your Committee have also to observe, that the salary and allowance to the Master of the Grammar School at Montreal, of £282 4s. 2d. currency, seems to them an over compensation for the services rendered; but as the incumbent is aged, and has been long in possession of this income, they are unwilling, in consideration of his long tenure of it, and services, that he should undergo a reduction, but recommend that the salary and allowance to his successor should be graduated on a scale corresponding with, and in proportion to, the allowances that are given to other Scholastic establishments.

There is, in the accounts of last year (1844) a new charge, for twelve months salary to a Commissioner of Customs, at the rate of £50 sterling per month, and allowance of travelling expenses, stationery, postage, &c. to the 31st December, 1844, £768 18s. 8d. This is a new office, the propriety of the establishing whereof not being referred to Your Committee, nor properly within the scope of their inquiry, they have not deemed it their duty to inquire into, and they therefore confine themselves simply to the observation of its existence, leaving it to Your Honourable House to deal with the matter in such manner as it shall deem fit: but Your Committee feel it to be their duty strongly to protest against the creation of new offices of emolument, and the expenditure of the public revenue by the Executive, without the previous vote or recommendation of Parliament.

All which is respectfully submitted.

ROBERT CHRISTIE,

Chairman.

17th March.

## MINUTES OF EVIDENCE.

COMMITTEE ROOM,

5th March, 1845.

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JOSEPH CARY, Esquire, Deputy Inspector General, called in; and examined:

41. The Committee perceive in the accounts for 1843, sent down this Session, a charge of £450, sterling, to the Adjutant General of Militia for Lower Canada, besides £123 for a first Clerk, £82 for a second Clerk, in the office, and £18 for a messenger. Can you inform the Committee what are the duties performed for these salaries and allowances?—The duties of that Officer, that come within my knowledge, are, the payment of the Militia pensions of Lower Canada, as required by law, each six months, and rendering accounts of the same, and reporting on the claims of persons, applying to be placed on the Pension List.

42. What is the amount of those pensions?—The amount paid in 1844 was £390, currency.

43. Are there no other duties?—None, that I am aware of; he has to render his account of the pensions paid, and to report on applications relative to pensions. He may have other duties to do, that I am not informed of.

44. Are there any Militia Laws in force in Lower Canada?—I really cannot say.

45. There is in the same account, an item of £3,950 Sterling, for expenses of the Provincial Penitentiary for 1843—have you the vouchers for this expense?—No, they don't come to the Inspector General's Office; these disbursements are by law accounted for in detail to the Legislature through the Governor; the accounts and vouchers are sent by the President and Board of Directors of the Penitentiary, to the Provincial Secretary, by whom, or by the President, they are laid before the Assembly.

46. They are not at all then sent to, nor audited at your Office?—No.

47. Would it not be better that they should in the first instance be audited there, before transmission to the Assembly?—I think so.

48. Have you the accounts and vouchers for £675 towards the temporary Lunatic Asylum at Montreal?—Yes they are here. (*Witness produced the vouchers in question.*)

49. Have you the accounts and vouchers for the £2,250 charged the Lunatic Asylum at Toronto?—The Law provides a Board within the Institution itself, for auditing its accounts quarterly, and which are by the same law annually to be furnished to the Legislature;—This Law is the same Act that provides for the Asylum and for the means of erection, which means are accumulating, and, I believe, now constitute about £12,000. The sum here alluded to, is not from that fund, but a temporary aid from the Provincial Treasury, which ought to be accounted for in detail to it, but which has not been the case.

50. The Committee observe in the Accounts of 1844, a charge of £768 18s. 8d. for twelve months salary to J. W. Dunscomb, Esq., as Commissioner of Customs at £50 sterling per month, and allowances for travelling expenses, stationery, postage, &c.; by what authority is this paid him?—There is no authority by law, but the necessity for an appointment



Appendix (MM.)

17th March.

of the kind, arising from the extensive smuggling along the Lower Canada frontier, induced the Government to make the appointment temporarily, particularly for the enforcement of the Act of the last Session providing for the protection of the Agricultural interests. The same allowance is given him, I believe, as was allowed to Mr. Cameron, for a service something similar to it in Upper Canada.

51. There is an item in the Accounts of 1843, of £230, to Mr. Spragge, as Master of the Central School at Toronto;—is that establishment yet in existence?—No; it ceased on 30th June last.

Saturday, 15th March, 1845.

Colonel GUGY, called in; and examined:

52. Are you the Adjutant General of Militia in Lower Canada?—I am.

53. Is there any Militia Law in force or activity for regulating the Militia in Lower Canada, or for regulating the Department of the Adjutant General of Militia?—All the Acts of the Provincial Parliament of Lower Canada, as well as the three Ordinances of the Special Council for regulating the Militia, having expired, (the latter on the 1st May, 1843.)

there is no Militia Law "in force or activity" unless the Ordinance 27 George 3, chap. 2nd, and the Ordinance 29, George 3, chap. 4th, be considered "in force."—It is a question which has been much discussed, which has divided the Province, and which, I respectfully submit, it cannot be my province to determine.

54. By what law or authority does the Department exist?—It is my duty to obey more than to enquire, and I have not enquired; but I believe that the Department exists in virtue of the Royal Authority—the Sovereign being the Commander of the Militia, as well as of the regular Army.

55. What are the particular duties of your Office as Adjutant General; state them fully?—The Adjutant General is the medium through which the Governor for the time being, promulgates his orders to the Militia, and through which the latter communicate with the Governor. It is his duty to class and enrol the Militia, and to keep records thereof; to regulate the changes and promotions; to muster, arm and equip the same; to superintend and enforce the execution of all orders; to provide for the training and drafting of the forces, or of part thereof as the case may be; to receive and pay the pensions and allowances, granted by Legislative authority.

Appendix (MM.)

17th March.

(No. 1.)

**B. 9.**

STATEMENT of Payments on Account of the Expenditure of the Civil Government of the Province of Canada, for the year 1842, provided for by Act 6 Victoria, Cap. 9.

NAMES.	SERVICE.	Amount.		Total Sterling.	
		£	s. d.	£ s. d.	
<i>Adjutant General, East.</i>					
B. C. A. Gagy, . . .	For Twelve Months Salary as Adjutant General of Militia, Canada East, to 31st December, 1842, . . .	450	0 0	853 11 3	
Charles Duchesnay, . . .	Do do do as 1st Clerk, at 7s. 6d. per diem, currency, . . .	123	3 9		
Charles Petitchair, . . .	Do do do as 2d do at 5s. do. . .	82	2 6		
E. W. R. Antrobus, . . .	Do do do as Provincial Aid-de-Camp, . . .	180	0 0		
	Do do do of a Messenger, . . .	18	5 0		
<i>Adjutant General, West.</i>					
Wm. M. Steers, . . .	For Twelve Months Salary as Clerk, to 31st December, 1842, . . .	163	0 0	1006 11 3	
<i>Miscellaneous.</i>					
A. J. Duchesnay, . . .	Allowance for Translating Public Documents into French, . . .	50	0 0		
T. A. Begly, and others, . . .	For Ordinary Repairs to Public Buildings, and care of the same, . . .	1981	1 11		
Alexander Thompson, . . .	Salary as Inspector of Chimnies, at Three Rivers, . . .	25	0 0		
A. Hamel, . . .	Do as Keeper of Depot of Provisions on the River Saint Lawrence, for the relief of shipwrecked persons, 6 months to 30th June, 1842, . . .	92	10 0		
L. O. Gamache, . . .	Do do do do 9 months to 30th September, 1842, . . .	33	15 0		
John King, . . .	For Salary as Keeper of Legislative Buildings, Quebec, . . .	90	0 0		
W. B. Lindsay, . . .	Do Contingent Expenses of Insurance, Fuel, &c. for the same, . . .	75	0 0		
Thos. Amiot, and others, . . .	Do do do of Postage, &c. of the Office of Clerk of the Crown in Chancery, in 1841 and 1842, . . .	153	15 4		
Pierre Brochu, . . .	Do Allowance for residing on the Kempt Road from the 1st October, 1841, to 31st December, 1842, . . .	22	10 0		
Joseph Parent, . . .	For Expenses of the Quarantine Establishments at Quebec and Grosse Isle, for the year 1842, . . .	1500	0 0		
Desbarats & Derbishire, . . .	Do Expenses incurred in Printing the Acts of last Session, 1841, . . .	3630	5 9		
Do do	Do do do Reserved Acts, . . .	670	5 3		
Do do	Do do in publishing in the Canada Gazette, . . .	332	13 8		
<i>Carried over,</i> . . . . .		£ 8588	16 11		

B. 9.

(No. 1—Continued.)

17th March.

17th March.

STATEMENT of Payments on Account of the Expenditure, &c.—Continued.

NAMES.	SERVICE.	Amount.			Total Sterling.
		£	s.	d.	£ s. d.
	<i>Brought forward,.....</i>	8586	16	11	1006 11 3
	<i>Miscellaneous.</i>				
Fisher & Kemble,	For Expenses in Publishing in the Quebec Gazette, two languages,	355	12	2	
Do	Do do in distributing the Laws of the Session, &c.	192	1	2	
Desbarats & Derbishire,	Do do incurred in Printing Forms under Census Acts,	448	15	6	
Thomas D. Harrington,	Do do in distributing the same,	254	3	7	
Desbarats & Derbishire,	Do Printing a French version of the Index of the Laws of late Lower Canada,	68	12	6	
Thomas Cary & Co.	Do Printing 100 copies of Judicature Bill, and for subscription to Public Journals,	21	15	5	
E. Turcotte,	Do completing the Translation of the Laws of last Session in French,	350	0	0	
Desbarats & Derbishire,	Do Printing the Reserved Acts, &c. of 1842,	140	10	0	
	Do do Publication of Proclamations, 1842,	244	11	3	
	Do Subscription to Canada Gazette, do,	197	8	8	
	Do Printing Acts last Session, do,	1266	3	3	
	Do Packing, distributing, &c. in Canada East,	104	10	0	
	Do Subscription to Canada Gazette,	131	12	6	
		2084	15	8	
Fisher & Kemble,	Do Publishing Union Act in English and French,	26	17	7	
Do	Do Proclamation, &c. published in the Quebec Gazette for 12 months to the 31st December,	143	19	6	
Do	Do Publishing Acts of last Session,	121	18	3	
		292	15	4	
Thomas Cary & Co.	Do a sett of the Quebec Gazette up to 1841,	27	0	0	
Robert Stanton,	Do Printing the Upper Canada Gazette in the six months to the 30th June, 1842,	134	4	1	
	Do do do do to 31st December, do	160	5	2	
		294	9	3	
Thomas D. Harrington,	Do Expense of distributing the Laws in Canada West, 1842,	75	14	6	
		13052	12	0	
	<i>Charitable Institutions.</i>				
Louis Massue,	Commissioner for the relief of Insane Persons, of Foundlings and Indigent Sick Persons in the District of Quebec, to defray the expenses of these objects in 1842,	1671	13	1	
R. L. Morrogh,	Do do do District of Montreal, do,	1150	0	0	
J. P. Bureau,	Do do do do Three Rivers, do,	680	0	0	
S. Gerard,	Do Corporation of the General Hospital Montreal, aid do,	900	0	0	
Mrs. D. Freer,	Do aid to the Managers of the Female Orphan Asylum, Quebec,	90	0	0	
Mrs. Richardson,	Do do to the Ladies of the Benevolent Society at Montreal, for Widows and Orphans,	90	0	0	
M. L. R. Chareau,	Do do to the Roman Catholic Orphan Asylum, at Quebec,	90	0	0	
Mrs. Jane Ross,	Do do do Montreal Protestant Asylum,	90	0	0	
Henry Jessupp,	Do do do Managers Male Orphan Asylum, Quebec,	90	0	0	
J. C. Quesnel,	Do do do Charitable Ladies of the Roman Catholic Orphan Asylum, at Montreal,	90	0	0	
Wm. Lunn,	Towards the support of the Temporary Lunatic Asylum at Montreal, in the year 1842,	900	0	0	
James Nation,	Do do of the Toronto General Hospital,	450	0	0	
Wm. Atkinson,	Do do of the Toronto House of Industry,	315	0	0	
John Counter,	Aid towards the relief of the Indigent Sick at Kingston,	350	0	0	
W. B. Jarvis,	For Lunatic Asylum, Toronto, for arrears to 31st December, 1841, and for the expense of the year 1842,	3049	11	8	
Wm. Rees, Superintendent,	Do arrears and for service in 1842,	362	3	9	
		3411	15	5	
		10368	8	6	
	<i>For the Promotion of Education.</i>				
Rev. R. Burrage,	Salary of the Secretary of the Royal Institution for the advancement of Learning, including Messenger and Contingencies,	151	0	0	
Alexander Skakel,	Do of the Master of the Grammar School at Montreal, and allowance for House Rent,	254	0	0	
Rev. J. Bethune,	Towards the support of the National School, Montreal,	100	0	0	
Henry Jessupp,	Do do do do Quebec,	100	0	0	
John Duval,	For the Society of Education, at Quebec,	252	0	0	
Thomas A. Stayner,	Do British and Canadian School, at Quebec,	180	0	0	
Wm. Lunn,	Do do do at Montreal,	180	0	0	
Wm. Bain,	Do Saint Andrew's School, at Quebec,	90	0	0	
Jacques Viger,	Do Saint Jacques do at Montreal,	180	0	0	
John E. Mills,	Do Montreal American Presbyterian Free School,	90	0	0	
J. McConville,	Do Teacher of the Academy at Berthier,	90	0	0	
	<i>Carried over,.....</i>	£ 1667	0	0	24427 11 9

## B. 9.

(No. 1—Continued.)

## STATEMENT of Payments on Account of the Expenditure, &amp;c.—Continued.

NAMES.	SERVICE.	Amount.		Total Sterling.	
		£	s. d.	£	s. d.
	<i>Brought over,.....</i>	1667	0 0	24427	11 9
	<i>For the Promotion of Education.</i>				
Rev. F. Pilote, . . .	For the College of Ste. Anne de la Pocatière, . . .	180	0 0		
Rev. F. Mignault, . . .	Do do Chambly, . . .	180	0 0		
Rev. J. Laroque, . . .	Do do St. Hyacinthe, . . .	180	0 0		
S. S. Foster, . . .	Do Academy, at Shefford, . . .	90	0 0		
Rev. A. Balfour, . . .	Do School at Waterloo, in Shefford, . . .	90	0 0		
Selby Burns, . . .	Do Master of the School, at Three Rivers, under the Royal Institution, for salary, . . .	40	10 0		
Rev. M. Willoughby, . . .	Do British North American School Society, at Sherbrooke, . . .	45	0 0		
Rev. John Beatty, . . .	Do Victoria College, . . .	450	0 0		
Joseph Spragge, . . .	For Twelve Months Salary as Master of the Central School, . . .	230	0 0		
Do . . .	Do do do Contingent Expenses to 31st December, 1842, . . .	70	1 7		
J. F. Wilson, . . .	Do do do as Teacher, do . . .	90	0 0		
Rebecca Sylvester, . . .	Do do do as Assistant Teacher, do . . .	45	0 0		
		435	1 7	3357	11 7
	<i>Various Public Institutions.</i>				
Robert Symes, . . .	Aid to the Literary and Historical Society of Quebec, towards defraying expenses of former years, . . .	45	0 0		
Wm. Badgley, . . .	For the National Historical Society of Montreal, . . .	45	0 0		
Henry Weston, . . .	Do Quebec Mechanics' Institute, . . .	45	0 0		
John Redpath, . . .	Do Montreal do do . . .	45	0 0		
A. F. Holmes, . . .	Do McGill College, Medical Faculty, . . .	450	0 0		
				630	0 0
	<b>OFFICERS OF THE LEGISLATURE.</b>				
	<i>Legislative Council.</i>				
James Fitzgibbon, . . .	Salary as Clerk from 10th June to 31st December, 1842, at £450 per annum, . . .	252	14 9		
C. De Lery, . . .	Do do do 14th do at £315 do, . . .	173	9 5		
J. F. Taylor, . . .	Do do do do at do, . . .	173	9 5		
Robert Armour, . . .	Do do of Committees, Law Clerk and English Translator, do 14th do at £225 do, . . .	123	18 1		
J. G. Spragge, . . .	Do as Master in Chancery, do at £90 do, . . .	49	11 3		
F. S. Jarvis, . . .	Do as Gentleman Usher of the Black Rod, from 10th June to 31st December, at £90 do, . . .	50	10 11		
O. Valerand, . . .	Do as Sergeant at Arms from 16th August to do, at £90 do, . . .	34	0 6		
Rev. W. Adamson, . . .	Do as Chaplain, to act as Librarian, from 15th June, at £180 do, . . .	98	12 7		
Thomas Brooke, . . .	Do as Doorkeeper, from 14th June to 31st December, 1842, at £54 do, . . .	29	14 9		
Michael Keating, . . .	Do as Head Messenger, from do to do, at £90 do, . . .	49	11 3		
John Bright, . . .	Allowance as Messenger for Session, at £45 do, . . .	40	10 0		
Joseph Fenwick, . . .	Do do do do do do, . . .	40	10 0		
A. Lachance, . . .	Do do do do do do, . . .	40	10 0		
James Fitzgibbon, . . .	Contingent Expenses of the House, . . .	4500	0 0	5657	2 11
	<i>Legislative Assembly.</i>				
A. Cuvillier, . . .	Salary as Speaker, from 14th June to 31st December, 1842, at £900 per annum, . . .	495	12 4		
W. B. Lindsay, . . .	Do as Clerk do do at £450 do, . . .	247	16 2		
G. B. Faribault, . . .	Do as Assistant do do at £360 do, . . .	198	5 0		
G. W. Wicksteed, . . .	Do as English Translator and Law Clerk, do do, at £315 do, . . .	173	9 5		
Henri Voyer, . . .	Do as French do from do to do, at £225 do, . . .	123	18 1		
George Chisholm, . . .	Do as Sergeant at Arms, from do to do, at £90 do, . . .	50	10 11		
Felix Fortier, . . .	Do as Clerk of the Crown in Chancery, to do, at £135 do, . . .	124	9 2		
James Fitzgibbon, . . .	Arrears of Salary as late Clerk to the House of Assembly of Upper Canada, 10th February to 9th June, 1841, at £180 do, . . .	60	0 0		
W. B. Lindsay, . . .	Contingent Expenses of House, . . .	5400	0 0		
Hon. J. H. Dunn, . . .	Sessional allowance to Members paid by him, . . .	2747	13 1	9621	14 2
	<i>Pensions to Officers and Servants of the late Legislative Bodies of the two portions of the Province of Canada.</i>				
William Smith, . . .	Pension of the late Clerk of the Legislative Council of Lower Canada and as Master in Chancery, from 18th September to 31st December, 1842, at £354 per annum, . . .	101	16 9		
	<i>Carried over,.....</i>	£	101 16 9	43694	0 3

## B. 9.

(No. 1—Continued.)

## STATEMENT of Payments on Account of the Expenditure, &amp;c.—Continued.

NAMES.	SERVICE.	Amount.		Total Sterling.	
		£ s. d.	£ s. d.	£ s. d.	£ s. d.
	<i>Brought over,.....</i>	...	101 16 9	43694	0 5
	<i>Pensions to Officers and Servants of the late Legislative Bodies of the two portions of the Province of Canada.</i>				
Jacques Voyer,	Pension as late Clerk of Committees, to do from do at £150 per annum,	...	43 3 0		
William Ginger,	Do as do Sergeant at Arms, to do from do at £60 do	...	17 5 2		
Louis Noreau,	Do as do Messenger, to do from do at £18 do	...	5 3 7		
L. B. Pinguet,	Do as Clerk of Committees of the House of Assembly of Lower Canada, from 18th September to 31st December, 1842, at £60 do	...	17 5 2		
Samuel Waller,	Do as do do do do £ 90 do	...	25 17 9		
David Jardine,	Do as do in Upper Canada do do 120 do	...	34 10 4		
Wm. Coates,	Do as do in do do do 120 do	...	34 10 4		
Josph Brewer,	Do as late Librarian to the House of Assembly of Lower Canada, from 18th September to 31st December, 1842, at £120 do	...	34 10 4		
Francis Rodrigue,	Do as Messenger to do from do to do at £16 4s. do	...	4 13 4		
Louis Gagné,	Do as do to do from do to do at do do	...	4 13 4		
Zencas Bell,	Do as do Upper Canada to do at at do	...	4 13 4		
	<i>Rural Police, Canada East.</i>			328	2 5
Wm. F. Coffin,	Commissioner of Police, Pay and Contingencies for January,	...	479 6 10		
Wm. Ermatinger,	Do do do do from 1st February to 31st December, 1842,	...	7139 10 8		
	<i>Police Magistrates.</i>			7618	17 6
Thomas A. Young,	Twelve months' Salary as Police Magistrate, to 31st December, 1842,	...	360 0 0		
Henry Driscoll,	1st January to 8th September, do do do at £360 per annum,	...	249 0 9		
Charles Wetherall,	9th September to 31st December, do do at do do	...	28 2 2		
P. E. Leclere,	Twelve months' Salary as Police Magistrate, to 31st December, 1842, at St. Hyacinthe,	...	270 0 0		
Thomas Colman,	Do do do do do and Paymaster,	...	270 0 0		
R. B. Johnson,	Do do do do do at St. Scholastique,	...	270 0 0		
Charles Wetherall,	Do do do do do at Laprairie,	...	270 0 0		
David Kinnear,	Do do do do do at Shefford,	...	270 0 0		
Elzéar Duchesnay,	Do do do do do at St. Marie de Monnoir,	...	270 0 0		
Wm. C. Hanson,	Do do do do do at Nicolet,	...	270 0 0		
Edward A. Clarke,	Do do do do do at Berthier,	...	270 0 0		
	<i>Stipendiary Magistrates.</i>				
Samuel J. Burton,	Salary as Magistrate at Saint Johns,	...	182 10 0		
W. U. Chaffers,	Do do do at St. Césaire,	...	90 0 0		
Alexis Pinet,	Do do do at Varennes,	...	90 0 0		
F. E. Globensky,	Do do do at Saint-Eustache,	...	90 0 0		
Timoleon Quesnel,	Do do do at Lacadie,	...	90 0 0		
W. F. Coffin,	Do as Commissioner of Police, from 1st January to 15th February, at £100,	...	12 12 0		
Wm. Ermatinger,	Do do do 16th February to 31st December,	...	87 1 1		
Benjamin Seaton,	Do as Clerk do 1st January to do	...	125 0 0		
C. M. DeLisle,	Do as do do 7th to 31st March, at £125,	...	8 11 2		
G. B. Cullen,	Do as do do from 1st April to 31st December, at £112 10s.	...	84 7 6		
John Young,	Do as do do do do do	...	112 10 0		
Thomas A. Young,	Police Magistrate, Quebec, Printing, &c. to do	...	114 13 9		
G. B. Cullen,	Clerk, Police Magistrate, Montreal, do &c. to do	...	19 16 1		
	<i>Provincial Penitentiary.</i>			3904	4 6
Thomas Kirkpatrick,	President Board of Directors on account of Expenses,	...	...	3150	0 0
Hon. F. W. Primrose,	Expenses of Enregistering certain Public Documents under Ordinance 4 Vict. c. 50,	...	...	100	0 0
W. H. Stanton,	For Printing, &c. for the Eastern and Western Branches of Superintendent of Education,	...	...	79	17 3
Malcolm Cameron,	Do Expenses of Commission of Enquiry into the mode of collecting the Revenue in the Western portion of the Province,	...	...	619	2 4
J. N. Bossé,	Do Expenses of Commission to Magdalen Islands,	...	...	132	13 6
George Vanfelson,	Chief Commissioner for Contingencies of Seigniorial Tenure Commission,	...	450 0 0		
Do	Balance of remuneration,	...	122 2 9		
Alexander Buchanan,	Contingencies,	...	90 0 0		
	<i>Carried over,.....</i>	...	662 2 9	59626	17 11

Appendix  
(MM.)

17th March.

## B. 9.

(No. 1—Continued.)

Appendix  
(MM.)

17th March.

## STATEMENT of Payments on Account of the Expenditure, &amp;c.—Continued.

NAMES.	SERVICE.	Amount.		Total Sterling.
		£ s. d.	£ s. d.	£ s. d.
	<i>Brought over,.....</i>	...	662 2 9	59626 17 11
Alexander Buchanan,	Remuneration as Commissioner, . . . . .	...	90 0 0	
John S. McCord,	Do do do . . . . .	...	90 0 0	
J. E. Turcotte, . . . . .	Service as Secretary to Commissioners, . . . . .	...	200 0 0	1042 2 9
Alexander Buchanan,	Remuneration as Commissioner for the Revision of the Laws of Lower Canada, . . . . .	...	90 0 0	
F. G. Johnson, . . . . .	Services as Secretary to the Commission, . . . . .	...	90 0 0	
Baron de Rottenburg,	Expenses of Temporary Police, Welland Canal, . . . . .	...	...	180 0 0
Commissioner of Crown Lands, . . . . .	To reimburse expenditure on Lambton and Kennebec Road, . . . . .	...	...	389 3 0
Do. do. . . . .	Do do do on Owen Sound Settlement, . . . . .	...	...	1139 10 5
	<i>Unforeseen.</i>			532 7 2
T. A. Begley, . . . . .	Secretary Board of Works, for expenses of Chairman and Engineer, examining District Surveyors, . . . . .	...	24 1 10	
Samuel Brooks, . . . . .	For Furniture for the Court House at Sherbrooke, . . . . .	...	162 6 11	186 8 9
Hon. J. H. Dunn, Receiver General, . . . . .	To reimburse him this sum advanced for Plans and Esti- mate of a Lunatic Asylum in 1835, . . . . .	...	...	135 0 0
				£63231 10 0
	Equal in Currency to . . . . .	...	...	£70257 4 6

F. HINCKS,  
Inspector General.INSPECTOR GENERAL'S OFFICE,  
Kingston, 1843.

(No. 2.)

## No. 18.

STATEMENT of Warrants issued on Account of the Expenditure of the Civil Government  
of the Province of Canada, from the 1st January, 1843, to the 31st January, 1844, for  
Services of the year 1842, provided for by Act 6th Vict. cap. 9.

To whom paid.	SERVICE.	Amount.		Total Sterling.
		£ s. d.	£ s. d.	£ s. d.
	<i>Seigniorial Tenure Commission.</i>			
Alexr. Buchanan, Commissioner,	On Account of the Contingent Expenses of the Commission,	155	5 0	
Jas. Porteous, Post Master, Mont- real, . . . . .	Account of the Postage against the old Commissioners, . . . . .	27	11 2	
J. E. Turcotte, . . . . .	Balance of remuneration as Secretary to Commissioners, . . . . .	75	0 0	257 16 2
	<i>Unforeseen Expenses.</i>			
Commissary General Filder,	Cost of conveying Troops from Kingston to Belleville and re- turning, . . . . .	65	8 8	
G. W. Wicksteed, . . . . .	For his Services as Law Clerk to the Government in 1842, . . . . .	90	0 0	
P. J. Roblin, . . . . .	For Assessing the Townships of Sydney, Rawdon and Madoc, . . . . .	49	10 0	204 18 8
William Lunn, Treasurer, . . . . .	Towards the support of the Temporary Lunatic Asylum at Montreal, being balance of aid for 1842, . . . . .	200	0 0	
W. B. Jarvis, . . . . .	Do do Toronto for do . . . . .	97	18 4	397 18 4
	<i>Carried forward,.....</i>	...	...	£ 760 13 2

STATEMENT of Warrants issued on Account of the Expenditure, &c.—Continued.

To whom paid.	SERVICE.	Amount.	Total Sterling.
		£ s. d.	£ s. d.
	<i>Brought forward</i> ,.....	... ..	760 13 2
	<i>Unforeseen Expenses.</i>		
John Henry Dunn, Receiver Genl.	Sessional Allowance to Members on account of 1842, . . .	... ..	44 11 0
Thomas Kirkpatrick, President of the Board of Directors, . . .	Balance of the grant for the Provincial Penitentiary at Kingston, for the year 1842, . . .	... ..	1923 1 4
	<i>Printing.</i>		
Desbarats & Derbshire, Queen's Printer, . . . . .	For Printing in Gazette for Six Months to 31st December, 1842, and publishing the Act 6 Vic. cap. 10, . . . . .	269 4 0	
Do do	Printing for the Office of the Clerk of the Crown in Chancery in 1842, . . . . .	19 1 7	288 5 7
	<i>Miscellaneous.</i>		
Pierre Brochue, . . . . .	Allowance for residing on the Kempt Road for the quarter ended 31st December, 1842, . . . . .	5 12 6	
A. Hamel, . . . . .	Salary as Keeper of Depôt of Provisions on the River St. Lawrence, for the relief of Shipwrecked persons for Six Months, to 31st December, 1842, . . . . .	22 10 0	
L. O. Gamache, . . . . .	Do do for the quarter ended do. . . . .	11 5 0	
Joseph N. Bossé, . . . . .	Expenses as Commissioner to hold a Court at the Magdalen Islands, . . . . .	36 2 3	75 9 9
	<i>Revising Statutes of Lower Canada.</i>		
Desbarats & Derbshire, Queen's Printer, . . . . .	On Account of Printing the Tables compiled by the Commissioners for the Revised Statutes of Lower Canada, . . . . .	480 0 0	
G. W. Wicksteed, Commissioner, . . . . .	Do of the Contingent Expenses of the Commissioners, . . . . .	90 0 0	570 0 0
	<i>Promotion of Education.</i>		
William Baker, . . . . .	Aid to the High School in Durham Village for 1842, . . . . .	90 0 0	
Rt. Rev. P. Phelan, . . . . .	Do Recollet School at Montreal for do . . . . .	54 0 0	
J. B. Meilleur, . . . . .	Do College at L'Assomption do . . . . .	90 0 0	
Ichabod Smith, . . . . .	Do Seminary at Stanstead for the year 1842, . . . . .	90 0 0	
C. Jackson, . . . . .	Do Academy at Charleston for do. . . . .	90 0 0	
Wm. Ritchie & H. Brooks, . . . . .	Do do at Sherbrooke do . . . . .	100 0 0	
Joseph Spragg, . . . . .	Contingent Expenses of the Central School at Toronto for the year 1842, . . . . .	31 18 7	545 18 7
	Total amount of Warrants issued, Sterling, . . . . .	... ..	4207 19 5
	Deduct—Warrant No. 280, dated 12th January, 1844, issued in favour of James Porteous, P.M., Montreal, and remaining unpaid on the 1st February, 1844; . . . . .	... ..	27 11 2
	Actual Payments, Sterling, . . . . .	... ..	4180 8 3
	Equal in Currency to . . . . .	... ..	4644 18 1

JOS. CARY,  
Deputy Inspector General.

INSPECTOR GENERAL'S OFFICE,  
Montreal, 1844.

Appendix  
(MM.)

17th March.

(No. 3.)  
No. 16.Appendix  
(MM.)

17th March.

STATEMENT of Warrants issued on the Receiver General of the Province of Canada, on Account of the Expenditure of the Civil Government for Services of the year 1842, paid between the 1st February, 1844, and the 31st January, 1845, provided for by Act 6 Vic. cap. 9.

To whom Paid.	SERVICE.	£ s. d.	Currency. £ s. d.
Henry Boys, Bursar, . . . .	Being the amount estimated in 1842 for the Upper Canada College, . . . . .	... ..	1111 2 3
G. W. Wicksteed, . . . .	One of the Commissioners for Revising the Statutes and Ordinances of Lower Canada, being for the Translation of the Tables and for the remuneration to the Commissioners, . . . . .	... ..	575 0 0
Louis Guillet, . . . .	Being for Services performed on account of the late Commission on the Feudal Tenure Inquiry, . . . . .	19 15 6	
Alexr. Buchanan, . . . .	Being on Account of Expenses incurred under the same, . . . . .	209 4 0	228 19 6
	Add—Warrant outstanding from the year 1843, and paid in 1844, . . . . .	... ..	1915 1 9 30 12 5
	Total Currency, . . . . .	... ..	1945 14 2

W. B. ROBINSON,  
*Inspector General.*

INSPECTOR GENERAL'S OFFICE,  
*Montreal, 1845.*

(No. 4.)

(Copy.)

C. T. METCALFE.

The Governor General recommends to the House of Assembly the accompanying Supplementary Estimates of Sums required for the Service of the present year.

GOVERNMENT HOUSE,  
*Kingston, 1st December, 1843.*

SUPPLEMENTARY Estimate of certain Items of Expenses of the Civil Government of the Province of Canada, for the year 1843—for which a Supply is required.

	STERLING. £ s. d.
Expenses likely to be incurred in the Survey of the Boundary Line between this Province and New Brunswick, . . . . .	450 0 0
Expenses likely to be incurred, attending the Commission of Enquiry into the Riots at the Beauharnois Canal, . . . . .	181 14 11
Expenses likely to be incurred for Transport of Troops on the same occasion, . . . . .	135 8 1
Expenses of Doctor J. B. Meilleur, as Assistant Superintendent of Education in 1842, . . . . .	90 14 9
Further, towards liquidating the claims of Upper Canada for Services rendered previous to the Union of the Provinces, . . . . .	50 0 0
Contingencies of the Legislative Council over and above the amount in the General Estimate, . . . . .	500 0 0
Total amount Sterling, . . . . .	£1407 17 9

(Signed,)

JOS. CARY,  
*Deputy Inspector General.*

INSPECTOR GENERAL'S OFFICE,  
*Kingston, 1st December, 1843.*

Appendix  
(MM.)

(No. 5.)

Appendix  
(MM.)

17th March.

No. 19.

17th March.

STATEMENT of Warrants issued on Account of the Expenditure of the Civil Government of the Province of Canada, for the year 1843, paid between the 1st January, 1843, and the 31st January, 1844, out of a Vote of the Legislative Assembly of last Session.

NAMES.	SERVICE.	Amount.			Total Sterling.		
		£	s.	d.	£	s.	d.
<i>Adjutant General of Militia, Canada East.</i>							
B. C. A. Gagy, . . . . .	Twelve Months Salary as Adjutant General of Militia, Canada East, to 31st December, 1843, . . . . .	450	0	0			
Charles Duchesnay, . . . . .	Do do do as 1st Clerk, at 7s. 6d. c'y. per diem, . . . . .	123	3	9			
Charles Petitclair, . . . . .	Do do do as 2d do at 5s. c'y. do . . . . .	82	2	6			
E. W. R. Antrobus, . . . . .	Do do do as Provincial Aide-de-Camp to 31st December, 1843, . . . . .	180	0	0			
B. C. A. Gagy, . . . . .	To enable him to pay the Salary of a Messenger to do . . . . .	18	5	0			
					15	3	11 3
<i>Canada West.</i>							
William M. Steers, . . . . .	Twelve Months Salary as Clerk to 31st December, 1843, . . . . .	...	...	...	153	0	0
<i>Legislative Council.</i>							
James Fitzgibbon, . . . . .	Twelve Months Salary as Clerk, to 31st December, 1843, . . . . .	450	0	0			
C. DeLery, . . . . .	Do as Assistant Clerk, to do . . . . .	315	0	0			
John F. Taylor, . . . . .	Do as do to do . . . . .	315	0	0			
Robert Armour, Jr. . . . .	Do as Clerk of Committees, Law Clerk, and English Translator, to do . . . . .	225	0	0			
John G. Spragge, . . . . .	Nine do as Master in Chancery, from 1st January to 30th September, 1843, at £90 sterling per annum, . . . . .	67	10	0			
F. S. Jarvis, . . . . .	Twelve do as Gentleman Usher of the Black Rod, to 31st December, 1843, . . . . .	90	0	0			
O. Vallerand, . . . . .	Do as Sergeant at Arms, to do . . . . .	90	0	0			
Rev. W. A. Adamson, . . . . .	Do as Chaplain and Librarian, to do . . . . .	180	0	0			
Thomas Brooke, . . . . .	Do as Door Keeper, to do . . . . .	54	0	0			
Michael Keating, . . . . .	Do as Head Messenger, do . . . . .	90	0	0			
John Fenwick, . . . . .	} Allowance as Messengers for the Session at £40 10s. } Sterling each, . . . . .	121	10	0			
John Bright, . . . . .							
A. Lachance, . . . . .	} For Contingent Expenses (by Address,) . . . . .	5000	0	0			
Charles DeLery, Assistant Clerk, . . . . .							
R. E. Caron, . . . . .	For his Services as Speaker for the present Session, (by Address,) . . . . .	225	0	0			
					7223	0	0
<i>Legislative Assembly.</i>							
A. Cuvillier, . . . . .	Twelve Months' Salary as Speaker to 31st December, 1843, . . . . .	900	0	0			
W. B. Lindsay, . . . . .	Do as Clerk to do . . . . .	450	0	0			
G. B. Faribault, . . . . .	Do as Assistant do to do . . . . .	360	0	0			
G. W. Wicksteed, . . . . .	Do as English Translator and Law Clerk, to do . . . . .	315	0	0			
Henri Voyer, . . . . .	Do as French do to do . . . . .	225	0	0			
Geo. K. Chisholm, . . . . .	Do as Sergeant at Arms, to do . . . . .	90	0	0			
Felix Fortier, . . . . .	Do as Clerk of the Crown in Chancery, to do . . . . .	135	0	0			
Wm. B. Lindsay, Clerk House of } Assembly, . . . . . }	On Account of the Contingent Expenses during the present Session, (by Address,) . . . . .	8100	0	0			
Do do } Do do } Do do }	Do last Session and during Recess, (by Address,) . . . . .	3220	12	8			
Jno. Henry Dunn, Receiver General, . . . . .	Sessional Allowance to Members last Session, . . . . .	5277	5	3			
Colin Miller, . . . . .	Do to D. M'ulloch, M. P. P., for do . . . . .	67	19	0			
					19140	16	11
<i>Pensions to Officers and Servants of the late Legislative Bodies of the two portions of the Province of Canada.</i>							
William Smith, . . . . .	Twelve Months' Pension as late Clerk of the Legislative Council of Lower Canada, and as Master in Chancery, to 31st December, 1843, . . . . .	354	0	0			
Jacques Voyer, . . . . .	Pension as late Clerk of Committees to do, from 1st to 8th January, 1843, at £150 per annum, . . . . .	3	6	8			
William Ginger, . . . . .	Twelve Months' Pension as Sergeant at Arms, to 31st December, 1843, . . . . .	60	0	0			
Louis Noreau, . . . . .	Do as late Messenger, to do . . . . .	18	0	0			
L. B. Pingnet, . . . . .	Do as Clerk of Committees to the House of Assembly, to do . . . . .	60	0	0			
Samuel Waller, . . . . .	Do as do to do . . . . .	90	0	0			
David Jardine, . . . . .	Do as do to do in Upper Canada, . . . . .	120	0	0			
William Costes, . . . . .	Do as do to do in do . . . . .	120	0	0			
Jasper Brewer, . . . . .	Do as Librarian to do in Lower Canada, . . . . .	120	0	0			
Francis Rodrigue, . . . . .	Do as Messenger to do . . . . .	16	4	0			
Louis Gagné, . . . . .	Do as do to do . . . . .	16	4	0			
Aeneas Bell, . . . . .	Do as do to do in Upper Canada, . . . . .	16	4	0			
					993	16	8
<i>Carried over.....</i>					£28364	6	10



## STATEMENT of Warrants issued on Account of the Expenditure, &amp;c.—Continued.

NAME.	SERVICE.	Amount.			Total Sterling.		
		£	s.	d.	£	s.	d.
	<i>Brought over,.....</i>	...	...	...	28364	6	10
	<i>Promotion of Education.</i>						
Rev. R. R. Burrage,	Twelve Months' Salary as Secretary of the Royal Institution for the advancement of Learning, to 31st December, 1843,	90	0	0			
Do	Do Allowance for a Clerk, Messenger and Contingencies to do	61	0	0			
Alexander Skakel,	Do Salary and Allowance for House Rent, as Master of the Grammar School, Montreal, to do	254	0	0			
Rev. John Bethune,	Towards the Support of the National School at Montreal,	100	0	0			
John Duval,	For the Society of Education at Quebec,	252	0	0			
Selby Burns,	Twelve Months' Salary as Master of the Grammar School at Three Rivers, under the Royal Institution, to 31st December, 1843,	40	10	0			
William Lunn,	For the British and Canadian School at Montreal,	180	0	0			
Rev. John Cook,	Do St. Andrews do Quebec,	90	0	0			
Jacques Viger,	Do St. Jacques do Montreal,	180	0	0			
John E. Mills,	Do American Presbyterian Free School, Montreal,	90	0	0			
Rev. F. Pilote,	Do College of St. Anne de la Pocatière,	180	0	0			
Rev. J. Laroque,	Do St. Hyacinthe,	180	0	0			
Rev. M. Mignault,	Do Chambly,	180	0	0			
J. B. Meilleur,	Do L'Assomption,	90	0	0			
John McConville,	Teacher of the Academy, Berthier,	90	0	0			
Stephen Foster,	Aid to the Shefford Academy,	90	0	0			
Rev. A. Balfour,	Do School at Waterloo in Shefford,	90	0	0			
Rev. E. Ryerson,	Do Victoria College,	450	0	0			
Hannah Clugston,	Do Infant School at Quebec,	50	0	0			
A. F. Holmes,	Do M'Gill College,	450	0	0			
Joseph Spragge,	Twelve Months' Salary as Master of the Central School at Toronto, to 31st December, 1843,	280	0	0			
James Bell,	Do as Teacher in do to do	90	0	0			
Rebecca Sylvester,	Do as Assistant in do to do	45	0	0			
R. S. Jameson,	Do as Superintendent of Education in Canada West to do	675	0	0			
Robert Murray,	Assistant Superintendent Education, West, for Postage from 1st January to 5th October, 1843,	42	17	6			
Do	To pay R. Stanton for Stationery and Printing for 1843,	41	8	7			
J. B. Meilleur,	Assistant Superintendent Education, East, for Travelling Expenses in visiting 42 Municipal Districts,	90	14	9			
	<i>Various Public Institutions.</i>				4402	10	10
Henry Weston,	In Aid of the Quebec Mechanics' Institute,	45	0	0			
John Smith,	Do Montreal do	45	0	0			
Thomas Kirkpatrick, President Board of Directors,	On Account of the Expenses of the Provincial Penitentiary for 1843,	3950	0	0			
	<i>Hospitals and other Charities.</i>				4040	0	0
Louis Massue,	Commissioner for the relief of Insane Persons, of Foundlings and Indigent Sick Persons in the District of Quebec, to defray the expenses of these objects in 1843,	1728	18	8			
R. L. Morrogh and others,	Do do at Montreal do	287	10	0			
Samuel Gerard,	Do Corporation of the General Hospital at Montreal,	900	0	0			
S. L. Ashworth,	Manager of the Male Orphan Asylum at Quebec,	90	0	0			
J. C. Quocnel,	In Aid to the Charitable Ladies of the Roman Catholic Orphan Asylum, Montreal,	90	0	0			
William Lunn,	Do Temporary Lunatic Asylum at Montreal,	675	0	0			
William B. Jarvis,	Do Lunatic Asylum at Toronto, including Medical superintendence and a balance for 1842,	2250	0	0			
James Nation,	Do Toronto General Hospital,	450	0	0			
W. A. Baldwin,	Do do House of Industry,	315	0	0			
John Counter,	Do Indigent Sick at Kingston,	315	0	0			
	<i>Miscellaneous.</i>				7101	8	8
A. J. Duchesnay,	Allowance for Translating Public Documents into French,	50	0	0			
Alexander Thomson,	Twelve Months' Salary as Inspector of Chimnies at Three Rivers, to 31st December, 1843,	25	0	0			
A. Hamel,	Six Months' Salary as Keeper of Depot of Provisions on the River St. Lawrence, for the relief of Shipwrecked persons, from 1st January to 30th June, 1843,	22	10	0			
L. O. Gamache,	Nine do do of do at Anticosti, from 1st January to 30th September, 1843, at £45 per annum,	33	15	0			
John King,	Twelve do as Keeper of the Legislative Buildings at Quebec, to 31st December, 1843,	90	0	0			
Robert Deacon,	Postage of the Office of the Clerk of the Crown in Chancery, for the year ended 5th January, 1844,	32	18	7			
Felix Fortier,	Contingent Expenses of do	5	5	9			
	<i>Carried forward,.....</i>	259	9	4	43908	6	4

## STATEMENT of Warrants issued on Account of the Expenditure, &amp;c.—Continued.

NAME.	SERVICE.	Amount.		Total Sterling.	
		£	s. d.	£	s. d.
	<i>Brought forward,.....</i>	259	9 4	43908	6 4
	<i>Miscellaneous.</i>				
Pierre Brochu, . . . . .	Nine Months' allowance for residing on the Kempt Road, from 1st January to 30th September, 1843, at £22 10s. per annum, . . . . .	16	17 6		
Joseph Parent, Inspecting Physician, Quebec, . . . . .	Expenses of the Quarantine Establishment at Quebec and Grossu Isle for the year 1843, . . . . .	1512	7 9		
Malcolm Cameron, . . . . .	Expenses as Commissioner for enquiring into the mode of collecting the Revenue in the Western portion of the Province, including Travelling and Contingent expenses, . . . . .	700	6 4		
Charles C. Small, . . . . .	For his services as Clerk at Special Assizes in the Home District in the year 1838, . . . . .	175	0 0		
John F. Taylor, . . . . .	Balance due him as Clerk at Special Assizes in the London and Niagara Districts in the year 1838, . . . . .	55	2 6		
Hannah O. Hamilton, . . . . .	Executrix to the Estate of the late Sheriff Hamilton, to liquidate the claims of the Sheriff in Upper Canada for services previous to the Union of the Provinces, . . . . .	13	7 1		
William Kingsmill, . . . . .	Sheriff Niagara District do do . . . . .	8	8 5		
David Thorburn, . . . . .	Expenses of a Troop of Cavalry to aid in quelling Riot on the Welland Canal in 1842, . . . . .	51	0 11		
Armour & Ramsay, . . . . .	For Stationery furnished the Executive Council in Lower Canada in 1840 and 1841, previous to the Union, . . . . .	37	19 9		
D. Thorburn & F. Hall, . . . . .	Being so much contracted for by the Commissioners appointed for the improvement of Roads and Bridges in Canada West, under Provincial Act 7th Wm. 4, cap. 107, continued by 2 Vic. cap. 56, . . . . .	944	12 10		
Siméon LeLievre, . . . . .	Additional Salary as Interpreter to the Courts at Quebec for the years 1842 and 1843, . . . . .	63	0 0		
William B. Lindsay, . . . . .	Balance due of the Contingent Expenses of the late Special Council of Lower Canada, . . . . .	205	1 9		
John Joseph, . . . . .	Salary as late Clerk of the Legislative Council of Upper Canada, from 10th February to 9th June, 1841, at £180 per annum, . . . . .	60	0 0		
N. Cleary, . . . . .	To reimburse him for goods seized at Port Hope, under particular circumstances, . . . . .	55	19 3		
William Stalker, . . . . .	To compensate him for an injury from a gun shot wound received whilst in discharge of his duty as a Constable at Peterboro', . . . . .	67	10 0		
Alphonso Wells, . . . . .	Travelling expenses as Commissioner for surveying the Boundary Line between Canada and New Brunswick, . . . . .	90	0 0		
R. L. Morrogh and others, . . . . .	For expenses and allowances as Commissioners of Enquiry into the Beauharnois Riots, . . . . .	181	14 11		
Perrault and Burroughs, . . . . .	Repairs to Public Buildings and Court House at Quebec, . . . . .	125	7 5		
Thomas Overend, . . . . .	For alteration made in the Secretary's Office, . . . . .	31	13 6		
John Phillips, . . . . .	Inspecting Gaols and Court Houses and estimating for repairs, . . . . .	54	16 2		
Stephen Yarwood, . . . . .	Repairing Legislative Buildings at Quebec, as per certificate of the Board of Works, . . . . .	70	7 7		
John King, . . . . .	Contingent Expenses and of Fuel, &c. for the Parliament Buildings at Quebec for 1843, . . . . .	28	12 0		
David Luck, . . . . .	For the purchase of Fuel for the Government Offices at Montreal, . . . . .	32	3 6		
Do . . . . .	Balance of Account for Expenses in 1843 do do . . . . .	6	4 11		
Alexander Miller, . . . . .	Keeping Winter Roads in repair in front of Public Buildings at Quebec, . . . . .	27	0 0		
	<i>Carried over,.....</i>	4874	3 4	43908	6 4

STATEMENT of Warrants issued on Account of the Expenditure, &c.—Continued.

NAME.	SERVICE.	Amount.			Total Sterling.		
		£	s.	d.	£	s.	d.
	<i>Brought over,</i> .....	4874	3	4	43908	6	4
	<i>Miscellaneous.</i>						
H. M. Blaiklock, . . . . .	Keeping and repairing Public Buildings at Quebec, . . . . .	136	17	0			
Desbarats and Derbishire, . . . . .	For Printing in the Canada Gazette 6 Months, ended 30th June, 1843, . . . . .	359	9	0			
Do	For Printing Tables to the Acts and Ordinances and revised Acts of 1842, . . . . .	240	0	0			
Robert Stanton, . . . . .	For publishing in the Upper Canada Gazette 6 Months, ended 30th June, 1843, . . . . .	130	13	9			
Fisher & Kemble, . . . . .	Do do Lower Canada Gazette for do . . . . .	85	6	7			
Commissary General Filder, . . . . .	For Expenses in conveying Troops to and from Brantford, . . . . .	24	9	0			
Thomas C. Aylwin, . . . . .	Do investigating complaint against B. Dougall at Belleville, . . . . .	2	14	0			
W. H. Merritt, . . . . .	Do collecting information relating to Lunatic Asylums, . . . . .	9	0	0			
S. Plamondon, . . . . .	Do making statement of Bankrupts in the District of Quebec, since 5th June, 1840, . . . . .	13	10	0			
Commissary General Filder, . . . . .	Do Expenses incurred transporting Troops to Lachine in March, . . . . .	3	0	9			
Do do . . . . .	Do do to Beauharnois and Laprairie, . . . . .	132	7	4			
					6011	10	9
					49919	17	1
Less—The Amount of Warrants outstanding on the 1st February, 1844, and remaining unpaid, . . . . .	... ..				2684	19	4
					47234	17	9
N. B.—The following sums paid in 1842, were included in the estimate voted for 1843, but not charged to the Consolidated Revenue Fund until now, viz:—							
Amount Expended on Toronto and Saugine Road,* . . . . .		367	8	6			
Do on Tecumseh Road,* . . . . .		1400	3	3			
Do on Paris Bridge,* . . . . .		313	16	9			
Do on River DeLisle Bridge,* . . . . .		113	8	1			
Do on Presqu'Isle Light House,* . . . . .		24	7	7			
Do on Gull Island do* . . . . .		522	19	4			
Do on Cap Rouge Bridge,* . . . . .		17	19	8			
Do on Missisquoi Canal, . . . . .		119	2	10			
Excess on Civil List Schedule A. for 1841, (See Statement I. in Accounts of 1842,) . . . . .		1312	17	1½			
Do for 1842, (See Statement B. 2 in do) . . . . .		3895	8	8½			
Unprovided Items, (See particulars in Statement D. in do)* . . . . .		1251	12	0¼			
	Currency, . . . . .	9015	3	10¼			
	Or Sterling, . . . . .	...	...	...	8113	13	6
	Actual Payments, Sterling, . . . . .	...	...	...	55348	11	3
	Equal in Currency to . . . . .	...	...	...	£61498	8	1½

\* These items are included in the first Report.

JOS. CARY,  
Deputy Inspector General.

INSPECTOR GENERAL'S OFFICE,  
Montreal, 1844.

STATEMENT of Warrants issued on the Receiver General of the Province of Canada between the 1st February, 1844 and the 31st January, 1845, on account of the Expenditure of the Civil Government of Canada, for the year 1843, out of the Vote of the Legislative Assembly of that Session.

NAME.	SERVICE.	Amount.	Total Currency.
		£ s. d.	£ s. d.
<i>Education.</i>			
C. Jackson . . . . .	Aid to the Charlestown Academy . . . . .	100 0 0	
Rev. M. Willoughby . . . . .	Do. British North American School Society at Sherbrooke	111 2 3	
Henry Jessopp . . . . .	Do. National School at Quebec . . . . .	111 2 3	
Wilder Peirce . . . . .	Do. Stanstead Seminary . . . . .	100 0 0	
William Baker . . . . .	Do. Durham School or Academy . . . . .	100 0 0	
Benjamin Tremain . . . . .	Do. British and Canadian School at Quebec . . . . .	200 0 0	
Wm. Ritchie and Saml. Brooks	Do. Sherbrooke Academy . . . . .	111 2 2	
Dr. Boys, Bursar . . . . .	Do. Upper Canada College, Toronto . . . . .	1111 2 2	
Rev. R. Murray . . . . .	Contingent expenses as Assistant Superintendent of Education (West) for the year ended the 31st December, 1843	31 19 11	
J. B. Meilleur . . . . .	Do. as do. Canada East . . . . .	122 16 11	
J. Spragge . . . . .	Do. as Master of the Central School at Toronto . . . . .	32 0 3	2181 5 11
<i>Hospitals and other Charities.</i>			
R. L. Morrogh . . . . .	Commissioner for the relief of Insane persons, of Foundlings and Indigent Sick persons, in the District of Montreal—Balance to defray the expenses of these objects for 1843 . . . . .	958 6 8	
J. P. Bureau . . . . .	Do. do. at Three Rivers for 1843 . . . . .	702 18 4	
William Lunn . . . . .	Balance in support of the Temporary Lunatic Asylum at Montreal for 1843 . . . . .	472 4 5	
Sarah A. Richardson . . . . .	Aid to the Ladies of the Benevolent Society at Montreal . . . . .	100 0 0	
Mrs. N. Freer . . . . .	Do. Managers of the Female Orphan Asylum at Quebec . . . . .	100 0 0	
Eliz. Reid . . . . .	Do. do Montreal Protestant Asylum . . . . .	100 0 0	
Marie Massue . . . . .	Do. Roman Catholic Orphan Asylum at Quebec . . . . .	100 0 0	
Robert Symes . . . . .	Aid to Literary and Historical Society at Quebec . . . . .	... ..	2533 9 5 50 0 0
Thos. Kirkpatrick, President . . . . .	Balance of the Grant for the Provincial Penitentiary for 1843 . . . . .	... ..	2455 11 1
W. B. Lindsay, Clerk House Assembly . . . . .	Balance of the sum voted by Address, on account of the Contingencies of the House of Assembly . . . . .	... ..	5177 5 0
<i>Miscellaneous.</i>			
Desbarats & Derbshire, Queen's Printer, . . . . .	On account of Printing the Acts of last Session. . . . .	3140 7 10	
Do . . . . .	For Printing Census Forms, Packing, &c. . . . .	306 16 1	
Do . . . . .	For various other Printing, Publishing Proclamations, &c., and furnishing the Official Gazette, in the 6 months ended the 31st December, 1843. . . . .	546 0 4	
Leslie & Kemble, . . . . .	For publishing Proclamations, &c., at Quebec in the do. . . . .	100 14 3	
Thomas D. Harrington, . . . . .	Expenses of Packing, Forwarding, and Distributing the Acts of last Session in Canada West. . . . .	188 4 9	
J. E. Turcotte, . . . . .	For translating the Acts of the last Session into French. . . . .	333 6 8	
Thomas A. Begly, . . . . .	For sundry repairs, &c. to Public Buildings. . . . .	147 16 2	
C. C. Small, . . . . .	For Contingent Expenses attending the care of Public Buildings at Toronto for the year 1843. . . . .	143 3 10	
<i>Carried over,.....</i>		4906 9 11	12347 11

STATEMENT of Warrants issued on the Receiver General, &c.—Continued.

NAME.	SERVICE.	Amount.			Total Sterling.		
		£	s.	d.	£	s.	d.
	<i>Brought over,</i> .....	4908	9	11	12347	11	5
	<i>Miscellaneous.</i>						
H. S. Huot, . . . . .	For Contingent Expenses attending the care of the Castle St Lewis and keeping of Winter Roads in repair at Quebec,	48	10	5			
A. Hamel, . . . . .	6 months Salary as Keeper of the Depot of Provisions in the River St. Lawrence for the relief of Shipwrecked Persons, to 31st Dec. 1843. . . . .	25	0	0			
P. Brochue, . . . . .	3 do. allowance for residing on Kempt Road to do. . . . .	6	5	0			
G. W. Wicksteed, . . . . .	For services as Law Clerk to Government for the year 1843,	100	0	0			
Rob. J. Turner, . . . . .	Cost of a suit in Chancery on behalf of the Crown, . . . . .	14	0	1			
M. Cameron, . . . . .	To pay the Salary of a Clerk while Commissioner of Enquiry into the mode of Collecting the Revenue (Canada West), . . . . .	42	15	0			
J. N. Bossé, . . . . .	Services as late Commissioner to the Magdelaine Islands in 1843, . . . . .	100	0	0			
Hannah O. Hamilton, . . . . .	Sum due her late husband for services as Sheriff of the Niagara District, . . . . .	34	9	9			
Philip Ham, . . . . .	Amount refunded him as Treasurer of the Victoria District being so much paid the Receiver General on account of Members' wages in 1841, . . . . .	90	8	4			
Francis Austin, City Treasurer, Quebec, . . . . .	For Assessment on Public Property in the City of Quebec, for the year 1843, . . . . .	555	8	7			
Arthur Ross, do do Montreal, . . . . .	Do. as do. in Montreal, . . . . .	407	13	9			
David Thorburn and Frs. Hall, . . . . .	So much contracted for by the Commissioners appointed for the Improvements of Roads and Bridges in Canada West. over and above the appropriations made for these objects by Provincial Act 7 Wm. 4. c. 107, continued by 2 Vic. c. 56.	1577	4	5			
Thomas Askew, Cashier Bank B. N. A., Kingston, . . . . .	To enable him to pay the proportion of the expenses in keeping Light Houses on the Isles of St. Paul and Scatterie, in the Gulph during the years 1841, 2 & 3, under the Provincial Act of L. C. 6 Wm. 4. c. 38, . . . . .	1984	10	0			
Ch. P. Huot, . . . . .	To reimburse so much advanced by the Commissioners for improving the internal communications in the former County of Northumberland, (Canada East), . . . . .	112	18	0			
Alphonso Wells, . . . . .	Travelling and other Expenses as Commissioner for Surveying the Boundary Line between Canada and New Brunswick.	400	0	0			
Rob. Deacon, Post Master, . . . . .	Amount of Postages against the Clerk of the Crown in Chancery, to the 5th April, 1843, . . . . .	8	9	10			
Chas. Pennier, . . . . .	Aid to Montreal Agricultural Society for 1843, . . . . .	75	0	0			
Amable Berthelot, . . . . .	Sessional Allowance for 1843, . . . . .	£84	10	0			
R. N. Watts, . . . . .	Do. do. do. . . . .	84	10	0			
Saml. Crane, . . . . .	Do. do. do. . . . .	68	12	0			
				237	12	0	
							10726 15 1
	Add Warrants outstanding for the year 1843 and paid in 1844	...	...	...	23074	6	6
					2969	7	11
	Total, Currency, . . . . .	...	...	...	£26043	14	5

W. B. ROBINSON,  
Inspector General.

STATEMENT of Warrants issued on the Receiver General of the Province of Canada between the 1st February, 1844, and the 31st January, 1845, on account of the Expenditure of the Civil Government for the year ended the 31st December, 1844, for which provision is required.

NAME.	SERVICE.	Amount.	Total Sterling.
		£ s. d.	£ s. d.
<i>Adjutant General of Militia, Canada East.</i>			
B. C. A. Gagy,	Twelve Months' Salary as Adjutant General of Militia, to 31st December, 1844,	500 0 0	
Do	Do. allowance for a Messenger to do at 1s. stg. per diem,	20 6 8	
Chas. Duchesnay,	Do. Salary as 1st Clerk, at 7s. 6d. Cy. per diem,	137 5 0	
Chas. Petitclaire,	Do. as 2nd Clerk to do at 5s. Cy. per diem,	91 10 0	
E. W. R. Antrobus,	Do. as Provincial Aide-de-Camp to do,	200 0 0	949 1 8
<i>Canada West.</i>			
Wm. M. Steers,	Twelve Months Salary as Clerk to 31st December, 1844,	170 0 0	170 0 0
<i>Legislative Council.</i>			
James Fitzgibbon,	Twelve Months Salary as Clerk to the 31st December 1844.	500 0 0	
Chas. DeLéry	Do. as Assistant Clerk to do,	350 0 0	
John F. Taylor,	Do. as do. to do,	350 0 0	
Robert Armour, Jr.	Do. as Clerk of Committees—Law Clerk, and English Translator to do,	250 0 0	
Robert Lemoine,	Do. as French Translator to do,	225 0 0	
F. S. Jarvis,	Do. as Gentleman Usher of the Black Rod to do,	100 0 0	
Rev. W. A. Adamson,	Do. as Chaplain and Librarian to do,	200 0 0	
O. Vallerand,	Do. as Sergeant at Arms to do,	100 0 0	
Thomas Brooks,	Do. as Door Keeper to do,	60 0 0	
Michael Keating,	Do. as Head Messenger to do,	100 0 0	2235 0 0
<i>Legislative Assembly.</i>			
Austin Cuvillier,	Nine Months Salary as Speaker, to 30th September, 1844 at £1000 per annum,	750 0 0	
Wm. B. Lindsay,	Twelve Months Salary as Clerk, to 31st December, 1844,	500 0 0	
G. B. Faribault,	Do. as Assistant Clerk to do,	400 0 0	
G. W. Wicksteed,	Do. as English Translator and Law Clerk to do,	350 0 0	
Henri Voyer,	Do. as French Translator to do,	250 0 0	
Felix Fortier,	Do. as Clerk of the Crown in Chancery to do,	150 0 0	
Geo. K. Chisholm,	Do. as Sergeant at Arms to do,	100 0 0	
Wm. B. Lindsay, Clerk House of Assembly,	On account of the Expenses of the House of Assembly during the late Recess and present Session,	4000 0 0	2500 0 0
<i>Pensions to Officers and Servants of the late Legislative Bodies of the two portions of the Province of Canada.</i>			
William Smith,	Twelve Months Pension as late Clerk of the Legislative Council of Lower Canada, and as Master in Chancery, to 31st December, 1844	393 6 8	
William Ginger,	Do as Sergeant at Arms to do	66 13 4	
Louis Noreau,	Do as Messenger to do	20 0 0	
L. B. Pinguet,	Do as Clerk of Committee to the House of Assembly, late I. C. to do	66 13 4	
Samuel Waller,	Do as do to do	100 0 0	
Jasper Brewer,	Do as Librarian to do	133 6 8	
F. Rodrigue,	Do as late Messenger to do	18 0 0	
Louis Gagné,	Do as do to do	18 0 0	
David Jardine,	Do as Writing Clerk to the do in Upper Canada as do.	133 6 8	
William Coates,	Do as do to do.	133 6 8	
Æneas Bell,	Nine Months do as Messenger, to 30th September, 1844, at £18 per annum.	13 10 0	1096 3 4
<i>Promotion of Education.</i>			
Rev. R. R. Burrage,	Twelve Months Salary as Secretary of the Royal Institution for the Advancement of Learning to 31st December, 1844.	100 0 0	
Do	Do Allowance for a Clerk, Messenger and Contingencies to do.	167 15 6	
Alex. Skakel,	Do Salary and Allowance for House Rent as Master of the Grammar School, at Montreal, to do.	282 4 5	
J. Laroque,	Do being one-fourth of the usual Annual Grant, towards the support of the College at St Hyacinthe for 1844,	50 0 0	
Rev. P. M. Mignault,	Do do at Chambly for do.	50 0 0	
Hy. Jessopp,	Do do National School at Quebec for do.	27 15 6	
William Ritchie and Samuel Brooks	Do do Sherbrooke Academy for do.	27 15 6	
Jacques Viger,	Do of the St. Jacques School at Montreal for do.	50 0 0	
<i>Carried forward,.....</i>		755 10 11	10950 5 0

## STATEMENT of Warrants issued on the Receiver General, &amp;c.—Continued.

NAMES.	SERVICE.	Amount.			Total Currency.		
		£	s.	d.	£	s.	d.
	<i>Brought over,.....</i>	755	10	11	10950	5	0
	<i>Promotion of Education.</i>						
R. S. Jameson, . . . . .	Three Months Salary as Superintendent of Education, C. East, to 31st March 1844, at £375 per annum . . . . .	£375	15	0			
J. B. Meilleur, . . . . .	Do as do to 31st December 1844 at do . . . . .	281	5	0	375	0	0
Do . . . . .	Salary of a Clerk to do from 10th January to do at . . . . .	£175			170	13	4
Do . . . . .	On account of Postages and other Contingent Expenses of his office to do . . . . .				134	9	4
Robert Deacon, Post Master, . . . . .	Amount of Postages against the do to 23rd February 1844 . . . . .				57	16	8
Dom. Daly, . . . . .	Twelve Months Salary for the Superintendent of Education, Canada West, to the 31st December, 1844 . . . . .				375	0	0
Rev. R. Murray, . . . . .	Amount of Postages and other Contingent Expenses of the Education Office, West, to 3rd October, 1844 . . . . .				137	0	8
					1905	10	11
Thos. Kirkpatrick, President, . . . . .	On account of the Expenses of the Provincial Penitentiary for 1844 . . . . .	...	...	...	8445	17	4
	<i>Hospitals and other Charities.</i>						
Ls. Massue, . . . . .	Commissioner for the relief of Insane persons, of Foundlings and Indigent Sick persons in the District of Quebec to defray the Expenses of these objects for 1844, . . . . .				1955	19	2
J. B. C. Trestler, and Jos. Bourret, . . . . .	Do do in part for 1844, at Montreal . . . . .				638	17	9
Samuel Gerard, . . . . .	Being one-fourth of the usual annual grant for the Corporation of the General Hospital at Montreal . . . . .				250	0	0
M. M. Freer, . . . . .	Do do Manager of the Female Orphan Asylum at Quebec for 1844 . . . . .				25	0	0
Sophia Ashworth, . . . . .	Do do Male Orphan Asylum at do . . . . .				25	0	0
W. Lunn, . . . . .	On account of the Expenses of the Temporary Lunatic Asylum at Montreal for 1844 . . . . .				300	0	0
W. B. Jarvis, and Rev. H. J. Grassett, . . . . .	Do do Lunatic Asylum at Toronto, for 1844 . . . . .	£2030	5	9			
W. Rees, . . . . .	6 Months Salary as Superintendent and Physician, to 30th June, 1844, at £200 per annum . . . . .	100	0	0			
Do . . . . .	Do as to the 31st December 1844, at £250 . . . . .	125	0	0	2255	5	9
					5450	2	8
	<i>Miscellaneous.</i>						
A. J. Duchesnay . . . . .	12 Months Salary for Translating Public Documents into French, to the 31st December, 1844 . . . . .				55	11	1
Alex. Thomson . . . . .	Do do Inspector of Chimnies at Three Rivers to the 31st December, 1844 . . . . .				27	15	6
Jno. King . . . . .	Do do Keeper of the Legislative Buildings at Quebec to 31st December, 1844 . . . . .				100	0	0
P. Brochu . . . . .	9 Months allowance for residing on Kempt Road, to 30th September, 1844, at £25 per annum. . . . .				18	15	0
J. Parent, Inspecting Physician, Quebec. . . . .	Expences of the Quarantine Establishment at Quebec and Grosse Isle, for the year 1844 . . . . .				1790	1	6
	<i>Printing.</i>						
Desbarats & Derbshire, Queen's Printer . . . . .	Balance of their account for Printing the Acts of last Session including 1500 copies of "Small Cause Act," 7 Vict. c. 19, in English and French . . . . .				291	1	2
Do . . . . .	On account of Printing the Revised Statutes of Lower Canada . . . . .				600	0	0
Do . . . . .	For Printing in English and French the Reserved Acts of last Session . . . . .				367	11	1
	<i>Carried forward,.....</i>				8701	6	0
					26751	15	11

## STATEMENT of Warrants issued on the Receiver General, &amp;c.—Continued.

NAMES.	SERVICE.	Amount.			Total Sterling.		
		£	s.	d.	£	s.	d.
	<i>Brought forward</i> ,.....	8701	6	0	26751	15	11
	<i>Printing.</i>						
Desbarats and Derbshire, . . . . .	For Miscellaneous Printing including Advertisements in the Official Gazette and the furnishing of the same to Government for the 6 Months ended the 30th June 1844 . . . . .	412	8	2			
Thos. Cary & Co. . . . .	For Printing, Ruling, Binding, and Forwarding Books and Forms required under the Registry Act . . . . .	211	13	6			
	<i>Repairs and care of the Public Buildings.</i>						
Monk, Coffin & Papineau . . . . .	For repairing Vaults in the Court House at Montreal . . . . .	20	0	0			
Jno. King . . . . .	For purchase of Fuel and other Expenses, Legislative Buildings at Quebec . . . . .	75	12	10			
A. R. Roche . . . . .	To enable him to pay Madame Viger, Keeper of the Castle St. Lewis at Quebec, her Expenses of the same from 1st August 1843 to 30th November, 1844. . . . .	51	11	10			
Thos. McGinn . . . . .	For repairs to the Montreal Gaol . . . . .	271	15	2			
S. Yarwood . . . . .	For repairs to the Parliament Buildings at Quebec . . . . .	42	10	0			
W. Spiers & Son . . . . .	On account of their Contract for the conversion of the Old Gaol, Montreal, into Court House. . . . .	1264	10	0			
Js. Andrews, . . . . .	On account of his Contract for the conversion of the Old Gaol, Montreal, into Court House, . . . . .	1533	15	9			
Forsyth, Richardson & Co. . . . .	For Sundry articles furnished the Montreal Gaol . . . . .	97	14	1			
Hon. F. W. Primrose, . . . . .	On account of the Costs and Charges in Re-registering for the Crown . . . . .	266	13	4			
Rich. Clancey, . . . . .	Salary as keeper of the Chateau Gardens at Quebec to the 30th September, 1844 . . . . .	54	16	0			
F. A. Quesnel, . . . . .	Rent and Assessment of House occupied as an Office by Board of Works . . . . .	107	17	6			
W. H. Lee, . . . . .	Expenses going to Toronto in July, 1844, to attend the Heir and Devisee Commission . . . . .	15	0	0			
W. B. Lindsay, . . . . .	To pay the Insurance on the Parliament Buildings at Quebec, due the 23d December, 1844 . . . . .	33	0	0			
C. W. Grant, . . . . .	Rent of Alwington House, Kingston, from 10th February to 1st July, 1844 . . . . .	311	3	2			
J. W. Dunscomb, . . . . .	12 Months Salary as Commissioner of Customs at the rate of £50 Stg. per month, and allowance of Travelling Expenses, Stationery, Postage, &c. to the 31st December, 1844 . . . . .	768	18	8			
Siméon LeLievre, . . . . .	Do additional Salary as Interpreter to the Courts at Quebec to do . . . . .	36	0	0			
Richard Dillon, . . . . .	Do as do Montreal to do . . . . .	36	0	0			
John Glén, Manager, . . . . .	To meet certain Demands against the Trustees of the Longueuil and Chambly Turnpike Road . . . . .	1000	0	0			
Antoine Hamel, . . . . .	12 Months Salary as Keeper of a Dépôt of Provision at Shallow Creek, Island of Anticosti, to 31st December, 1844 . . . . .	50	0	0			
Felix Fortier, Clerk of the Crown in Chancery, . . . . .	On account of the Contingencies of his Office . . . . .	112	12	7			
Ed. Larue, . . . . .	Balance of his Account for Distributing the Acts of last Session in Canada East . . . . .	156	13	4			
Ed. Stavelly, . . . . .	For Copying and preparing Maps relative to the Boundary between Canada and New Brunswick . . . . .	7	17	6			
Benj. Draper, . . . . .	Construction of a Dredge for the Chambly Canal . . . . .	40	0	0			
Crawford & Wilkinson, . . . . .	On account of the Lock and Dam at St. Ann's Rapids . . . . .	539	3	4			
	<i>Carried over</i> ,.....	£18216	12	9	26751	15	11



(No. 7—Continued.)

No. 18.

Appendix (MM.)

17th March.

Appendix (MM.)

17th March.

STATEMENT of Warrants issued on the Receiver General, &c.—Continued.

NAMES.	SERVICE.	Amount.	Total Sterling.
	<i>Brought over,.....</i>	£ s. d. 16216 12 9	£ s. d. 26751 15 11
	<i>Expenses attending the removal of the Seat of Government from Kingston to Montreal.</i>		
	<i>Repairs, &amp;c., to the Building used for the Parliament House.</i>		
	£ s. d.      £ s. d.		
Colin Miller, . . . . .	To pay the Corporation of Montreal for the use of St. Anne's Market, . . . . .	777 0 0	
Js. Andrews, . . . . .	On account of his Contract for repairs and alterations of the same, . . . . .	3000 0 0	
Js. Townsend, . . . . .	Do for Work done for the same, . . . . .	222 12 2	
Geo. Brown, Architect, . . . . .	Superintending the same, . . . . .	100 0 0	4099 12 2
	<i>Repairs, &amp;c. to Monkland.</i>		
Geo. Bowie, . . . . .	On account of his Contract for repairs and alterations to Monkland, the Governor General's residence, . . . . .	2250 0 0	
Js. Andrews, . . . . .	Do do do . . . . .	878 14 0	
R. J. Begley, . . . . .	Do do do . . . . .	300 0 0	
B. H. Lemoine, . . . . .	Do do do . . . . .	1353 7 0	
Js. Townsend, . . . . .	Do do do . . . . .	335 10 4	
Geo. Brown, Architect, . . . . .	Superintending the same, . . . . .	140 0 0	
Rice Sharply, . . . . .	For articles furnished the same, . . . . .	43 8 3	
J. Cameron, . . . . .	For Work done at do . . . . .	49 10 3	
Rich. Hall, . . . . .	Do for do . . . . .	33 18 0	
Liston & Clark, . . . . .	Do for do . . . . .	23 0 6	
Jn. Sutherland, . . . . .	Do for do . . . . .	47 11 9	
J. Smolenski, . . . . .	For the construction of Russian Stoves at the same, . . . . .	252 0 1	
Benjamin and Brothers, . . . . .	For articles furnished to same, . . . . .	68 5 0	
G. Aubry & S. W. Monk, . . . . .	5 months rent of the same, . . . . .	85 0 0	5860 5 2
	<i>Repairs and alterations to the Old Government House, Montreal, used as Public Offices.</i>		
Geo. Bowie, . . . . .	Amount paid him for repairs and alterations to the same, . . . . .	946 12 10	
J. Andrews, . . . . .	Do do do . . . . .	532 10 6	
Geo. Brown, . . . . .	Superintending the same, . . . . .	160 0 0	1639 3 4
	<i>Transport of Government Offices and effects, from Kingston to Montreal.</i>		
Geo. Hunter, . . . . .	Amount of his account for making packing cases for Public Documents, &c., . . . . .	481 19 7	
M'Pherson & Crane. . . . .	On account of their Contract for the transport necessary in the Removal, . . . . .	2313 0 0	
Wm. Menilley, . . . . .	The same, . . . . .	152 6 3	
Thos. A. Begley, . . . . .	To pay sundry accounts connected with the removal, . . . . .	200 0 0	3147 5 10
		14746 6 6	25512 8 7
	Total Currency, . . . . .		£ 52264 4 6

The sum of £21364 12 6 Currency was granted by Act of the Legislative Assembly in its last Session, on this account.

INSPECTOR GENERAL'S OFFICE,  
Montreal, 1845.

W. B. ROBINSON,  
Inspector General.

(No. 8.)

STATEMENT of Supplies voted towards defraying the necessary and indispensable Expenses of the Civil Government, for the years 1841, 1842, 1843 and 1844.

Session	AUTHORITY.	Voted.	Paid.	Less than Voted.	Over Vote and to be supplied.
1841	By Act 4 and 5 Vict. Cap. 50, . . . . .	49853 3 8	45196 19 3	4656 4 5	
1842	By Act 6 Vict. Cap. 9, . . . . .	83303 6 8	76847 16 8	6455 9 11	
1843	By the same Act, for first Quarter of 1843, £27777 15 6				
	By Vote of Assembly of 4th Dec. 1843, . . . . . 57680 14 11				
	By Vote of same Date, for £1407 17 9 Stg. Cy. 1564 6 4				
		87022 16 9	78526 18 7	8495 18 2	
1844	By Vote of 4th December, 1843, towards the first Quarter of 1844, ending on 31st March, . . . . .	21364 12 7	37517 18 0		16153 5 5
		£ 241543 19 8	238089 12 7	19607 12 6	16153 5 5

**REPORT.**

THE SELECT COMMITTEE appointed to enquire into the present method of disposing of the Crown, Clergy and School Lands, the amount collected and paid, from year to year, into the Public Revenue or any other Fund, from the proceeds thereof,—expenses attending the same, and from what Fund paid, including the Receipt and Expenditure of the Territorial Revenue,—with power to report on the best method of appropriating the proceeds of the said Lands, have the honor to REPORT:—

That in the investigation of the important topics involved in their order of reference, your Committee proceeded to collect evidence from various official sources, the result of which they now respectfully submit for the consideration of your Honorable House.

The subject matter of their inquiry naturally divides itself into two heads: First, as to the system heretofore pursued in the management and appropriation of the Lands and Territorial Revenues of the Province; and, secondly, as to the best method of regulating and appropriating the same in future.

With reference to the first branch of inquiry, your Committee beg to refer to the following statement, shewing the computed quantities of Public Lands originally surveyed, and the manner in which the same has been appropriated and disposed of, and the quantity since purchased from the various Indian Tribes, and the number of acres still remaining on hand; the income at present arising from all sources constituting the Territorial Revenue, and the method of collecting and appropriating the same:—

NUMBER OF ACRES SURVEYED AND HOW DISPOSED OF.

	Acres.	Acres.
It appears (by Statement No. 1, hereunto appended,) that there was originally surveyed in Upper Canada, including the surrender by Indian Tribes ...	...	18,153,219
In Lower Canada ...	...	17,685,942
Total surveyed ...	...	35,839,161
which has been appropriated and disposed of, as follows:—		
IN UPPER CANADA.		
For support of Protestant Clergy ...	...	2,407,687
For Education:—		
King's College, Toronto ...	225,944	
Upper Canada College ...	63,642	
Grammar Schools ...	258,330	
Indian Reservations not disposed of ...	...	547,916
		808,540
		3,764,143
which may still be considered as useful.		
In addition to which there has been disposed of:—		
To the Canada Company ...	2,484,413	
U. E. Loyalists, and for various claims ...	10,404,663	
Land remaining on hand ...	1,500,000	
		14,389,076
		18,153,219
IN LOWER CANADA.		
Jesuits' Estates, not appropriated ...	...	664,080
Indian Reservations and St. Maurice ...	...	87,000
Seigniorial Tenures, granted to individuals ...	7,496,000	
Free and Common Soccage do ...	3,847,629	
Included in the above ...	1,684,233	
On hand ...	3,907,000	
		16,934,862
		17,685,942

Appendix  
(N. N.)Appendix  
(N. N.)

7th March.

7th March.

## PURCHASED FROM THE INDIAN TRIBES, since 1818.

										Acres.
Per Statement No. 10 hereunto appended which is included in the Lands disposed of.										11,277,280
REMAINING ON HAND.										
Surveyed Lands in Upper Canada										1,500,000
do do Lower Canada										3,907,000
Total										5,407,000
Unsurveyed Lands in Upper Canada										13,592,320
do do Lower Canada										107,856,000
Total										121,455,320

## INCOME FROM LANDS AND TERRITORIAL REVENUE.

										£	s.	d.
The amount received from the Territorial Revenue, in 1843, (by the Public Accounts,) was												
£27,223 7s. 10½d.												
In 1844										5,180	18	6
Balance in hand of Commissioner										13,150	2	11
In all										£18,331	1	5
From Statements 2 and 7, there remains due for sale of Crown Lands...										53,932	1	7
Deduct bad debts										23,932	1	7
										£30,000	0	0
which is available and will hereafter yield an interest.												

The Seigniorie of Lauzon (No. 12,) contains about thirty-six square leagues of land, the return from which, in 1842, (by the Public Accounts,) was £1,222 8s. 1d. No returns are shewn in the Public Accounts for 1843.

It appears from the Statement of A. A. Parent, Esquire, (No. 17,) that about £2,500 per annum, has been paid, and that a large debt is due for arrears; and that at least £3,000 a-year ought hereafter to be realized.

The income of this Estate is valued by Mr. Stevenson, at £4,000 per annum.

*Quints*, forming a part of the Crown Fund, are derived from the sale or alienation of Seigniorial Fiefs at each mutation, one-fifth of the purchase money being paid to the Receiver General, which in 1843, (by the Public Accounts, No. 5,) amounted to £135 2s. 9d. For a more full description of this fund, see the evidence of the Hon. F. W. Primrose, hereunto annexed. Amount due £12,000; estimated rent hereafter £1,500.

*Lods et Ventes* are dues of one-twelfth or 8½ per cent. upon the sale of Lands held under Seigniorial Tenure, paid by the *cessitaire* or purchaser, which, in 1843, (by the Public Accounts,) amounted to £2,340 6s. 1½d. Amount due £50,000; estimated rent hereafter £5,000. For more full description of this fund, refer to the above mentioned evidence of the Hon. F. W. Primrose.

*King's Posts*.—This revenue is derived from the lease of a Territory extending from Black River, County of Saguenay, to Cape Cormorant, a distance of 300 miles, and extending thence due north to Hudson's Bay, and then along the highlands westward to the head waters of the St. Maurice, and down the same to the rear of the Seigniories and Townships, and thence eastwardly along the same to the place of beginning. The amount of rent paid for this territory, including the fisheries, is £600 per annum; formerly £1,200.

The Forges of St. Maurice, containing about 30,000 acres of land, leased at £500 per annum, may, under proper management, bring hereafter £1,000 (No. 12). See the evidence of E. Greive, Esquire, a Member of Your Honourable House, and the Return to an Address from the Legislative Assembly, of 13th January, 1845.

*Jesuits' Estates*.—This property is managed by a Commissioner, the Hon. J. Stewart; a Return of its annual value will be seen by reference to Statement No. 13. The income appears to vary from £1,493 1s. 6½d., collected in 1834, to £5,367 14s. 6½d., in 1841, which income has been relinquished by the Crown, and placed at the disposal of the Legislature for the purposes of Education, and forms no part of the Consolidated Fund, although regularly paid into the Provincial Treasury, where a balance at present remains of (by the Public Accounts, 1843,) £29,592 18s. 11d. No statement has been furnished the Committee of the debts due or the arrears of rents,

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	£	s.	d.	£	s.	d.
Clergy Reserves (No. 4).—Received in Crown Lands Office, on account of 514,145 acres of land sold in Upper Canada ... ..	...	...	...	250,963	7	6
From which is paid into the Military Chest ... ..	109,760	3	8			
do do to Receiver General ... ..	98,279	18	5			
Expenses in collection ... ..	34,815	4	9			
Balance on hand ... ..	8,108	0	8			
				250,963	7	6
There still remains due from individuals ... ..	...	...	...	£145,131	2	8
Received on account of lands sold in Lower Canada, (No. 5) ... ..	...	...	...	65,633	4	0
From which is paid into the Military Chest ... ..	51,717	5	6			
do do to Receiver General ... ..	1,193	11	3			
do do to Quebec Presbytery ... ..	1,666	13	3			
Disbursements ... ..	9,564	13	10			
Balance on hand ... ..	1,491	0	2			
				65,633	4	0
Still due ... ..	...	...	...	£7,023	9	8
The above fund is invested in England (No. 9) in five per cent. Debentures, and three per cent. Consols, which, by the following computation, should yearly yield, as under :						
IN UPPER CANADA.						
£20,840 2s. 1d. at 5 per cent. in London ... ..	...	...	...	1,042	0	0
£145,131 2s. 8d. at 5 per cent. in Canada ... ..	...	...	...	8,707	17	4
IN LOWER CANADA.						
£52,910 16s. 9d. at 3 per cent. in London ... ..	...	...	...	1,587	0	0
£7,023 9s. 8d. at 6 per cent. in Canada ... ..	...	...	...	421	2	2
				£11,757	19	6

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School Lands.—No Statement of the receipt or expenditure of the proceeds of the Lands of the University and Upper Canada College, Toronto, have been furnished your Committee.

By (No. 9) the amount of money received by the Receiver General, on account of the sales of Grammar School Lands, is £22,359, which is invested in Upper Canada Debentures, bearing interest at 6 per cent.

Balance on hand ... .. £288 7 8

The only Return your Committee has obtained of the sales of the above Land is from the Crown Land Office. (No. 14.)

From an examination of the Statutes, 2nd, 4th and 5th Victoria, it would appear that 258,000 acres, forming a part of the original grant for Schools, had been appropriated in accordance with the original grant, which, by reference to the Despatch on that subject, as early as 1797, (see Appendix to Journals of 1831, page 105), appears to have been primarily intended for the endowment of Grammar Schools, and subsequently for a University, as stated in the preambles of those Acts; but from the answer of the Surveyor General, this grant appears not to be defined with sufficient precision.

METHOD OF COLLECTING AND APPROPRIATING THE SAME.

From the various duties devolving on your Committee, and from the delay in procuring information, and from the number of Officers employed in collecting the different branches of this revenue, their investigations must necessarily be limited and imperfect.

With respect to the system of issuing Land Scrip, it appears that at an early day when large tracts of land were surveyed and granted, only one single Department existed in Upper Canada for the transaction of business connected therewith, viz., the Surveyor General's Office,—the Registrar's Office being connected with that of the Provincial Secretary.

The Crown Land Department was not established in that Province till 1827, and it had not been long

in operation before it was found to be attended with great additional expense, without any adequate advantage, and ultimately created so much dissatisfaction, that, in 1837-38, the Finance Committee of the House of Assembly recommended its abolishment.

Among other expedients introduced with a view of improving the old system, an Act was passed in 1837, placing a value on all U. E. rights, (at the rate of 4s. per acre, and 8s. on land); this Act was amended in 1841, and the Crown Land Office thereby authorized to issue Scrip for every description of land claims, and to receive it, not only in exchange for land, but also in payment of debts due for lands formerly sold.

Before this Act came into operation, the children of U. E. Loyalists, as they became of age, as well as other persons acquiring a claim, could obtain lands only in their turn, in remote situations; in addition to which they had either to settle on the same, or perform the settlement duties. In consequence of this arrangement, U. E. rights of 200 acres were then only worth from £5 to £10; since which period their value has increased to from £20 to £40. The practical operation of this law, and the effect produced by the present system, cannot be more forcibly described than by the result produced.

It appears from Statement No. 19, that since the 1st July, 1841, there have been sold on account of the Clergy Fund 3,259½ acres, for the sum of £1,839 4s. 6d.; received during the same period for sales previously made, £69,079 18s. 11d.; expended, £16,034 18s. 4d.

Indian Fund (No. 3).—13,894½ acres sold for £11,887 19s. 5d.; received £12,590 18s. 8d., expended £5,892 11s. 5d.

Grammar School Fund.—1932 acres sold for £1449; received £3,167 3s. 8d.; expended £149 4s. 6d.

Crown Lands.—Number of acres not ascertained. Amount including debts due, (No. 21) £77,222 3s. 4d.; received in cash, £6,188 19s. 6d.; in Scrip, £90,053; expended, (No. 19) £28,509 19s. 4d.

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## GENERAL STATEMENT.

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	£	s.	d.	£	s.	d.
As far as the Provincial Revenue is concerned, the amount of disbursements by						
Crown Land Office, since 1st July, 1841, (No. 19) is	20,564	2	7			
Surveyor General's Office	37,901	12	7			
				58,465	15	2
Amount paid Clergy Reserve Fund, (Public Accounts, 1842,) for Scrip received						
prior to the Union	678	4	3			
For Scrip, in Public Accounts, 1844	16,399	13	2			
				17,077	17	5
				£75,543	12	7
Less received on account of Crown Lands	6,733	8	8			
Fees from do	3,491	16	10			
				10,225	5	6
				£65,318	7	1
Average for three and a half years	18,595	1	9			
Annuities to sundry Indian Tribes, for the repayment of which no fund has been						
provided from the land surrendered, (No. 10)	6,655	0	0			
Expenses of Registrar's Office (Public Accounts)	1,024	0	3			
Pensions	2,247	10	0			
				£28,521	12	0
The expense of which has been charged to the following funds:						
Clergy Reserves (19)	16,034	18	4			
Indian Lands (19)	5,892	11	5			
Grammar Schools (19)	149	4	6			
				£22,076	14	3
Average for three and a half years, since 1st July, 1841				6,307	12	7
Provincial Revenue				21,670	16	4
Average expenditure per year, for the management of the Land Granting						
Departments and the extinction of Scrip				£27,978	8	11
Besides the inspection of Clergy Reserves (No. 20) estimated at about				£6,000	0	0

The amount of No. 2, £26,262 14s. received on account of debts due the Provincial Government on the 1st July, should be added to the above, as well as the amount of the Military Reserves (19) about £12,000, which has also been absorbed in Scrip.

The Scrip account, which is a mere exchange or barter for land, should never have appeared in the cash transactions of the Province, as it had a tendency to conceal the practical operation of the system, and mislead the public as to the actual expenditure of the Department.

Time will not admit of Your Committee enquiring into the extent of Scrip issued, the nature of the claims on which it has been granted, or the authority by which it has been sanctioned, their attention having been wholly directed to another object.

It appears by reference to the Report of the Finance Committee of the House of Assembly of Upper Canada, in 1837-38, and by the Public Accounts since,

that although many thousands of pounds have been paid by the Canada Company (£295,000, Journals 26 & 27), and other individuals, for the purchase of lands, not one farthing up till the present moment has been paid from the proceeds thereof, (except £6,733 8s. 8d.) into the Provincial Revenue, notwithstanding the expenses of that Department have been sustained out of that Revenue, the amount of which for the last 3½ years, appears above; further comment on a system producing such results is unnecessary. Statement No. 8, from the Inspector General, shows the method of collecting and remitting money by agents, as well as the expenses attending the same.

Before entering into the consideration of the application of the proceeds, Your Committee beg leave to submit an estimate of the probable value of the lands, founded upon the opinion of the Surveyor General:—

## IN UPPER CANADA, (Nos. 1 and 11.)

	£	s.	d.	£	s.	d.
SURVEYED LANDS.						
1,500,000 acres unappropriated, from which the amount of Scrip now issued						
(No. 6) £40,000 at 8s. should be deducted, equal to the upset price, to						
100,000 acres, leaving in all 1,400,000 at 4s.				280,000	0	0
Amount due for sales of Crown Lands	53,933	1	7			
Less supposed bad debts	23,933	1	7			
				30,000	0	0
				310,000	0	0
UNSURVEYED LANDS.						
13,592,220 acres, valued as follows:						
1,421,440 north of the Huron Tract, between St. Vincent, Sauguin and						
Goderich, at 7s. 6d. per acre	533,040	0	0			
7,697,920 north of Colborne, Victoria, Midland, Bathurst and Dalhousie						
Districts, at 2s. 6d.	962,240	0	0	1,495,280	0	0
4,472,960 acres deducted as bad land.				Total	£	1,805,280 0 0

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IN LOWER CANADA, (Nos. 1 and 11.)

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	£	s.	d.	£	s.	d.
3,907,000 acres Surveyed Lands are unappropriated, from which £118,458 15s. 10d. in Scrip (No. 6), at the valuation of 4s. the present upset price, must be deducted, equal to, 592,293 acres.						
3,314,707 acres, valued by Surveyor General, at 2s. 6d ... ..	414,938	7	6			
8,500,000 unsurveyed in a mean depth of 15 miles in rear of Seigniories and Townships, estimated at 2s. 6d. ... ..	1,062,500	0	0			
6,000,000 north eastern part of District of Quebec, at 3s. ... ..	900,000	0	0			
750,000 south eastern section of St. Francis and part of Quebec, not distinguished, at 4s. ... ..	150,000	0	0			
which, if invested at 5 per cent., will yield £126,341 18s. 4½d.				£2,526,838	7	6

LAND AND TERRITORIAL REVENUE FUND.

	£	s.	d.	£	s.	d.	£	s.	d.
In Upper Canada, £1,805,280, at 5 per cent. ... ..				90,264	0	0			
In Lower Canada, £2,526,838, at 5 per cent. ... ..				126,341	18	0			
<b>TERRITORIAL REVENUE.</b>							216,605	18	0
In Upper Canada:									
Woods and Forests ... ..				50,000	0	0			
In Lower Canada:									
Seignior of Lauzon ... ..	3,000	0	0						
Forges of St. Maurice ... ..	500	0	0						
King's Posts ... ..	600	0	0						
Quints ... ..	1,500	0	0						
Lods et Ventes ... ..	5,000	0	0						
Water Lots ... ..	500	0	0						
Interest on debts due ... ..	2,400	0	0						
				13,500	0	0			
							53,500		0
Per annum ... ..							£280,105	18	0
The first charge on this fund will be the annuity to the Indian Tribes ... ..				6,655	0	0			
And payment of Common Schools ... ..				50,000	0	0			
							£56,655	0	0

Although the above value of land is computed by those who are most competent to judge, your Committee have no expectation that the amount is likely to be realized for many years to come; at the same time, they strongly recommend that immediate steps be taken to create a permanent fund, in order that whatever income may hereafter be realized, may be appropriated for a specific object.

This brings your Committee to the investigation of the second part of their inquiry, viz:—

THE BEST METHOD OF REGULATING THE COLLECTION OF THE REVENUE IN FUTURE.

As Public Officers are already appointed to perform specific duties for which they receive remuneration, it would be desirable in most cases to employ them to collect the Revenues from every source connected with this fund, for a moderate consideration; the person paying rent or duties to remit the same direct to the Receiver General quarterly; to make a return at the same time of the amount to the Inspector General, with a duplicate to the Treasurer or Registrar in the respective districts, who should have a local superintendence over this Revenue, and make an annual Report to the Inspector General, pointing out any remission of duty in the Lessee, and suggesting any future improvement. By this simple method, economy and vigilance will be secured, inasmuch as a failure in those duties will involve the loss of a more valuable office.

FUTURE APPLICATION OF THE PROCEEDS OF LAND AND TERRITORIAL REVENUE.

Your Committee are influenced in their decision as to the best application of the proceeds of the remaining lands and territory, for the following reasons:— They find, by reference to the Journals, that the Legislatures of both Upper and Lower Canada have been, for many years past, most desirous to obtain an appropriation of a part of the public domain for the support of Common Schools. They also find that one of the first objects sought by the Legislative Assembly of United Canada during its first Session, was to appropriate £50,000 per annum, from the Provincial Revenue, until the Government should apply the proceeds of the Waste Lands of the Crown for that purpose: this appears by the following clause of the Act 4th and 5th Victoria, which says: "And be it enacted, that for the establishment, support and maintenance of Common Schools in each and every township and parish in this Province, there shall be established a permanent fund, which shall consist of all such monies as may accrue from the selling or leasing of any lands which, by the Legislature of this Province, or other competent authority, may hereafter be granted and set apart for the establishment, maintenance and support of Common Schools in this Province, and of such other monies as are hereinafter mentioned; and all such monies as shall arise from the sale of any such lands or estates, and certain other monies herein-

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“ after mentioned, shall be invested in safe and profitable securities in this Province, and the interest of all monies so invested, and the rents, issues and profits arising from such lands or estates as shall be leased or otherwise disposed of without alienation, shall be annually applied, in the manner hereinafter provided, to the support and encouragement of Common Schools.”

As the only resource of a new country is its lands, the first duty of the Government is to appropriate them, so as to confer the earliest benefit and most equitable distribution to the entire population.

The lands are situated in the most remote parts of the Province and the inhabitants residing in their immediate vicinity contribute a far greater proportion of their means and labor to enhance their value than those residing in either cities or towns. No part of those lands have as yet been appropriated for the instruction of youth near their own residence, or in their respective districts, and they feel that the appropriation heretofore made, practically excludes them from a due proportion of the benefits derived therefrom.

This feeling being founded in reason and justice, will continue and increase until the cause shall be removed.

Your Committee have reason to believe that the application herein contemplated would not only meet with general approbation, but would reconcile the inhabitants to the grants heretofore made, because their dissatisfaction did not arise either from the quantity, amount, or object, but because there had not in the first instance been an appropriation made for the support of Common Schools.

The salutary effects produced by a fund of this description, cannot be more favorably presented, or more forcibly put, than in the following extracts from a Message of His Excellency the Governor of the State of New York, published last month:—

“ Five hundred thousand acres of the Public Domain were appropriated by the Government many years past. In 1823, the entire proceeds therefrom were inviolably appropriated and applied to the support of Common Schools. In 1836, the deposit funds

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“ arising from their proportion of proceeds of lands apportioned by the General Government, was also appropriated for that object. This revenue, in 1844, increased to \$298,826, which has produced the following most gratifying result:—10,900 School Districts have been organized; \$992,222 have been paid for wages to Common School Teachers; 709,157 children have been taught in those schools, and 1,038,396 volumes of books are reported in the School District Libraries.”

“ These facts present evidence both striking and satisfactory of the immense extent of the public benefit which those revenues have produced in so limited a term of years.”

“ No public fund is so unpretending, yet so all pervading,—so little seen, yet so universally felt,—so mild in its exactions, and yet so bountiful in its effects, as this fund for the support of Common Schools.”

“ The thankfulness we owe to those who have gone before us for the institution of this fund, for its constitutional protection, and for its safe and prudent administration hitherto, we can best repay by imitating their example, and improving upon their work as the increased means placed in our hands shall give us the ability.”

These remarks are the more opportune, and apply with equal force to the subject now under consideration. One of the prominent causes of the inattention to the collection of the Revenue of the Territorial or Crown property, arises from the want of some specific object to which it should be applied.

Your Committee therefore unanimously concur in recommending its future appropriation for the purpose of creating a *Fund for the support of Common Schools and the establishment of Libraries throughout the Province.*

It has not escaped the observation of your Committee, that a question may arise, or an objection be made to the transferring the proceeds of the Land and Territorial Revenue from the Consolidated Fund; but to remove all apprehension, the following statement is submitted:—

	£	s.	d.	£	s.	d.
Payment of the different Departments now established to dispose of those Lands out of the Consolidated Fund.						
Annuity to Indians	6,655	0	0			
Amount of School Grant	50,000	0	0			
Amount expended for the last three and a half years, £28,110, at least, per year	11,681	1	5			
				68,336	1	5
From which deduct Territorial Revenue, which was in 1842, £24,000, (by the Public Accounts) and, in 1844				18,331	1	5
Leaving a gain to the Province of				£50,005	0	0

Your Committee feel confident, that so far from impairing the credit of the Province, no single act of the Legislature will place it on a more firm and permanent basis, apart from the immediate saving which is shewn from the above; providing the means of education will elevate the character of the entire population, and form the surest guarantee for the faithful performance of all their obligations.

The only party which can be affected by the increase or diminution of our Revenue, is the Govern-

ment of Great Britain, whose credit has been extended for our benefit; their concurrence will be necessary, and, for the reasons assigned, will be readily granted to insure this important object.

It may also be urged, that appropriating all the waste lands of the Crown will be too great a proportion to set apart for the support of Common Schools and Libraries.

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	£	s.	d.
In reply, it will be observed from the Statement from the Crown Land Office (No. 7.) that the estimated amount of this Fund, after all the unsurveyed lands are sold, will not, at a valuation of 8s. per acre in Upper Canada, and 6s. in Lower Canada, exceed ...	780,541	4	2
Whereas in the Surveyor General's Estimate, the former is valued at only 4s., the latter at 2s. 6d., from which we may safely deduct for unsettled claims ...	180,541	4	2
Which would leave only ...	£600,000	0	0
Invested at five per cent. would only yield, per annum ...	£30,000	0	0
1,400,000 acres, estimated by Surveyor General at 4s. ...	£280,000	0	0
200,000 do to be deducted for cancelled claims.			
200,000 do do for fifteen per cent. commission.			
1,000,000 do only are left at 4s. ...	£200,000	0	0
which, if immediately sold, would only yield an income, at five per cent. equal to ...	£10,000	0	0

From the narrow space in which all lands fit for cultivation is confined in Canada, it is evident that many years must elapse before it will become available; and taking into consideration the value of the lands already set apart for the higher branches of Literature, and the manner in which they have heretofore been disposed of, it is by no means an unreasonable amount; and if hereafter it should so prove, it is much safer to provide a fund which may at any time be reduced, than to be deprived of the only resource from which it can be obtained.

In conclusion, it is evident from the facts elicited in this investigation, and the result of the system heretofore pursued, that an immediate change is indispensable.

Your Committee therefore beg leave to call the attention of the Administration to the subject matter of this Report, and submit for their consideration the immediate introduction of a Bill embracing the following provisions:—

*First.*—Appropriating the proceeds of all lands remaining on hand after the first of January, 1846, for the support of Common Schools and District Libraries throughout the Province,—to reduce all the Land Granting Departments to one,—to authorize that Department, or appoint a Commission, to settle all land claims, and grant deeds for the same immediately,—to call in all land scrip outstanding, and to entertain no claim after the first of January, 1846.

*Secondly.*—To authorize the Government to make any arrangement to dispose of the remaining lands, providing the expense of the same is sustained out of the proceeds of the said land, and will not exceed fifteen per cent. of the amount collected; the remaining eighty-five per cent. to be paid quarterly to the Receiver General.

*Thirdly.*—To reserve a certain quantity of land for the higher branches of Literature, and for civilizing the Indian tribes in Lower Canada.

*Fourthly.*—That after a period of twenty years, one half of this fund may be appropriated for the higher branches of Literature, including the science of Agriculture,—to adopt measures for the immediate collection of all arrears due to the Public Domain, and a more vigilant and economical collection of the same in future.

All which is humbly submitted.

WM. HAMILTON MERRITT,  
Chairman.

7th March, 1845.

MINUTES OF EVIDENCE.

WILLIAM HAMILTON MERRITT, Esq. in the Chair.

Wednesday, 5th February, 1845.

Edward W. Thomson, Esquire, called in; and examined:—

1. Were you a Member of the Provincial Legislature of Upper Canada in 1837?—I was.
2. Do you know the value of U. E. rights, which entitled the claimant to two hundred acres before that period?—They were sold from £5 to £15,—average about £10.
3. What price have they brought since that period?—From £20 to £25.
4. To what cause do you attribute this increase in price?—To the Scrip being available in consequence of the Act 7th William IV., cap. 98, passed in 1837, in payment of Crown Lands.

Wednesday, 12th February, 1845.

Edward Greive, Esquire, a Member of the House, called in; and examined:—

5. What do you consider the annual value of the Forges of St. Maurice, and the property attached thereto?—£500.
6. Are you aware of any other property in your District now claimed by the Crown, and the value thereof?—The Township of Caxton in rear of Three Rivers, in which there are few inhabitants; the unsettled lands are worth 2s. 6d. per acre. Also, the Jesuits' Estates at Cape Magdeleine, namely, the Seignior, twenty leagues in depth by two leagues in front, but partially settled, and if sold might realize 2s. 6d. per acre.

William Stevenson, Esquire, of Quebec, called in; and examined:—

7. Can you give the Committee any information respecting the Jesuits' Estates, or any other description of property held by the Crown in or about Quebec, or in Lower Canada?—I cannot give any detailed or positive information respecting the Crown property, excepting the prevailing general impression, that they are badly managed and at a great expense. The Seignior of Lauzon should afford a sum of £4,000 per annum; it is now to be sold, and were the Crown to purchase it and change the Tenure, it would bring, on a long credit, from £70,000 to £80,000.

Saturday, 15th February, 1845.

The Honorable Francis Ward Primrose, Inspector General of the Queen's Domain, and Clerk of the Terrars or Land Roll, in Lower Canada, called in and examined:—and handed in Statement No. 16, appended to the Report.



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8. You state the amount of income on this Domain, will, in your opinion, average, for the next ten years, £7,000; in what proportion, or from what sources, will it be obtained?—From Water Lots, £500; from Quints, £1,500; from Lods et Ventres, £5,000.

9. What specific sum mentioned in your Report, do you consider available, as follows, if proper steps are taken for the collection?—

Quints now due ... ..	£6,000
Do. to be transferred ... ..	6,000

Considered good ... £12,000

Lods et Ventres due ... ..	£25,000
Transfers not ascertained ... ..	25,000

£50,000

of which £27,000 are considered good, and £23,000 doubtful.

Water Lots ... ..	£2,000
Old King's Wharf ... ..	2,500

£4,500

of which £4,000 are considered good, and £500 doubtful. If proper steps were taken, I think the above is as correct as can be ascertained at present.

*Tuesday, 25th February, 1845.*

The Honorable *Augustin Norbert Morin*, a Member of the House, called in; and examined:—

10. Do you know the state of the Public Lands generally in Lower Canada, and do you see any objection to their being appropriated to create a fund

for the maintenance of Public Schools, as provided by the second Clause of 4th and 5th Victoria?—I have paid much attention to the Public Lands in Lower Canada. I speak only of those lands which have never either been granted or promised in various forms by Government, for all so promised should remain in abeyance until further action thereon; as to the rest, they could not be appropriated for a more useful object. I should, however, be happy, and have long entertained the opinion, that a portion of those lands should be reserved for affording means for assisting the higher branches of Education, as an endowment, or as connected with any general measure which may hereafter be adopted on the subject.

11. Are there any specific claims that you are aware of, which would interfere with this interpretation?—I am speaking only of lands held or to be held in free or common soccage; there are some Indian claims to particular tracts, which may be included as those mentioned by me as in abeyance. The Indians of Lorette have for many years claimed an indemnity for the Seigniory of St. Gabriel, which they say they were deprived of by the Jesuits. I do not pretend to give any opinion at present on the claim, but it has been represented on their part, that as their young men are desirous of abandoning their ancient habits, and becoming cultivators of the soil, and as the Chief last year made a proposal to have a free grant of a block of land at the Saguenay, or elsewhere, I think it would be wise to encourage them.

12. What number of acres do you think should be reserved for the above objects?—I should say for the higher establishments of Education, about five Townships, or 200,000 acres; and for the Indians of Lorette, from 5000 to 10,000 acres, which, apart from all claims, would be a means of rendering them useful members of civilized society.

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## APPENDIX.

No. 1.—The Surveyor General submits, in compliance with a requisition from the Committee of the Honorable the Legislative Assembly, the following Statement in reference to the expenditure of the Surveyor General's Office and Department, for the years 1840, 1841, 1842, 1843 and 1844; and, also, a Statement in relation to the Public Lands:—

		EXPENDITURE.	£ s. d.
1840	Salaries, Upper Canada ... ..		2356 19 6
	Surveys and Contingencies, ditto ... ..		664 17 3
	Salaries, Lower Canada ... ..		1654 10 0
	Surveys and Contingencies, ditto ... ..		484 7 10½
	Total ...		£5160 14 7½
1841	Salaries, Province of Canada ... ..		2515 3 2½
	Contingencies, ditto ... ..		188 14 0
	Surveys, Canada West ... ..		1197 9 9
	Surveys, Canada East ... ..		884 10 6½
	Total ...		£4786 7 5½

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		EXPENDITURE.—Continued.								£	s.	d.
1842	Salaries, Province of Canada	...	...	...	...	...	...	...	...	2,639	2	4 $\frac{1}{4}$
	Contingencies, ditto	...	...	...	...	...	...	...	...	214	5	4
	Surveys, Canada West	...	...	...	...	...	...	...	...	2,456	17	10
	Surveys, Canada East	...	...	...	...	...	...	...	...	1,789	8	7
Total...										£7,049	14	1 $\frac{1}{2}$
1843	Salaries, Province of Canada	...	...	...	...	...	...	...	...	2,787	4	10 $\frac{1}{4}$
	Contingencies, ditto	...	...	...	...	...	...	...	...	209	15	8
	Surveys, Canada West	...	...	...	...	...	...	...	...	1,413	19	9
	Surveys, Canada East	...	...	...	...	...	...	...	...	1,217	10	4 $\frac{1}{2}$
Total...										£5,628	10	7 $\frac{3}{4}$
1844	Salaries, Province of Canada	...	...	...	...	...	...	...	...	2,554	2	4 $\frac{1}{4}$
	Contingencies, ditto, including expense of fitting up offices	...	...	...	...	...	...	...	...	316	10	0
	Surveys, Canada West	...	...	...	...	...	...	...	...	175	16	9
	Surveys, Canada East	...	...	...	...	...	...	...	...	2,471	5	1
Total...										£5,517	14	2 $\frac{1}{4}$

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The preceding Statement includes the expense of the Survey of the Indian Lands on the Grand River,—the Surveys of the Owen's Sound Settlement,—the Survey of the London and Port Sarnia Road,—the Survey of the Clergy Reserve Townships adjoining Woolwich and Wilnot, and the five northerly Townships in the second tier on the westerly side of the Ottawa,—in addition to various minor Surveys effected during the period referred to; and the last charge includes the expense of certain extensive Surveys carried on in the Saguenay country.

STATEMENT SHEWING THE COMPUTED QUANTITIES OF SURVEYED AND UNSURVEYED LAND IN CANADA WEST.

Surveyed lands.....18,153,219 acres.  
Unsurveyed lands...13,592,320 acres.

The surveyed lands may be considered as varying in value from four shillings to ten shillings, per acre. With respect to the unsurveyed lands, the tract between the Township of St. Vincent, the Sauging, Goderich, and the rear of the Gore and Wellington Districts, is understood to be of fine quality, and it is probable that the lands therein may be fairly computed as ranging from five to ten shillings, per acre, according to quality and situation. The greater por-

tion of the other unsurveyed lands is situated in the tract to the northward of the settled Townships in the Home, Colborne, Victoria, Midland, Bathurst, and Dalhousie Districts, but the explorations therein which have been undertaken are insufficient to convey any just idea of the value and capabilities of the tract. The computation in respect to its contents is computed, giving as its bounds the surveyed Townships in the above named Districts to the southward, and as its rear boundary, French River, Lake Nipissing, the Portage, and the Ottawa River.

The quantity of ungranted surveyed land in Canada West may be computed, in round numbers, at 1,500,000 acres, the greater part being of inferior value, and situated in Townships which were open for many years for location with U. E., Militia, and other free grants, and these lands cannot be estimated at a higher rate than four shillings, per acre. The more valuable ungranted surveyed lands are situated chiefly in the Townships of Ashfield and Wawanosh, to the north of Goderich, and likewise the Townships of Arthur, Sydenham, Sullivan, Euphrasia, &c., to the northward of the Gore, Wellington, and Home Districts; they are of superior quality, and the lands therein may be stated at the average value of eight shillings, per acre.

STATEMENT exhibiting the principal Public and Special Appropriations of the Surveyed Lands, Canada West.

	Acres.
Quantity of land appropriated as Clergy Reserves	2,407,687
Grant to the University of King's College	225,944
Grant for Upper Canada College, in part for appropriation of 66,000 acres authorized by His late Majesty's Government	63,642
Quantity of land made over to the Canada Company:	
In the Huron Block	1,100,000
Scattered Crown Reserves	1,384,413
School Lands:	
Original quantity set apart	549,217
Quantity remaining subject to be claimed for the general purposes of Education	258,330
Indian Reservations and Appropriations:	
Eastern District	30,280
Newcastle do	2,600
Gore do north of Dundas Street	318,000
Gore and Niagara Districts, south of Dundas Street	257,000
Bay of Quinte	92,800
London District	20,360
Western do	87,500
Total...	808,540

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STATEMENT relative to the Surveyed and Unsurveyed Lands in Canada East.

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	Acres.
Surveyed in Seigniories ... ..	9,027,880
Surveyed Crown Lands and Clergy Reserves laid out into Townships ... ..	8,745,889
Unsurveyed Lands ... ..	107,856,000

The unsurveyed lands are situated in rear of the Townships and Seigniories, and are computed as extending to the Hudson's Bay Territory and northern boundary of that part of the Province formerly the Province of Lower Canada. No correct estimate can at present be formed of the value of these lands. It may however be assumed that that portion extending back a depth of from ten to twenty miles may, in the districts of Quebec and Gaspé, be estimated at from one to two shillings per acre; in the district of Three Rivers, from two to three shillings per acre; in the district of St. Francis, from three to four

shillings per acre; and in the district of Montreal, from two to four shillings per acre.

The quantity of Crown Land surveyed in whole or in part, at the disposal of the Crown, amounts in Canada East, to about 3,907,000 acres. Those in Townships situated in the north eastern and western sections may be estimated at from one shilling and sixpence to three shillings per acre, and the scattered Crown Reserves, and the ungranted parts of the Eastern Townships, and upon the Ottawa, at from three to five shillings per acre.

STATEMENT exhibiting the principal Public and Special Appropriations of the Surveyed Lands, Canada East.

	Acres.
Quantity of Clergy Reserves set apart ... ..	908,433
Quantity of land for Educational purposes, granted under the Feudal Tenure:	
District of Montreal, to the Seminaries of Quebec and Montreal, about ... ..	307,000
do Quebec, for the Seminary of Quebec, about ... ..	426,000
Jesuits' Estates, now the property of the Crown, District of Montreal ... ..	48,000
do do do do Three Rivers ... ..	439,000
do do do do Quebec ... ..	129,500
Quantity of land granted for charitable purposes:	
To the Ursulines ... ..	
do Hotel Dieu ... ..	
do General Hospital ... ..	
	} 121,800

THOMAS PARKE,

*Surveyor General.*

SURVEYOR GENERAL'S OFFICE,  
Montreal, 28th January, 1845.

No. 2.—STATEMENT of CROWN SALES made by the CROWN LANDS DEPARTMENT from 1st July, 1841, to 31st December, 1844.

	£ s. d.	£ s. d.
1841 Crown Sales, Upper Canada ... ..	1,257 9 0	
do Lower Canada ... ..	3,277 5 10	
		4,534 14 10
1842 Crown Sales (Canada) ... ..	7,771 14 4	
do by instalments during the year, £1554 12s. 9d., on account of which has been received ... ..	1165 4 7	
Sales of Military Reserves during the year ... ..	1979 18 0	
		10,916 16 11
1843 Crown Sales (Canada) ... ..	24,825 5 3	
do by instalments during the year, £1335, on account of which has been received ... ..	750 5 3	
Receipts on account of Sales, by instalments of 1842 ... ..	229 14 0	
Sales of Military Reserves during the year ... ..	8888 14 6	
		34,643 19 0
1844 Crown Sales (Canada) ... ..	25,841 2 4	
do by instalments during the year, £425, on account of which has been received ... ..	989 9 6	
Receipts on account of Sales by instalments of 1842 ... ..	113 18 6	
do do do 1843 ... ..	162 2 3	
Sales of Military Reserves during the year ... ..	620 0 0	
		27,126 12 7
		£77,222 8 4

CROWN LANDS OFFICE,  
Montreal, 1st March, 1845.

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No. 2.—(Continued.)—STATEMENT of BALANCES DUE on account of CROWN LANDS, on 1st July, 1841, and 31st December, 1844.

	Principal.			Interest.		
	£	s.	d.	£	s.	d.
UPPER CANADA:						
Amount Crown Instalments, West, due 30th June, 1841 ... ..	18,751	18	4	8,163	2	9
Amount receipts to 31st December, 1844 ... ..	8,724	4	0	3,808	2	9
	10,027	14	4	4,355	0	0
Crown Sales by Instalments, from 1st July, 1841, to 31st December, 1844, £3314 12 9						
Less received on account ... .. 2920 5 3						
	994	7	6			
Interest on £994 7s. 6d., from date of Sales to 31st December, 1844, about ... ..				50	13	4
Interest on £10,027 14s. 4d. from 1st July, 1841, to 31st December, 1844, 3½ years				2,105	9	1
	£11,022	1	10	6,520	2	5
				11,022	1	10
				£17,542	4	3
LOWER CANADA.						
Amount due on Crown Instalments, East, 30th June, 1841 ... .. Principal	14,950	13	3			
Amount receipts to 31st December, 1844 ... ..	6,230	3	6			
				8,720	9	9
				£26,262	14	0

CROWN LANDS OFFICE,  
Montreal, 1st March, 1845.

No. 3.—STATEMENT of SALES of CLERGY LANDS, from 1st July, 1841, to 31st December, 1844.

	Year.	Acres.	Amount.
			£ s. d.
	1841	591	301 15 0
	1842	1,486½	819 19 0
	1843	613	353 5 6
	1844	569	364 5 0
		3,259½	£1,839 4 6

STATEMENT of SALES of INDIAN LANDS, from 1st July, 1841, to 31st December, 1844.

Year.	Acres.	Amount.	Village Lots.		Total.
			Number of Lots.	Amount.	
		£ s. d.		£ s. d.	£ s. d.
1841	200	100 0 0	1	10 0 0	110 0 0
1842	2,704	2,909 10 0	20	157 10 0	3,067 0 0
1843	950	525 0 0	8	52 10 0	577 10 0
1844	10,040½	8,138 9 5	...	...	8,138 9 5
	13,894½	£11,667 19 5	29	220 0 0	11,887 19 5

CROWN LANDS DEPARTMENT,  
Montreal, 3rd March, 1845.

(Letter accompanying the preceding Statements, No. 3.)

DEPARTMENT OF CROWN LANDS,

Montreal, 4th March, 1845.

Sir,

I have the honor to enclose Statements of Sales of Clergy and Indian Lands, from the 1st July, 1841, to the 31st December, 1844.

I beg to observe, however, in regard to the former, that sales of Clergy Reserves have been suspended throughout the Province since the 1st July, 1841, and that the few Sales which appear in the present Statement were all made previous to that date, but from some cause or other remained in abeyance until lately confirmed, at various times, by Orders in Council.

I have the honour to be,

Sir,

Your most humble servant,

T. BOUTHILLIER.

W. H. MERRITT, Esquire,

M. P. P., &c., &c.

No. 4.—STATEMENT shewing SALES and PROCEEDS of CLERGY RESERVES, in UPPER CANADA disposed of, the Funds arising therefrom, and disbursed on account thereof, furnished in compliance with the request of a Select Committee of the Legislative Assembly, dated January 15th, 1845.

Acres.		Amount of Sales.	Amount Collected.		Balance due.	Amount paid into the Public Treasury.		Amount paid into any other Fund.		Disbursements. (See Recapitu- lation.)
Original quantity.	Disposed of by Sale.		£ s. d.	£ s. d.		£ s. d.	£ s. d.	£ s. d.	£ s. d.	
2,393,687	514,145½	350,467 17 9	Principal 205,336 15 1 Interest 40,171 2 8 Rents ... 5,304 7 6 Timber... 151 2 3	145,131 2 8	Principal 57,210 2 7 Interest ... 41,069 15 10	Principal paid into Military Chest ...	109,760 3 8	34,815 4 9		
2,395,687	514,145½	£350,467 17 9	£ 250,963 7 6	145,131 2 8	£ 98,279 18 5	£	109,760 3 8	34,815 4 9		

Recapitulation of General Disbursements.

	£ s. d.		£ s. d.
Inspections and Surveys ... ..	3,821 10 7½	Amount brought up ... ..	33,384 9 3
Salaries ... ..	18,471 12 6	Miscellaneous ... ..	485 12 4
Postage ... ..	1,327 19 7½	Repayments ... ..	466 16 0
Printing and Advertizing ... ..	3,436 9 10½	Remissions ... ..	647 3 6
Stationery ... ..	750 5 0½		
Office Expenses ... ..	289 9 1½		
Commission and Salaries to Agents ... ..	5,168 5 4	Less, amount carried to Lower Canada Clergy account ... ..	168 16 4
Contingencies S. G. O., June '43 to December '44	118 17 1½		
Amount carried up ... ..	£33,384 9 3		£34,815 4 9

T. BOUTHILLIER.

CROWN LANDS OFFICE,

Montreal, 29th January, 1845.

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7th March.

No. 5.—STATEMENT shewing SALES and PROCEEDS of CLERGY RESERVES in LOWER CANADA disposed of, the Funds arising therefrom, and disbursements on account thereof; furnished in compliance with the request of a Select Committee of the Legislative Assembly, dated January 15th, 1845.

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Acres.		Amount of Sales.	Amount collected.	Balance due.	Amount paid into Public Treasury.		Amount paid into any other Fund.		Disbursements (See Recapitu- lation.)	
Original quantity.	Disposed of by Sale.				£ s. d.	£ s. d.	£ s. d.	£ s. d.		£ s. d.
903,443	308,452	72,182 0 4	Principal Interest ...	£ 65,158 10 8 474 13 4	7,023 9 8	Principal Interest ...	790 19 11 402 11 4	Principal paid into Military Chest ... Principal paid Que- bec Pres- bytery ...	51,717 5 6 1,666 13 3	9,564 13 10
903,443	308,452	£ 72,182 0 4		£ 65,633 4 0	7,023 9 8	£ 1,193 11 8		£ 53,383 18 9	9,564 13 10	

## Recapitulation of General Disbursements.

Commission to Agents ... ..	£ 3,255 15 10	Miscellaneous ... ..	£ 9,157 7 1
Printing and advertizing ... ..	670 12 4½	Repayments ... ..	76 5 9½
Inspections and Surveys ... ..	334 3 5	Office Expenses ... ..	133 8 3
Salaries ... ..	4,595 15 9		28 16 4½
Stationery ... ..	88 5 7½		
Postage ... ..	173 1 9		
Contingencies of Surveyor General's Office ...	39 12 4	Add proportion of disbursements brought from Upper Canada Clergy Accounts ... ..	168 16 4
<i>Amount carried up</i> ... ..	£ 9,157 7 1		£ 9,395 17 6
			168 16 4
			£ 9,564 13 10

T. BOUTHILLIER.

CROWN LANDS OFFICE,  
Montreal, January 29th, 1845.

No. 6.—STATEMENT of SCRIP issued by the Commissioner of CROWN LANDS, to 31st December, 1844.

Amount of Scrip issued in Lower Canada, under Lord Durham's Proclamation of 11th September, 1838, being exclusively in liquidation of Lower Canada Militia Claims ... ..	£ 56,043 8 0
Redeemed to 31st December, 1844, on the same ... ..	31,182 12 2
Yet outstanding ... ..	£ 24,860 15 10
Amount of Land Scrip issued since the Union, under Land Act, in liquidation of U. E. L. land rights, Upper Canada Militia, Military Claims, and Compensation, under Orders in Council ... ..	96,262 7 2
Redeemed to 31st December, 1844 ... ..	67,802 13 0
Outstanding ... ..	£ 28,459 14 2
Amount of Scrip issued under Sir Charles Metcalfe's Proclamation of the 20th February, 1844, in liquidation of Lower Canada Militia Claims ... ..	23,400 0 0
Estimated amount of Scrip yet to be issued on account of the same ... ..	70,198 0 0
All outstanding... ..	£ 98,598 0 0

T. BOUTHILLIER.

CROWN LANDS OFFICE,  
Montreal, 3rd February, 1845.

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## No. 7.—STATEMENT of disposable SURVEYED LANDS in UPPER and LOWER CANADA.

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	£	s.	d.
Estimated amount of Surveyed Lands remaining in Upper Canada, 1,880,000 acres, at the upset price of 8s. per acre	752,000	0	0
Deduct for unsaleable lands, charges, &c. &c., 25 per cent	188,000	0	0
	£564,000	0	0
Add for instalment due, with interest, about	17,000	0	0
Total	£581,000	0	0
Balance of Upper Canada unredeemed Scrip	£28,459	14	2
Probable amount yet to issue	11,540	5	10
	40,000	0	0
Probable nett proceeds	£541,000	0	0
Estimated amount of Surveyed Lands remaining in Lower Canada, 1,300,000 acres, at the upset price of 6s. per acre	390,000	0	0
1,400,000 at the upset price of 3s. per acre	210,000	0	0
	£600,000	0	0
Deduct 25 per cent. as above	150,000	0	0
	£450,000	0	0
Add for instalments due, about	8,000	0	0
Total	£458,000	0	0
Deduct, balance of unredeemable Scrip issued under Lord Durham	£24,860	15	10
Amount issued and yet to issue under Sir Charles Metcalfe's Proclamation	93,598	0	0
	118,458	15	10
Probable nett proceeds	£289,541	4	2

T. BOUTHILLIER.

CROWN LANDS OFFICE,  
Montreal, 3rd February, 1845.

## No. 8.—STATEMENT of the TERRITORIAL REVENUE of the PROVINCE of CANADA, for the year 1843, as shewn in the Account No. 5, laid before the Legislature at the commencement of the present Session.

	£	s.	d.	£	s.	d.	£	s.	d.
Paid by the Hudson's Bay Company for twelve months rent of the King's Posts, for the year 1843	...	...	...	...	...	...	600	0	0
Rent of Ferries, as per particulars in Account	...	...	...	...	...	...	93	0	0
The above amounts are paid directly by the parties to the Receiver-General, there being no expense attending the collection.									
QUINTS.									
Amount paid by sundry persons, being a fine to the Crown of one-fifth of the purchase money on the sale of Seigniories	...	...	...	135	2	9			
LODS ET VENTES.									
Paid by sundry persons, being a fine to the Crown, as Seigneur, of one-twelfth of the purchase money on each sale of property within the Queen's Domain in Lower Canada	...	...	...	2,340	6	1			
Rent of Water Lots, being generally at a certain rate per foot of front on the River, established by the several Leases granted by the Governor in Council	...	...	...	617	9	2			
				3,092	18	0			
The expenses attending this portion of Revenue and other deductions are, as detailed at the end of the printed Account No. 5, viz.:				Sterling.					
Salary of the Clerk of the Terrars of the Queen's Domain for the year 1843	90	0	0						
Commission to the Inspector-General of the Domain, at 7½ per cent. on the amount of <i>Quints, Lods et Ventes</i> and <i>Rentes</i> received	142	18	8						
For copies of Notarial Extracts	7	14	2						
Survey of the Harbour of Quebec	117	18	0						
Remission to John Bonner, expenses in Cross Appeal	26	1	7						
The same to Wm. Petry	24	1	10						
	£408	14	3	454	2	6			
							2,638	15	6
Nett amount of Territorial Revenues	...	...	...	...	...	...	£3,331	15	6

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SALES of CROWN LANDS as rendered by CROWN LANDS OFFICE.

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	£	s.	d.	£	s.	d.
Sales and Instalments on Crown Lands in the Province of Canada ...	30,816	9	7			
Rents and arrears on Lands on Lease ...	462	4	7			
Quit Rent Sales ...	84	12	7			
Military Reserves; Sales and Instalments ...	14,242	16	0			
Fees on Grants of Land and casual Fees ...	1,051	3	0			
Rent of Grosse Isle ...	10	0	0			
Repayment of R. H. Thornhill's Pension ...	62	10	0			
Gain on Scrip ...	173	0	10			
P. Robinson's Estate ...	6	10	8			
Overcharge on Land Rights ...	1	13	5			
From Dr. M'Allister ...	23	19	0			
From outstanding dues of 1842 ...	6,742	5	10			
				53,677	5	6
From which sundry deductions are made, as follows :						
Land Rights ...	35,663	5	2			
Militia Scrip ...	5,250	0	0			
Surveys ...	2,956	13	2			
Cancelled Sales ...	87	16	1			
Agents' Commission ...	2,462	1	4			
General Disbursements in Crown Land and Surveyor General's Offices ...	4,443	5	10			
Remission on Military Reserves ...	1,664	12	8			
Robert H. Thornhill's Pension ...	62	10	0			
From the Heirs of the late Honorable W. B. Felton ...	£1,100	0	0			
Salary due ditto to 6th of August, 1836 ...	1,910	15	11			
				3,010	15	11
Balance of account of application of Instalments received by the late Peter Robinson, while Commissioner of Crown Lands, and not applied by him ...				313	19	5
				55,914	19	7
Leaving the deficiency of Crown Lands less than the deductions, by the sum of ...				£2,237	14	1

WOODS AND FOREST ACCOUNT.

	£	s.	d.	£	s.	d.
The Receipts returned by the Commissioner of Crown Lands on this account are :						
Receipt from James Stevenson ...	33,974	11	2			
William Morrison ...	581	13	1			
William M'Donald ...	797	4	10			
C. F. Fournier ...	1,735	6	3			
G. L. Marler ...	270	16	2			
Wm. Price & Co. ...	1,339	16	6			
James Tibbetts ...	429	3	4			
A. Gilmour ...	317	14	2			
John Veazie ...	312	10	0			
Receipts, sundry small sums from various Accountants ...	640	17	11			
				40,399	13	5
The deductions are as follows :						
Disbursements, &c. per J. Stevenson ...	2,962	0	2			
do per Wm. Morrison ...	25	15	0			
Surveys ...	32	2	6			
Commission ...	0	6	0			
Amount paid Laird M'Nabb, on account of his claim ...	849	7	2			
Disbursements by M'Lean Stewart ...	246	16	8			
				4,116	7	6
Nett for Woods and Forests ...				£36,283	5	11
Deduct the deficiency of the Crown Lands, as above ...				2,237	14	1
Nett Receipts for Land and Timber ...				£34,045	11	10
The Commissioner retained in his hands to account of next year (since paid in) ...				10,153	19	6
And paid to the Receiver General ...				£23,891	12	4
The amount from other branches of the Territorial Revenue from previous page ...				3,381	15	6
Sum Total of Territorial Revenue ...				£27,223	7	10

JOSEPH CARY,  
Deputy Inspector General,

INSPECTOR GENERAL'S OFFICE,  
Montreal, 5th February, 1845.



RECEIVER GENERAL'S OFFICE,

Montreal, 8th February, 1845.

Sir,

In reply to the Query contained in your letter from the Committee Room of the Legislative Assembly, dated the 5th, I have the honor to acquaint you that the monies received as "Principal" on Sales of Clergy Reserve Lands of Upper Canada, are invested in Upper Canada Debentures, with the exception of £11 Os. 11d. sterling, and those for Lower Canada, in the three per cent. Consols in England, viz.:

	West Canada. Sterling.	East Canada. Sterling.
	£ s. d.	£ s. d.
3 per cent. Consols ... ..	11 0 11	47,750 13 4
Canadian 5 per cent. Debentures ... ..	114,500 0 0	

The "Principal" monies received on account of Sales of Grammar School Lands, are invested in Upper Canada Debentures bearing interest at six per cent, to the amount of £22,359 currency, leaving a balance in the Receiver General's hands, uninvested, of £288 17s. 8d. currency.

I have the honor to be, Sir,

Your most obedient humble servant,

WILLIAM MORRIS,

Receiver General.

W. H. MERRITT, Esquire,  
Chairman of the Committee, &c. &c. &c.  
Legislative Assembly Rooms.

No. 10.—TABLE of Surrender of LANDS by the INDIANS, for Annuities, shewing the dates of the Surrenders, the names of the different TRIBES, their present numerical strength, the number of Acres ceded, and the amount of the Annuities.

Date of Surrender.	Name of the Tribe.	Present numerical strength.	Number of Acres ceded.	Amount of Annuity. Currency.	Conditions.
20th July, 1820	Mohawks of the Bay of Quinte	415	33,280	£ 450 0 0	£2 10s. to each member of the Tribe, but not to exceed £450.
31st May, 1819	Mississagas of Alnwick	218	2,748,000	642 10 0	
28th October, 1818	Mississagas of the River Credit	245	648,000	522 10 0	£2 10s. to each member of the Tribe, but not to exceed £642 10s.
5th November, 1818	Mississagas of the Rice and Mud Lakes	345	1,951,000	740 0 0	
17th October, 1818	Chippewas of Lakes Huron and Simcoe	540	1,592,000	1,200 0 0	
26th April, 1825	Chippewas of Chenail Ecarté and the St. Clair	1,129	2,200,000	1,100 0 0	If the Tribe decreases one-half, the annuity is to decrease in the same proportion—the original number specified in the deed is 440 souls.
9th May, 1820	Chippewas of the River Thames	438	580,000	600 0 0	
25th October, 1826	Moravians of the River Thames	184	25,000	150 0 0	£2 10s. to each member of the Tribe, but not to exceed £600 yearly.
9th August, 1836*	Saugeen Indians	† 348	150,000	1,250 0 0	
				£6,655 0 0	£2 10s. to each member of the Tribe, — not to increase, but to decrease with its diminution.

\* This Tribe did not commence receiving their Annuity until the 1st January, 1840.

† Resident in the two Villages situated at the mouth of the Saugeen and at Owen's Sound.

SURVEYOR GENERAL'S OFFICE,  
Montreal, 11th February, 1845.

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7th March.

No. 11.—QUESTIONS submitted by the Committee of the Honorable the Legislative Assembly, with Replies thereto, connected with the Return dated Surveyor General's Office, 28th January, 1845, on the subject of the Public Lands:—

*Question 1st.*—From your Return of 28th January, the original quantity of lands appears to have been surveyed in Upper Canada, is - 18,153,219 acres.

From which has been appropriated	3,764,143	do
You also estimate now on hand	- 1,500,000	do
	<u>5,264,143</u>	do

Leaving - - - - - 12,889,076 acres;  
how has this balance been disposed of?

*Answer.*—The quantity here named, as being the amount of lands in Upper Canada appropriated, is incorrectly extracted from the Return of 28th January, 1845, which is as follows:—

Appropriated as Clergy Reserves	2,407,687	acres.
do for King's College	- 225,944	do
do for U. C. College	- 63,642	do
do for Canada Company in Huron Block	1,100,000	do
do for do on Crown Reserves	1,384,413	do
Remaining quantity of School Lands	258,330	do
Indian Reservations	- 808,540	do

Total of public and special appropriations - - - - 6,248,556 acres, and not 3,764,143 acres, as expressed in the Committee's Question No. 1; therefore the case will stand thus—

Surveyed lands - - - - 18,153,219 acres.

Public and special appropriations	6,248,556	do
Estimated as disposable	- 1,500,000	do
	<u>7,748,556</u>	do

Shewing to have been disposed of to individuals - - - 10,404,663 acres.

This amount has been disposed of by grants, location, and sales to individuals. The grants and locations are under the following heads:—To U. E. Loyalists and Military claimants of the Revolutionary War,—to children of U. E. Loyalists,—to the Militia claimants of the War of 1812,—to Officers and discharged Soldiers and Seamen,—to Contractors of Surveys, compensated by a per centage,—to Settlers and Emigrants from various countries, from the Peace of 1783 to the present time,—to the various Religious denominations, and to purchasers from the Government. The quantities granted separately to each of these classes could not be ascertained, without occupying time which would materially retard the enquiry of the Committee.

*Question 2nd.*—What is the quantity of land lying between the Township of St. Vincent, the Saucing, Goderich, and the rear of the Gore and Wellington Districts, and valued at from 5s. to 10s. per acre, and the quantity of the remainder (unsurveyed lands) situated in the tract to the northward of the settled Townships in the Home, Colborne, Victoria, Midland, Bathurst, and Dalhousie Districts; at what value would you compute the general average of each?

*Answer.*—The quantity of unsurveyed land contained in the tract between St. Vincent, the Saucing

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and Goderich, and computed in the Return of the 28th ultimo, as ranging in value at from 5s. to 10s. per acre, consists of about 1,421,440 acres, and it is probable that the average value may be taken at 7s. 6d. per acre. The quantity of unsurveyed land to the northward of the settled Townships in the Home, Colborne, Victoria, Midland, Bathurst, and Dalhousie Districts, is estimated at 11,546,880 acres; but, as stated in the former Return, this Office is not in possession of any data upon which to form an estimate of the value of the unsurveyed lands in that quarter. If any sum were named as their value, it should be that for which they probably would sell; and it may be questioned whether within any moderate period, if offered, they could be disposed of. The computed quantity of this tract of course includes lakes, rivers, swamps and mountains situated therein; and, judging from the character of the lands to the southward, which have been traversed, which abound with lakes of considerable extent, it may be assumed that full one-third of that quantity is covered by water, and land unavailable for agriculture; the remainder, it is probable, may, when the lands contiguous to the settlements of superior quality, shall have been disposed of, realize from two to three shillings per acre.

*Note and Question 3rd.*—School Lands.

*Note.*—It may be well to remind you that there is a difference of 1,301 acres, the original appropriation being - - - - 549,217 acres.

University	- - - - -	225,944	do
Upper Canada College	- - - - -	63,642	do
Subject to be claimed	- - - - -	258,330	do
Deficit	- - - - -	1,301	do
		<u>549,217</u>	acres.

*Answer.*—The quantity of land, named as still available for the general purposes of Education, namely, 258,330 acres, is the amount recognized by this Office in December 1832, as remaining available. But if the full quantity of 66,000 acres authorized to be granted to Upper Canada College, be made up to that Institution, it would somewhat reduce that amount. Under the circumstances, therefore, it was considered advisable to adhere to the former statement.

*Question 3rd.*—It appears from your Return of the 28th ultimo, that there remains, subject to be claimed for the general purposes of Education, 258,330 acres. It also appears, cap. 10, 2 Vict. clauses 3 and 4, that the Governor and Council are authorized to set apart 25,000 acres of the Waste Lands of the Crown to be sold at not less than 10s. per acre,—the proceeds arising therefrom to be invested in Upper Canada Debentures at 6 per cent. Is this the same land referred to in your Return, if so, what part of the above has been sold, at what price per acre, what amounts have been received, what amount invested, and when and how appropriated in the years 1841, 1842, 1843 and 1844, and the expenses, if any, thereon; what number of acres remain unsold, where situate, and of what value?

*Answer.*—The Act to provide for the advancement of Education, 2 Vict. cap. 10, provided for an appropriation of 250,000 acres of land for the support of Grammar Schools,—not 25,000 acres, as expressed in the question of the Committee. This Act was repealed by the 4th and 5th Vict. cap. 19. This last Act embodies some of the provisions of the former Law, but does not direct the carrying out of the appropriation in question, and consequently no lands beyond those originally set apart have been devoted

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to the general purposes of Education, or for Grammar Schools. In reference to the second division of the Question, it may be observed that there is nothing in the repealed Act which would lead to the inference that the 250,000 acres proposed to be set apart for the support of Grammar Schools, should be taken from lands appropriated for the general purposes of Education; but the wording of the 4th clause points out clearly that they were to be set apart out of "the Waste Lands of the Crown." It will remain for the Receiver General's Department to state whether, previously to the repeal of the Act in question, any sums of money were received and invested in Public Securities with a view to the proceeds being devoted to the purposes of general Education, and if invested, in what manner applied in the years 1841, 1842, 1843 and 1844.

CANADA EAST.

*Question 4th.*—From your Return of 28th January, the original quantity of land appears to have been:

Originally surveyed in Lower Canada	- - - -	18,648,669 acres.
From which has been appropriated	2,374,733 do	
And remaining to be appropriated	3,907,000 do	
	6,281,733 do	
	12,366,936 acres;	

how has this balance been disposed of?

*Answer.*—Quantity of land surveyed in whole or in part in the Seigniories and Townships in Lower Canada, as per Statement of the 28th January last, 17,685,942 acres, and not 18,648,669 acres, as in the question:—

Appropriated as per Statement	- 2,377,733 do
Disposable land	- 3,907,000 do
About 900,000 acres of which are not yet subdivided, and 307,000 acres are under Location Certificates expired	- 6,284,733 do
Balance	- 11,401,209 acres.

Lands belonging to the Jesuits' Estates not included in the Statement, and appropriated for Educational purposes, forming part of the quantity of 9,027,880 acres, granted *en Seigneurie*, about - - 57,580 acres.

Granted in Fief and Seigniority to individuals, by the Crown of France - - - - 7,496,000 do

Granted in free and common socage to Leaders of Townships and Associates, Emigrant Settlers, Officers, Non-commissioned Officers of the Army and Militia, Officers of the Navy, Pensioners, Purchasers of Crown Lands, Adjudications and claims on the district of Gaspé - - 3,847,629 do

11,401,209 acres.

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*Question 5th.*—How many acres do you suppose there are in a depth of from ten to twenty miles back in the districts of Quebec and Gaspé, and which you estimate at from 1s. to 2s. per acre,—in the district of Three Rivers, from 2s. to 3s. per acre,—in the district of St. Francis, at from 3s. to 4s. per acre,—and in the district of Montreal, at from 2s. to 4s. per acre, and to estimate the average value of the whole?

*Answer.*—Assuming fifteen miles as a mean depth of available land extending in the rear of the Seigniories and Townships of Lower Canada, the number of acres estimated at 1s. to 2s. would average—

In the districts of Quebec and Gaspé as follows:—

Counties of Saguenay, Montmorency and Quebec	- - - 2,000,000 acres.
County of Gaspé	- - - 1,000,000 do
do of Bonaventure	- - - 1,200,000 do
Counties of Rimouski, Kamouraska and L'Islet	- - - 1,800,000 do
In the district of Three Rivers, at from 2s. to 3s. per acre:—	
Counties of Saint Maurice and Portneuf	- - - 500,000 do
In the district of St. Francis, from 3s. to 4s. per acre:—	
St. Francis territory, County of Sherbrooke	- - - 500,000 do
Megantic territory, district of Quebec	- - - 250,000 do
In the district of Montreal, from 2s. to 4s.:—	
North Shore of St. Lawrence and Ottawa	- - - 1,250,000 do
	<u>8,500,000 acres.</u>

The average value of which quantity may be fairly estimated at about two shillings and sixpence per acre; and the whole, therefore, at £1,062,500 currency.

*Question 6th.*—Will you have the goodness to state what quantity of land is situate in the north-eastern and western sections, and the estimate per acre, you would put thereon?

*Answer.*—The tract of country mentioned in the following answer, is the same as that stated in detail in the answer to the fifth question. The quantity of land situate in the north-eastern section of Lower Canada, contemplated in the Return, comprised in the district of Quebec, may be about six millions of acres, at the average value of two shillings per acre; that in the western section, comprised in the districts of Three Rivers and Montreal, north of the St. Lawrence, one million and seven hundred and fifty acres, at the average value of three shillings per acre; and that in the south-eastern section, the district of St. Francis and part of that of Quebec not distinguished in the Return, three quarters of a million of acres at four shillings per acre.

THOMAS PARKE,  
*Surveyor General.*

SURVEYOR GENERAL'S OFFICE,  
Montreal, 11th February, 1845.

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No. 12.—Letter from the Surveyor General to W. H. Merritt, Esquire.

SURVEYOR GENERAL'S OFFICE,  
Montreal, 12th February, 1845.

SIR,

I have the honor to transmit you, for the information of the Committee of the Legislative Assembly whereof you are Chairman, the following replies in answer to the questions proposed *seriatim* in your communication of the 5th instant, being all the information this Department possesses upon the various subjects the enquiries relate to: and where it is deficient, from the circumstance that several questions relate to matters beyond the cognizance of the Surveyor General's Office, I have in each case mentioned the Department where I conceive, on reference thereto, the information can be obtained. In the first question, the Committee desire to be informed what disposition has been made of the Jesuits' Estates, returned by this Department on the 28th ult., at about 616,500 acres, for what purpose they are intended, and of what value.

In the original concession of the different Seigniories and Fiefs, granted by the Crown of France to the *Compagnie de Jésus*, and the *Pères Jésuites*, various motions and considerations are set forth, of which the principal are the propagation of the Roman Catholic Religion, and instruction of the Indian Tribes in *Nouvelle France* or Canada, the maintenance of the Colleges of the Order; which concessions, on the death of *Père Casault*, the last of the Jesuits, in the year 1800, became the property of the Crown, and was placed under the management of a Commissioner and his Agents in the different districts: the revenues arising from which Estates were to be appropriated for Educational purposes. The tenure of these lands (being feudal or Seigniorial,) may account for their not having been placed under the direction of the Surveyor General's Department.

Upon an average, about one-third of those Seigniories and Fiefs have been laid out into concessions, a large portion whereof has been conceded as follows:

Laprairie de la Magdeleine - 58,000 arpens, district of Montreal, which is all conceded.	
Sillery, district of Quebec - 10,634	
St. Gabriel do - - - 40,000 one-fourth.	
Belair do - - - 14,112 two-thirds.	
Cap de la Magdeleine, Three Rivers - - - 45,000 one-fifth.	
Batiscan - - - 67,000 one-fourth.	
Notre Dame des Anges - - 28,000	
Isle aux Reaux - - - 360	
Pachigny, Three Rivers - - 600	
La Vacherie, Quebec - - 73	
St. Nicholas in Lauzon - - 1,180	
Tadousac - - - 6	
Coteau St. Louis, Town of Three Rivers - - - 135	
	265,100 arpens.

In respect to the value of these establishments, this Department can only state approximatively, the rate per acre, of the unconceded lands lying in the Seigniories of St. Gabriel, Batiscan and Cap de la Magdeleine, amounting to about 456,000 acres, the value of which may be estimated at from two to three shillings, per acre. In regard to the conceded parts of the Jesuits' Estates, their value depends upon the annual returns derived from *Cens et Rentes*, *Redevances*, *Lods et Ventres*, Mills, &c. information which can best be obtained from the Commissioner of those Estates.

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The description of land held under the Crown in Lower Canada, not distinguished in the Return from this Office, although included in the quantum of lands granted under Seigniorial Tenure, are, the lands of St. Régis, granted or reserved for the Indians of that name, situate on the shore of Lake St. Francis, district of Montreal, where the Province Line strikes the River St. Lawrence, containing about 27,000 acres, most of which has been conceded, or granted, under the management of the Indian Department. 2nd.—The Fiefs or Seigniories of Sault St. Louis, and augmentation thereof, granted by the Crown of France to the Jesuits, in trust for the Indians at Caughnawaga, in May 1680, and containing about 30,000 arpens, situate in the County of Beauharnois, district of Montreal, south of Lake St. Louis, almost all conceded, and under the management of the Commissioner of the Jesuits' Estates. 3rd.—The Lands of the Forges of St. Maurice, in the district of Three Rivers, consisting of the Fiefs St. Etienne and St. Maurice, granted to the Company of the Forges of St. Maurice, 13th May, 1740, now the property of the Crown, and under lease to the Honorable Matthew Bell, which lease is about to expire, containing together about 30,000 acres, (which lands are now being surveyed and subdivided for settlement, and may be estimated at from 2s. to 3s. per acre.)

The Queen's Domain, consisting of property situate in the towns of Quebec and Three Rivers, within the *Censive* of Her Majesty, is under the special inspection and management of the Inspector General of the Queen's Terrars, the Honorable F. W. Primrose, to whom reference might be had as to their extent and value, especially as deducible from the Seigniorial dues thereon in "*cens et rentes, lods et ventes*" and "*redevances*."

The Seigniorie of Lauzon, belonging to the heirs of Sir John Caldwell, Bart., has been taken in execution at the suit of the Crown, to be sold by the Sheriff in liquidation of the debt due by Sir John to the Province. That Seigniorie, situate in the district of Quebec, county of Dorchester, and containing 36 square leagues, is under the management of A. Parant, Esquire, Quebec, agent of Sir John Caldwell, about one-sixth part of which is not yet conceded.

The property called "Caldwell's Manor," (private property,) composes the Seigniorie of Foucault, situate on the Province Line, district of Montreal, and belonging to John Donegani, Esquire, who rendered "fealty and homage" for the same, in the year 1829,

About seventy beach and deep-water lots have been granted by the Crown in Quebec, under descriptions from this Office for Letters Patent, in free and common socage, and in Seigniorie, since the year 1766; about eight at Three Rivers and Port St. Francis, and three more at Montreal, and also two in Gaspé. From these are derived certain annual rents, some merely nominal, and others at one shilling per foot front; in others, since about the year 1830, the rent has been based upon an evaluation of the lot, per square foot. I am not aware that "*lods et ventes*" are derived from mutation of water lots, although probably on the beach lots, within the *Censive* of the Crown. The Inspector General might be referred to for more certain information on these points.

"Quints" are dues to the Crown of 20 per cent. on the sale or alienation of every Seigniorie or Fief at each mutation, that is to say, 20 per cent. on the purchase money is paid into the Receiver General's chest. The "*Droit de Quint*" to the Crown, is commutable under the Imperial Act, 6th Geo. IV., chap. 59.



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Recapitulation of Disbursements.

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	£	s.	d.
Commissioners ... ..	91	5	0
Advertizing ... ..	4	3	0
Inspections ... ..	53	5	0
	<hr/>		
	£148	14	0

The Sales of School Lands were placed under the management of the Department of Crown Lands, by an Order in Council of the 14th December, 1841. No sales, however, have been made under the immediate directions of this Office. The sales returned above, 1,932 acres for £1,449, were all affected by the Honorable Colonel Talbot, under his former instructions, it is presumed, from the General Board of Education.

Colonel Talbot ceased to make any new sales, however, in 1843, on an intimation to that effect from this Office. The total amount of collections by Colonel Talbot, to the 31st December last, is £2,815 14s. 11d.; the further sum of £419 18s. 9d. was received at the desk, and through Agents.

T. BOUTHILLIER.

CROWN LANDS OFFICE,  
Montreal, 6th February, 1845.

No. 14.—(Continued.)

GENERAL STATEMENT OF SCHOOL LANDS.

	Acres.	Acres.
From a Return by the Honorable Mr. Macaulay, of the 10th August, 1841, for the General Board of Education, it appears that the total amount of Land originally set apart for School purposes, was ... ..	...	540,801½
Of which were appropriated:		
For the King's College ... ..	225,944	
do Upper Canada College ... ..	66,000	
		291,944
Leaving the amount originally reserved for Grammar Schools... ..	...	254,917½
Sold under the management of the General Board of Education, up to 31st December, 1840 ... ..	52,930½	
Sold by Colonel Talbot under his former instructions, from 1st January, 1841, to 31st December, 1843 ... ..	1,932	
		54,802½
Amount of Grammar School Lands remaining disposable on 1st January, 1845 ...	...	200,055

STATEMENT OF SALES OF GRAMMAR SCHOOL LANDS.

	Principal.	Interest.
	£ s. d.	£ s. d.
The 52,930½ acres sold to 31st December, 1840, have produced ... ..	36,415 8 10	
On account of which has been collected to the same date ... ..	19,660 11 9	8,065 10 1½
Leaving, December 31st, 1840 * ... ..	16,363 2 11	5,748 11 0
Received from 1st January, 1841, to 31st December, 1844 ... ..	1,937 10 5	884 8 3
Balance ... ..	14,425 12 6	4,914 7 9
Add instalments due 31st December, 1844, on 1,932 acres sold under management of Commissioner of Crown Lands, with 18 months estimated interest on same ...	1,058 10 0	90 18 3
Interest on £14,425 12s. 6d., from 1st January, 1840, to 31st December, 1844, 4 years ...	...	8,438 8 0
	£15,470 2 6	8,440 7 0
		15,479 2 6
Total amount due on Sales, 31st December, 1844 ... ..	...	£23,928 9 6

\* So in Return—discrepancy of £391 14s. 2d.

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(N. N.)COPY of ACCOUNT rendered by the GENERAL BOARD of EDUCATION, on the 31st  
December, 1840.Appendix  
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	£	s.	d.	£	s.	d.	£	s.	d.
To paid for Agencies and charges of management ... ..	...	...	...	1,469	10	2			
do Salaries to Teachers to 31st March, 1836 ... ..	...	...	...	1,060	16	8			
do for Books to 31st March, 1832 ... ..	729	17	3						
do Building and contingent account ... ..	796	11	3						
	1,526	8	6						
Less, grant for Books ... ..	750	0	0						
				776	8	6			
To purchase of Land erroneously sold ... ..	...	...	...	365	0	0			
To paid to the Receiver General ... ..	16,618	8	10½						
Less, paid back on Warrant ... ..	463	15	6½						
				16,154	13	4			
Balance in the hands of Agents (not named) ... ..	...	...	...	4,785	14	0			
							24,612	2	8
By Balance of Bank Stock Account ... ..	187	10	0						
By Dividends, Interest and Bonuses ... ..	892	18	0						
				1,080	8	0			
(How and when this Bank Stock was acquired or disposed of does not appear.)									
By proceeds of Sales actually paid in, including proceeds of Timber, (the amount of which is not mentioned) ... ..	...	...	...	23,531	14	8			
							24,612	2	8
N.B. The above Proceeds exceed the amount of Collections on account of Principal and Interest, as stated on the preceding page: this difference arises probably from the Sales of Timber of which no account is furnished in the Return.									

## ESTIMATED value of remaining GRAMMAR SCHOOL LANDS.

	£	s.	d.	£	s.	d.
200,055 acres, estimated at 10s. per acre ... ..	...	...	...	100,027	10	0
Amount due on Sales, per Statement up to 31st December, 1844, Principal and Interest	23,928	9	0			
Represented in Return of 10th August, 1841, as laid out in purchase of P. Debentures	14,359	0	0			
				38,287	9	6
Ditto as in the hands of the Receiver General on 31st December, 1840 ... ..	1,795	13	4½			
Ditto in the hands of the Bursar of King's College, at same time* ... ..	1,309	11	4			
Ditto in the hands of Agents, at the same period ... ..	4,785	14	0			
				7,890	18	8
Paid to the Receiver General by the Commissioner of Crown Lands ... ..	1,866	17	0			
In the hands of the Commissioner of Crown Lands on 31st December, 1844 ... ..	1,151	12	2			
				3,018	9	2
				£140,224	7	4

\* It does not appear in the Return out of what Funds the Balance has accrued.

T. BOUTILLIER.

CROWN LAND DEPARTMENT,  
Montreal, 17th February, 1845.

## No. 15.—STATEMENT of the Inspector General of the Queen's Domain and Clerk of the Land Roll.

The Queen's Domain in Lower Canada, under my immediate control and management, consists of—

1. The Seigniories of which the Queen is Seignior Paramount or Suzerain.

2. The lands which are held *en roture* directly of the Crown, of which the Queen is Seignior *Censier*.

3. The lands which have been granted by the Crown in free and common soccage, in consideration of annual rents.

In respect to the first class, namely, the Seigniories, the Crown is entitled on every sale and conveyance equivalent to a sale, to exact from the purchaser by way of fine, a sum equal to the fifth part of the purchase money, called "*Droit de Quint*."This right affects all the Seigniories in Lower Canada which were conceded under the ordinary conditions and according to the Custom of Paris, and which comprize by far the greater number: some Seigniories, however, by their original titles, were exempted from it, and were subjected to the payment on such mutations of a small piece of gold money, or the revenue for one year of the Seignior's domain, only. This right of *Quint* has ceased to exist in all cases where the proprietors have commuted their tenure under the provisions of the Imperial Statutes passed for that purpose.In respect to the second class, namely, the lands held *en roture* directly from the Crown, called "*Censives*," they consist of the larger portion of the city, suburbs, and banlieu of Quebec, and of the town and banlieu of Three Rivers. The Crown, like other Seigniors, has the right to exact from the purchaser of property situated within its *Censive*, on every sale, and conveyance equivalent to a sale, a sum equal to the twelfth part of the purchase money, called "*Droit*

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*de Lods et Ventés.*" This right, like that of *Quint*, has ceased to exist in respect to all such properties of which the tenure has been changed into that of free and common socage. In respect both to *Quint* and *Lods et Ventés*, it has always been customary to grant a remission of one third of the amount on prompt payment, *i. e.* on payment within a specified period from the date of the deed of transfer, which, under the present regulations, is fixed at three months for *Quints*, and six months for *Lods et Ventés*.

In respect to the third class, it chiefly comprizes beach and deep water lots granted on the banks of the St. Lawrence and St. Charles, on payment of certain ground rents.

The annual value of the *Droit de Quint* is very fluctuating, depending, as it does, upon the transfer of a description of property not very frequently in the market. The receipts since the year 1830 have amounted to about £8000.

The annual value of the *Lods et Ventés*, if rigidly exacted, or even if collected under an improved system, would far exceed the amount received. That amount, in ordinary years, has been about £2500 per annum. I am of opinion that it might be doubled, if not trebled, under a properly arranged mode of collection, without exposing the *Censitaires* to any hardship.

The ground rents referred to in the third class at present, if fully collected, would amount to about £500 per annum. These rents are increasing by fresh grants, and are not so subject to fall into arrear as the other description of dues, their amount being ascertainable by the public officer in charge of the Department.

The amount of *Quints* ascertained to be due and unpaid, may be stated to be about £6000.

The amount of *Lods et Ventés* ascertained to be due and unpaid, may be stated to be about £25,000.

It may be estimated that there is due upon transfers not yet ascertained, an amount equal to what is known on both these heads.

The amount of ground rents in arrear may be about £2000.

The arrears of *Quints* may be considered as nearly all good, and both capable and likely to be recovered.

The arrears of *Lods et Ventés*, I think, may be classed thus,—one moiety bad as to immediate recovery; the other moiety good, and if judicious means were adopted might be recovered in a period of ten years. Of the moiety classed as bad, a considerable portion would from time to time be recovered when the property in respect to which they are due may come to be sold at Sheriff's sale at the instance of private creditors, the claim of the Crown having by law the first privilege upon the proceeds: the remaining portion I consider as bad debts, either from having become prescribed, or from attaching upon property not worth the amount due, together with the costs of recovery, or perhaps belonging to persons so poor that were the Crown to take the necessary proceedings to enforce payment, they would be involved in absolute ruin.

The arrears of the ground rents may be considered as nearly all good and recoverable, if legal proceedings were taken.

The annual value of *Quints*, *Lods et Ventés*, and ground rents, if properly collected, (exclusive of arrears,) might, in my opinion, be estimated at £7000 per annum.

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The steps I would recommend to be adopted to ensure a more prompt collection of these dues are:—

1. That legal proceedings should be taken against all those apparently capable of paying, who shall neglect payment of the Seigniorial dues for more than two years after their respective acquisitions.

2. That the same proceedings should be adopted when the ground rents shall fall into arrear for more than four years after they shall have respectively become due.

3. That legal proceedings when taken should be prosecuted to execution.

4. That in respect to such *Censitaires* as may be entitled to relief, they should, according to circumstances, obtain a total remission, or be permitted to compound for arrears, and to pay such composition, if their situation should require it, by instalments.

5. That such remission or composition, except under extraordinary circumstances, should not apply to cases where the present proprietor had kept in his own hands, out of the purchase money, the arrears due by his predecessors, or had himself contracted to pay them.

6. That it should rest with the Inspector General of the Queen's Domain, and upon his responsibility, to select such persons as should be prosecuted at law for the payment of their dues.

7. That the claims for remission or composition, or delay for the payment, should be made through the Inspector General of the Queen's Domain, who should report upon the propriety of granting the same to His Excellency the Governor General for his ultimate decision.

8. That by Legislative enactment, the Crown should be enabled to recover costs in all legal proceedings taken for the recovery of these and similar dues, which, by the recent decisions in the tribunals of Lower Canada, it has been determined it is not, in the present state of the law, entitled to. This provision is imperatively called for, both as respects the Queen's Domain properly so called, as the Jesuits' Estates, inasmuch as in a great variety of cases the sums accruing and recoverable at law would not cover the costs, a state of things operating as a denial of justice, having a very immoral effect upon the class of persons indebted to the Crown, and tending to a great diminution of the revenue to be derived from such property.

9. Were these dues collected by an individual appointed for that purpose, instead of being paid in each individual case directly into the hands of the Receiver General, I am of opinion that the annual amount would be very considerably increased.

I am not aware that I can furnish to the Committee any further information respecting other property not under my immediate control claimed by the Crown, or the value thereof, except as far as the observations I have made may be considered applicable to the Jesuits' Estates.

I had omitted to state, that the charges of collection have not been deducted from the sums estimated. There is now allowed  $7\frac{1}{2}$  per cent. upon the amount actually collected.

Not knowing when I left Quebec, what information the Committee was desirous to obtain, I have not with me the documents which would enable me to furnish a more correct estimate; but from memory, I believe what I have mentioned to approach nearly the truth.



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Independently of the property I have mentioned, there is a part of the old King's Wharf at Quebec, under lease at £250 per annum, in the possession of Mr. James Reynar, on which there are arrears due, amounting to about £2500, for the recovery of which a suit is pending.

FRANCIS WARD PRIMROSE,

*Inspector General of the Queen's Domain, and  
Clerk of the Land Roll.*

February 15th, 1845.

No. 16.—*Letter from the Surveyor General to W. H. Merritt, Esquire.*

SURVEYOR GENERAL'S OFFICE,

Montreal, 17th February, 1845.

SIR,

Your letter of the 12th instant, addressed to the Assistant Commissioner of Crown Lands, having been referred to this Office, I have the honor to acquaint you, for the information of the Committee of the House of Assembly, of which you are the Chairman, that the lands referred to in the various Surrenders from the Indians to the Crown, from the 17th October, 1818, to the 9th August, 1836, comprising 11,277,280 acres, constitute (with the exception of 1,296,313 acres of the Sauging surrender of 1,500,000 acres) a portion of the amount of 18,153,219 acres, stated in the Return from this Office of the 11th instant, to have been surveyed in Upper Canada.

Of the quantity of 1,500,000, contained in the Sauging surrender, about 303,687 acres have been surveyed, out of which about 100,000 acres have been disposed of, and the remaining 203,687 acres form a part of the surveyed ungranted Crown Land estimated in the former Return from this Office, at 1,500,000 acres. Therefore, over and above this quantity of surveyed Crown Land, there will remain unsurveyed in the Sauging Tract, and available 1,196,313 acres Crown Land.

It is presumed that the amount of 1,880,000 acres of surveyed disposable land in Western Canada, alluded to by the Commissioner of Crown Lands, embraces both Indian and Crown Lands, whereas in the Return from this Office of the 11th instant, the Indian Lands are arranged under the head of Special Appropriations, in order to distinguish them as not available for general Provincial purposes.

I have the honor to be,

Sir,

Your obedient humble servant,

THOMAS PARKE,

*Surveyor General.*

W. H. MERRITT, Esquire,

Chairman of Committee of  
Legislative Assembly, &c. &c. &c.

No. 17.—*Letter from the Agent of the Seigniorship of Lauzon, to W. H. Merritt, Esquire.*

Quebec, 22nd February, 1845.

SIR,

I acknowledge the receipt of your letter of the 19th instant, and I have the honor to make the following reply.

I estimate the actual value of the Seigniorship at £36,000, in the least; a value which can but increase when about 342 unconceded lots of land will have been conceded, when all the mills will have been completely repaired, and when a plan or general Land Roll of the Seigniorship will have been made out; the old plans and Land Roll having been totally destroyed by fire several years ago, and previous to my appointment as Agent of that Seigniorship.

The annual Revenue of the Seigniorship has been, since I have had the management thereof, about £2500, that is, in money received since 1835, leaving for each year a considerable deficit of unpaid rents and *Lods et Ventes*.

When a regular plan and Land Roll shall have been made out, and the mills thoroughly repaired, I am led to believe that the lowest rate of the Revenues will be about £3000 per annum, without including the arrears which might remain due every year. But it will require continual work and trouble, such as I have experienced, even without a Land Roll, to watch over the different changes of tenants (*tenanciers*) who, often in their transactions, try to defraud the Seigniors of their just rights.

I must add, that the revenues of the Seigniorship are susceptible of being greatly increased, from its proximity to the city of Quebec, and from its having the advantage of containing several rivers and water-courses whereon flour and saw mills may be erected.

The whole, nevertheless, humbly submitted to the Committee on Public Lands, by

Sir,

Your most obedient servant,

ANTOINE A. PARENT,

*Agent of Lauzon,  
and Curator to the Estate and Succession of  
the late Sir John Caldwell.*

W. H. MERRITT, Esquire,

Chairman of Committee of  
Legislative Assembly, &c. &c. &c.

No. 18.—*Letter from the Surveyor General to the Commissioner of Crown Lands.*

SURVEYOR GENERAL'S OFFICE,

Montreal, 15th February, 1845.

SIR,

In reference to your letter of the 12th instant, I beg to acquaint you, that the Fees paid into your office, chargeable upon Crown Patents, are exacted under certain regulations known as following, established by Orders in Council.

Regulations prior to July, 1796, established by Order in Council of 19th August, 1795.

Regulations of 9th July, 1796, established by Order in Council of 6th January, 1796.

Regulations of 22nd December, 1797, established by Order in Council of 10th July, 1797.

Regulations of 30th December, 1802, established by Order in Council of same date.

Regulations of 6th July, 1804, established by Order in Council of 9th January, 1804.

Regulations of 5th January, 1819, established by Order in Council of same date.

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Regulations of 1st January, 1820, established by Order in Council of same date.

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Regulations of 31st January, 1824, established by Order in Council of same date.

I have the honor to be,

Sir,

Your obedient humble servant,

THOMAS PARKE,

*Surveyor General.*

The Honorable

The Commissioner of Crown Lands,  
&c. &c. &c.

Mr. Bouchette's Answers to the Questions proposed by W. H. Merritt, Esquire, Chairman of the Committee, Legislative Assembly.

1st. I should say from about £700 to £1000.

2nd. The present annual value of the Seignior of Lauzon, from Seigniorial dues, Corn Mills, and other privileges, averages from £3000 to £4000, from which should be deducted the expense of management, repairs of Mills, &c. If all the lands were conceded, and the Seignior managed, to the best advantage, it would not yield less than £4000 net annual revenue, in my humble opinion.

3rd. The latter plan would appear the most advantageous, and also the most economical plan of manage-

ment, if brought under the direction of the Crown Land Department.

4th. The lease of the King's Posts to the Honorable Hudson's Bay Company for 21 years, dated 27th June, 1842, contains an exclusive right to the Seal Fisheries within the limits thereof.

A further revenue is now derived from Leases to individuals engaged in the Lumber Trade to cut timber along certain large rivers emptying into the St. Lawrence, and up the Saguenay and its tributaries,—the amount of which is ascertainable in the Crown Land Department.

The Salmon Fisheries, under judicious regulations, might be made an advantageous source of Revenue.

There is no probability of an increase in the rate of the lease as at present fixed, namely, £600 per annum, as the trade with the Indians, in furs, is fast decreasing,—and that decrease being still more accelerated by the proposed settlement of the county of Saguenay, and other parts of the coast.

The value of this territory may therefore be estimated on the grounds of an increase of the lumbering business now carried on, the lease of Mill privileges for the manufacturing deals, &c., which cannot but yearly augment, from the extensive forests of pine and other timber existing in that section of country, and the facilities afforded by navigable rivers and streams for its transit to the coast, which latter offers numerous safe and convenient harbors for shipping.

J. B.

Montreal, 17th February, 1845.

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No. 19.—STATEMENT of the DISBURSEMENTS of the Department of CROWN LANDS, in the years 1841, 1842, 1843, and 1844.

Services.	Year.	COMMISSIONER'S OFFICE.												SURVEYOR GENERAL'S OFFICE.						Recapitulation of Totals.
		Salaries.		Printing, Stationery, Postage, &c. &c.		Surveys and Inspections.		Commissions.		Miscellaneous.		Timber.		Salaries.		Contingencies.				
		Total.	Proportion charged.	Total.	Proportion charged.	Total.	Proportion charged.	Total.	Proportion charged.	Total.	Proportion charged.	Total.	Proportion charged.	Total.	Proportion charged.	Total.	Proportion charged.			
Totals under each head of expenditure, and proportion charged to Crown Lands ...	From 1st July to 31st Dec 1841	£ 1,689 2 3	866 11 2	£ 454 18 5	218 3 4	£ 1,617 18 8	862 9 4	£ 585 9 6	512 9 5	£ 33 1 10	9 5 6	£ 3,466 7 1	1,520 11 0	£ 660 5 6	...	...	£ 5,701 1 8			
	1842	3,043 12 10	1,521 16 6	2,004 7 0	873 4 0	3,769 12 3	1,694 4 8	2,146 6 3	1,075 19 0	0 558	3 10 294	1 11 3,466 7 1	2,844 16 8	1,422 8	4 369 15 0	184 17 6	18,203 0 11			
	1843	3,327 11 4	1,663 15 8	1,819 11 10	1,081 18 7	3,889 9 11	2,939 10 8	2,598 19 2	1,798 18 4	4 209 17 10	151 17 8	2 303 9 6	2,829 11 10	1,414 15 11	2 263 10 8	131 15 4	17,242 2 1			
	1844	3,129 17 3	1,586 9 7	1,936 0 4	1,366 15 0	4,530 5 0	3,531 8 11	2,691 19 3	1,101 3 5	49 17 6	49 17 6	2,109 18 0	2,616 14 4	1,308 7	2 254 18 10	127 9 5	17,319 10 6			
			£ 5,638 11 11	3,560 0 11	9,067 13 7	4,488 10 2	505 3 7	4,805 16 11	444 2 3	£ 24,509 19 4							58,465 15 2			
Proportion charged to Clergy Lands	1841	...	651 5 10	...	186 18 3	...	629 7 6	...	42 4 3	...	7 9 2	...	528 4 4	...	147 18 0	...	2,045 9 4			
	1842	...	1,217 9 1	...	1,026 15 3	...	627 17 8	...	975 15 8	...	211 5 6	...	1,137 18 8	...	105 8 3	...	5,344 19 10			
	1843	...	1,331 0 6	...	587 18 10	...	238 14 9	...	748 5 10	...	46 8 2	...	1,131 16 9	...	101 19 7	...	4,189 13 1			
	1844	...	1,234 14 11	...	435 12 0	...	121 0 0	...	1,515 15 10	...	...	...	1,046 13 9	...	...	...	4,454 16 1			
Proportion charged to Indian Lands	1841	...	171 5 3	...	49 16 10	...	126 1 10	...	30 15 10	...	16 6 2	...	132 1 2	...	36 19 6	...	526 7 1			
	1842	...	304 7 3	...	104 7 9	...	1,447 9 11	...	39 19 8	...	52 16 5	...	284 9 8	...	26 7 1	...	2,270 10 2			
	1843	...	332 15 2	...	149 1 0	...	691 4 6	...	20 7 5	...	11 12 0	...	282 19 2	...	25 9 10	...	1,514 6 4			
	1844	...	308 13 9	...	110 3 0	...	804 11 1	...	69 13 9	...	...	...	261 13 5	...	...	...	1,581 7 10			
Proportion charged to School Lands	1841	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	54 11 11			
	1842	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	32 1 0			
	1843	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	62 1 7			
	1844	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	£ 149 14 6			

\* This sum covers charges for 1841 and 1842.

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STATEMENT of RECEIPTS by the Department of CROWN LANDS, from the 1st July, 1841, to the 31st December, 1844.

Year.	CROWN LANDS.				FEEES.	MISCEL- LANEOUS.	TIMBER.	CLERGY.		INDIAN.			SCHOOL.	RECAPITULATION OF TOTALS.
	Cash.	Revenue and Land Rights.	Scrip.	Total.				U. C.	L. C.	Six Nations.	Sundry Tribes.	£		
1841	£ 551 18 6	5,213 19 6	809 2 6	6,575 0 6	... ..	... ..	... ..	6,573 9 5	352 5 6	660 19 1	259 3 1	... ..	14,420 17 7	
1842	1,461 19 11	2,050 7 8	15,350 0 9	18,862 8 4	1,206 2 5	337 18 4	37,572 16 11	17,179 11 9	927 16 8	3,155 11 11	980 5 11	1,828 3 1	82,050 15 4	
1843	3,243 8 10	1,187 19 7	41,389 18 3	45,821 6 8	1,051 3 0	... ..	46,301 11 11	13,310 9 1	3,182 13 10	325 2 0	684 8 1	1,025 16 10	111,652 11 5	
1844	1,476 1 5	13 8 3	30,019 8 9	31,516 2 5	1,234 11 5	... ..	28,828 18 11	27,482 7 8	121 5 0	4,606 5 3	1,919 3 4	313 3 9	9,602 17 9	
	£6,733 8 8	8,465 15 0	87,568 10 3	102,774 17 11	3,491 16 10	337 18 4	112,703 7 9	64,545 17 11	4,534 1 0	8,747 18 3	3,843 0 5	3,167 3 8	304,146 2 1	

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No. 20.—*Letter from the Assistant Commissioner of Crown Lands to W. H. Merritt, Esquire.*Appendix  
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CROWN LANDS DEPARTMENT,  
Montreal, 26th February, 1845.

SIR,

I have the honor to enclose herewith the Tabular Statement of the Disbursements and Receipts of the Department of Crown Lands lately required.

On comparing these Statements with the Accounts periodically rendered the Government, (in a totally different shape,) I find in the general result some discrepancy, arising no doubt out of some omission or error of calculation, which I should have wished to correct before transmitting them. But from what I understood from you on the subject of these Accounts, I am induced to send them in their present shape, leaving the error to be corrected hereafter.

The Accounts now submitted include no part of the monies paid on account of the Inspection of Clergy Reserves ordered in 1843, which will amount to about £6,000. The greater part of this sum has already been paid, but will only enter the Accounts of the present year.

I beg to observe, that the proportions of the Office Expenses charged to Crown Lands ought not to be considered as incurred for the management of sales alone.

Old locations, claims to free grants, and many other land matters altogether unconnected with sales, take up a considerable portion of the time and labour of the Department, and ought, consequently, to bear an adequate share of that expenditure. As an instance, I may state that within the last twelve months alone, some five thousand of Lower Canada Militia Claims, now of thirty years standing, have been received for investigation and adjudication.

I have the honor to be,

Sir,

Your most obedient servant,

T. BOUTHILLER.

W. H. MERRITT, Esquire,  
M. P. P., &c., &c., &c.

REPORT.

## REPORT.

THE SELECT COMMITTEE to which were referred the Petition of John P. Waterson and others, Licensed Deal Cullers of the City of Quebec, and various other Petitions, for amendments to the Lumber Act,—the Petition of Ruggles Wright and others, Inhabitants on the Ottawa River, interested in the production of Lumber, against any alteration of said Act,—and the Bill to regulate the Culling and Measurement of Timber, Masts, Spars, Deals, Staves, and other articles of a like nature, and to repeal the Act of the seventh Victoria, chapter twenty-five, have the honor to REPORT:—

That your Committee have carefully considered the several Petitions referred to them, as also the Bill, and have taken evidence at considerable length, of individuals belonging to all classes interested in the Timber trade, and in the inspection and measurement of that article of our commerce.

The result of their inquiry has led your Committee to adopt the compulsory measurement of Square Timber, Masts and Spars, but to render culling of all descriptions of Lumber optional to either of the parties, buyer or seller.

Your Committee have accordingly altered and amended the Bill referred to them, and they now beg leave to report the same as amended and altered, together with the evidence.

All which is humbly submitted.

T. C. AYLWIN,  
*Chairman.*

7th March, 1845.

## MINUTES OF EVIDENCE.

THOMAS CUSHING AYLWIN, Esquire, in the Chair.

Thursday, 19th December, 1844.

Mr. Joseph Homond, Lumber Merchant, called in; and examined:—

1.—Are you engaged in the Lumber Trade?—I am.

2.—How many Rafts have you been connected with this season, I mean 1844?—I had about forty; they would amount to nearly two millions of feet.

3.—Are you conversant with the Law now in existence for regulating the measurement of Timber, and would you, after your experience, desire to do away with the principle of the said Law?—I am; I am well acquainted with the working of the Bill, and would not desire to see the principle of it altered.

4. Are there any parts of the details of the Bill which you would wish amended; and is not the description of merchantable articles of Timber too severe in the present Law?—I do not approve of breaking up of the tenth part of the rafts, and would prefer that the whole should be made merchantable,—there is no other detail of the Bill that I disapprove of.

5.—According to the Tariff of fees established by this Act, is it not a great deal less than what you were formerly in the habit of paying?—It is.

6.—Owing to the particular nature of the Lumber trade, is it possible to transact the business without measurement taking place; and, in your opinion, by whom should that duty be performed?—I do not see how it would be possible to proceed with the Timber trade without having the Timber measured,—but by independent men not engaged in the Lumber trade, or by the seller or buyer.

7.—Did the Bill facilitate or impede your business this year?—It did facilitate it.

8.—Do you think it fair or beneficial to the working of the Bill, that the Board of Examiners should be merchants; or is not the Supervisor the person who should have the full power?—I think it should be the Supervisor, with the assistance of other cullers, who should compose the Board of Examiners. I would not exclude merchants from the Board, providing they had practical knowledge of the business.

9.—Is it not a fact that Timber is in many instances shipped as fast as it is measured, therefore, by the time the specification is handed in, the poor man can have no redress, as he is deprived of the power of referring to the timber?—I am not aware that this occurred this year, except in cases where the buyer and seller were agreed. In former times, when the merchants employed their own cullers, it frequently occurred, the timber was shipped without the consent, and even without the knowledge of the seller.

10.—Do you export timber to Great Britain or elsewhere on your own account?—I do not.

11.—If you were in the practice of exporting Timber on your own account, would you think it necessary to have such Timber measured by the Supervisor before shipment?—I would.

12.—What reason do you assign for this opinion? I think it would advance the sale.

13.—If you were a Cove owner at Quebec, and had a commercial house at the place to which you sent your Timber, would you then think it advantageous to have it measured under the Supervisor's direction before shipment; if so, state why?—I would, for the reason I have before given, which I think equally applies to the one case as to the other.

14.—With reference to the two last questions, could you not ship your own Timber at a much less cost of money and time by your measurement, than

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by going through the process of the Supervisor's office?—I do not know that I could gain any time, but I think that the measurement could be done at less expense by employing my own men.

15.—Do you not think that it would be preferable to the present system, if it were enacted that Timber should be measured immediately upon its arrival at the port of shipment, before it was offered for sale, so that the seller should meet the buyer with the specification of the Timber in his hand?—I do think it would be much better if it were so.

16.—Were the complaints under the old system principally by the manufacturers of the Timber brought to Quebec, or by the merchants shipping it there; or did both parties complain?—Principally by the manufacturers of Timber.

17.—In what did the grievance mainly consist, in so far as the manufacturers were concerned?—In the measurement of the Timber by hired servants of the buyer, meaning the merchant.

18.—Is the grievance, in so far as the manufacturer is concerned, redressed by the Act of last Session?—I consider that it is to a certain extent, but it still requires modification.

19.—Are you aware of any hardships suffered by the merchants at Quebec in consequence of the existing Law?—I am aware that they are complaining, but do not know the grounds of their complaint.

20.—You have stated that under the previous Law of Inspection, Timber was shipped without the knowledge of the seller previous to his being settled with for the same, and that he had no recourse; will you explain what you mean by his having no recourse?—By no recourse, I mean that I have no check on the Timber shipped, and that it is out of my power to call a survey, the Timber being shipped.

—  
*John Egan, Esquire, Lumber Merchant, called in; and examined:—*

*Answer to Q. 1.—I am, in Square Timber only.*

*Answer to Q. 2.—About two million and a half (about 55 cribs.)*

*Answer to Q. 3.—I should not wish to do away with the principle of the Bill.*

*Answer to Q. 4.—There are measures that I think might be amended, that part where it refers to Merchantable Timber is too stringent.*

*Answer to Q. 5.—It is.*

*Answer to Q. 6.—For the settlement of transactions at Quebec, measurement is necessary, but measurement should be done by disinterested measurers.*

*Answer to Q. 7.—It facilitated it to a great extent.*

*Answer to Q. 8.—I think the Supervisor should have the full power to select a Board of Examiners.*

*Answer to Q. 9.—In the present instance you can avoid that, by having it measured by the Supervisor's measurers, (under the old system you could not do so,) and selling your specification after it is measured to any person disposed to purchase.*

*Answer to Q. 10.—No.*

*Answer to Q. 11.—Yes.*

*Answer to Q. 12.—Because if the Timber is not measured, I should have no check upon the Captain, who generally is bound to give a receipt for such*

Timber, but could not do so unless he had some data to go by.

*Answer to Q. 13.—Already answered.*

*Answer to Q. 14.—For one or two rafts it would not pay; if I had fifty or sixty it would—but without a boom I could not do it at any expense.*

*Answer to Q. 15.—Yes, most decidedly.*

*Answer to Q. 16.—It was the manufacturers that complained; under the old system, a merchant in England looks to the Quebec merchant that the specification rendered to the purchaser in England would hold out from 8 to 10 per cent. over the Canada measurement; whether it does so under the present system or not, it is impossible for me to say.*

*Answer to Q. 17.—In that the measurement of the hired servant of the buyer measured, and that there was no legal recourse against his measurement if he did not do justice.*

*Answer to Q. 18.—It is in a great measure.*

*Answer to Q. 19.—I am not aware, as they might have redress by a survey.*

21.—Are you paid or employed by any person or persons for your loss of time or outlay of money?—No.

22.—You have stated that the standards for Timber are too stringent,—is this opinion entertained by the seller as well as buyer, or by the seller only?—There has not been, in my opinion, a raft sold this year merchantable, because they could not conform to the Law.

23.—Under the operation of the previous inspection Law have many disputes about measurement occurred between the masters of vessels and the shippers of Timber?—I have not heard of any.

24.—Does the present mode of paying the cullers give them any interest calculated to mislead them; and if so, what remedy could you suggest?—I do not know that the present mode does, as he can have no interest, only to discharge his duty.

25.—Do you not think it would be advantageous to the trade in general, if it were optional for the buyer and seller to agree to their own measurement and inspection, and in the event of a dispute to have reference to a Board of Supervision?—I think it would be to the advantage of the merchant, but not to the trade—I mean the manufacturer.

26.—Would a reference to the Supervisor not have the effect of rendering a fair reward between the merchant and the manufacturer?—Yes, it would be, if it were practicable, before the Timber was shipped, to have the Supervisor's decision.

27.—From your experience with the working of the present Bill, have you any modifications to suggest; if so, please state them?—I think that the Board of Examiners should be appointed by the Supervisor, and that a culler being wilfully found guilty of unfair measurement should have his Commission taken from him, and punished.

—  
*James Bell Forsyth, Esquire, Merchant, of Quebec, called in; and examined:—*

28.—Are you engaged in the Lumber trade?—I am extensively engaged as a Broker, and both buy and sell on account of others,—I have not bought on my own account.

29.—How long have you been in business?—About two years.

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30.—Are you deputed on the part of the Quebec Board of Trade?—I am; and beg leave to hand in the following:—

(Copy.)

That one of the members of this Council be requested at the proper time, to proceed to the Seat of Government, to explain and advocate the passing of the above amendments; and that J. B. Forsyth, Esquire, be requested to represent this Council, to that end.

(True Extract,)

W. STEVENSON,  
Hon'y Sec'y.

COUNCIL OF TRADE ROOM,  
Quebec, 11th December, 1844.

Objections to the present Lumber Bill:—

1st. That it is often oppressive to both buyer and seller, compelling them to abide by the measurement or culling of parties in whom neither have confidence.

2nd. That generally, when Square Timber requires overseeing, and in culling deals much judgment and discrimination is required, and the mere chance of a good or bad culler, though both may be honest, may make a difference to buyer or seller of 8 to 12 per cent, as will be shewn in a case of Mr. Stewart's.

3rd. That the compulsory part of the Bill has increased the tax on the Trade to the extent of the annual expense of the Supervisor's office; for the Law has deprived the Cove holder of a great part of the means by which his establishment was supported, and forces him to levy a charge for the use of his cove on the Lumberman, which in one cove this year has exceeded £300.

4th. That while the standard of deals is raised to a pitch that will make first quality unknown, the interests of all saw millers are grievously affected. The poor man with his all invested in his or their bateau loads, is compelled, instead of selling for shipment on board a vessel *by count*, to land, cull, and pile at a loss frequently of 15 to 25 per cent, and this merely because compelled by Law. That on Lathwood and Birch the objections are equally strong, no benefit by any possibility can be derived by either buyer or seller having recourse to the Supervisor, Birch being bought generally by the single stick.

5th. That viewing the compulsory part of the Bill as oppressive, the Council are anxious to have an independent Board of Survey, and such a Board as will give prompt and immediate redress, and without cost, the present system of surveys being most objectionable.

6th. That much of the complaint on the part of the merchant and the manufacturer of deals would cease, if the measurements or culling could be entrusted to one, two, or three Inspectors, whose incomes could be such as to place them beyond suspicion, but without imputing to 50 or 60 cullers as a body, any direct dishonesty, still they may be tempted, and if so, they can hardly be convicted, for however glaring their error, it may be set down to error of judgment.

7th. That while the Council would prefer seeing two or three Inspectors alone permitted to measure or cull, yet this being impracticable, they cannot see why a culler cannot be made equally dependent; for if amenable by fine or imprisonment for erroneous surveys, he is an agent directly responsible to both buyer and seller.

8th. On the Committee are three members interested in the three leading branches of the trade;

Deals, Staves, and Square Timber; and if I am prepared to shew that each in his own person has suffered to a large amount, I think the Committee will agree with me, that from such undeniable testimony, the poor Lumberer must often have suffered to a greater extent.

*Deals.*—In expense there is a difference of 1s. 6d. a hundred, but all concur that in culling, the difference this season is 8 to 12 per cent. in prejudice of the manufacturer and seller.

*Staves.*—Independently of the loss sustained by culling, the difficulty of the seller collecting the half culling, which formerly was included in the shipping charges, makes the present Act much more prejudicial than formerly to the seller.

*Square Timber.*—Without alluding to the well grounded complaints of the Lumberman in the early part of the season against the measurement of their Timber, I will confine myself to the last Raft brought down by Mr. Stewart,—a Raft estimated by him to average from 43 to 45 feet. It was sold to Mr. Jones, and measured by a party who is considered an excellent culler, and one who I am certain would not be biassed either way. The contents were 66,469 feet, or an average of 38 feet. No survey was called, but I believe one was talked of. Mr. Stewart was paid, and on the re-measurement of the Raft, it contained 71,821 feet, or about 42 feet, shewing a loss to the manufacturer of 5,351 feet.

31.—What is your greatest objections to the Bill as it now stands?—That it compels buyer or seller to trust the measurement of the Timber to the man at the head of the Supervisor's list whether he be a good measurer or not. Because the system of surveys is bad in making cullers judges of one another, and mainly because perfect freedom in the choice of a measurer is debarred to buyer and seller.

32.—Then you think all measuring or culling should be optional?—Decidedly.

33.—Those in the trade complain of being defrauded under the old system, do you wish to revert to it?—By no means. Under the old system there were many abuses, and all parties had great reason to complain, mainly I think from the difficulty of getting surveys.

34.—How would you remedy this; and would you recommend any Legislative Act?—I would decidedly wish to see an Act similar in most of its provisions to the one now in force,—adding two good judges of Timber to the Supervisor to set as a Board to grant licenses, and personally to perform all surveys; making it compulsory on all measurers and cullers to take a license,—to give security for their due performance of the duties; and in all cases of survey to make the decision of the Board final. All Timber, Deals or Staves sold, to be measured or culled by a sworn culler, except the proprietor, was the shipper; in which case it is manifestly unjust to make him pay for services that are literally neither useful to him nor to others.

35.—Do you think a culler would act as independently, if employed by the merchant, as under the present system?—I think he would act as impartially, if he was subject to fine or dismissal by the Board of Survey for any erroneous measurement.

36.—Do you think the present system works well, of taking the measurer of the list of the Supervisor?  
—No.

37.—Your reasons?—Cullers being dependent for their salaries on the number and extent of the rafts

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they measure or cull, are naturally anxious to please those who employ them; and although I believe it was never contemplated by the originator of the Act that it should be known who was at the head of the list, it was so notorious, that I deemed it my duty to apprise the Supervisor how wrong it was to allow either the Merchant or the Lumberman to have any knowledge who the party was. He said that neither he or any in the office ever gave any intimation till the requisition went in, but that the cullers knew among themselves. And I recommended that requisitions should be put in a box, and every second or third hour drawn promiscuously, which would effectually put an end to all collusion; but this was not acted on.

38.—Should the Committee not see fit to recommend your views which I understand to be licensed cullers, subject to the Board of Survey, whether employed by the merchant or not, what in your opinion would be the next alternative?—I would suggest that all Timber should be sold merchantable, and Square Timber to be culled, as well as Deals and Staves, which would prevent much bad and inferior Timber being made; or, if the Committee did not agree to such a reasonable proposition, to leave it to the buyer and seller to choose any licensed culler, notifying the same to the Supervisor, should they prefer doing so, to taking the one at the head of his list.

39. In your first objection you state that the Bill compels parties to abide by the measurement of persons in whom neither have confidence; is there not an appeal under the Bill in all cases?—There may be an appeal, but why,—the difference may be 5 per cent. either way. People will not take the risk of obtaining a survey, as the party losing must pay the difference.

40. To what circumstance do you ascribe the increased value of Cull Staves during the present year; and state their value?—I am aware that Culls were scarce this year, which accounted for the high price they sold at. Culls brought last year £40, this year £30.

41.—Were there not more Culls upon the whole generally of Staves culled in 1844 than in former years?—Yes.

42.—In your third objection you state that the Cove holders have been deprived of the means of supporting their establishments by the operation of the Bill?—The charge they made for measurement of 1d. per ton, is now taken from them.

*Answer to Q. 1.*—I am; as an agent.

*Answer to Q. 2.*—I had about 40, they would amount to nearly two million feet.

*Answer to Q. 3.*—Yes, decidedly.

*Answer to Q. 4.*—I think the whole principle should be done away with, and refers to statement handed in and inserted above.

*Answer to Q. 5.*—Yes.

*Answer to Q. 6.*—I think that measurement should be absolutely necessary between buyer and seller, and that it should be performed by persons equally dependent on both.

43.—Is not the Culler a judge between the parties?—He is.

44.—Would you approve of the person who is to judge of your rights being dependent upon yourself?—Yes, provided he was equally responsible to the other.

45.—Would you not think it more proper that he were equally independent of you both. I think the result would be the same, but I would prefer this latter mode, that the whole trade could be entrusted to two or three Inspectors or Cullers.

*Answer to Q. 7.*—In our business as brokers, it made no difference, but the trade in general complained bitterly.

*Answer to Q. 8.*—I think the present system is bad, and the one proposed infinitely worse, as it throws the whole trade into the hands of the Supervisor. I think that the Board of Examiners should appoint two Cullers as Supervisors, to have equal power with the present.

*Answer to Q. 9.*—It has not happened in our own case, or with any parties with whom we have been connected.

*Answer to Q. 10.*—No.

*Answer to Q. 11.*—I should think not.

*Answer to Q. 12.*—I could get a measure of my own superior to most of those employed by the Supervisor.

*Answer to Q. 13.*—No, for the reason given in my last.

*Answer to Q. 14.*—As to time there would be very little difference. It could be shipped however at a much less cost of money without a Supervisor.

Monday, 20th January, 1845.

John Thomson, Esquire, of Quebec, Merchant, called in; and examined:—

46.—Are you engaged in the Lumber Trade, and in what branch?—I am engaged in the manufacture of deals.

47.—How long have you been engaged in the business, and to what extent have you carried it on?—I have been engaged in the business for the last 27 years, and have superintended the saw mills of the late Sir John Caldwell; these saw mills are extensive establishments, cutting from 200,000 to 400,000 deals annually.

48.—Have you any knowledge of the practical working of the Lumber Act passed last Session of Parliament, and if so, be pleased to state what you know upon the subject?—It has acted in a very vexatious and expensive manner to manufacturers of Deals, as regards their classification; culling has been much more stringent without any additional remunerating price, that is to say, the standard of goodness has been increased by raising the standard; the first quality of Deals has been diminished, and others in proportion.

49.—In what particular do you conceive the description of first class Deals, as given by the Statute, to be unreasonable?—The Statute requires that first class Deals should be free from all knots; Spruce Deals are not to be found without them, except in few instances. I should think that sound knots, and particularly black ones, do not impair the quality of Deals so as to prevent them from belonging to first class.

50.—Are you aware of the standard of goodness of Deals in the British markets, say London and Liverpool?—The standard in Great Britain varies, London being the most difficult market to please, the standard being higher; according to the London

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standard, knots, if they be sound, do not exclude a deal from being considered as first quality, if it be merely a black knot.

51.—State in what particulars you conceive the Bill to have operated injuriously to you as a manufacturer of Deals, either in adding to your expenses or otherwise?—The culling of Deals is much too high; during the last twenty-five years the price for culling Deals has been 3d. per standard 100; by the present tariff the expense is 3s. During the present season, I manufactured 200,000 standard Deals, which, at 3d. per 100, would amount to £25; the same quantity at 3s., to £300. I object to being compelled to have my Deals culled, and to the expense which the Supervisor's office entails upon manufacturers. I object to the provision of the Act by which the cullers are taken alternately from a list, as there is a very great difference of knowledge and skill between one culler and another; and when I get a good one I should wish to keep him. I am one of the Board of Examiners myself, and have observed that some cullers are not so competent as they should be; it is almost out of the power of the Board to prevent this. Many of the best practical cullers were prevented from obtaining commissions, as their knowledge of reading and writing prevented them from drawing up specifications, while their knowledge of Timber was very great. I am in the habit of shipping Deals on my own account, and the specifications which I send with my Deals are drawn up in my own office, so that the specification lodged in the Supervisor's office was of no manner of use. I also know that Messrs. Hamilton & Low ship about 400,000 Deals annually, which they send home with their own specifications. In point of practice, the specifications are made out by the shipping clerk of each shipper, and the Supervisor's office is never troubled on the subject. In this respect, the Law as it now stands is inoperative. The Law is partial, as all Deals manufactured below the Island of Orleans, and above the Port of Quebec, are exempted from the effects of the Bill. I am told that, in some instances, the present system has created delay; but as to myself, I cannot complain upon this ground. I do not now recollect any other objection to the Bill as far as I am concerned.

52.—Would you approve of the system of stamping Deals to mark their quality, being made compulsory?—No; because Deals upon arrival in Great Britain are almost invariably reassorted without reference to any culling or stamping here in Canada. Another reason why I object to the stamping of Deals is, that I have been in the habit of supplying parties in England with large quantities of Deals culled in a particular manner for specific purposes; for instance, the number of knots is not objected to, provided they are free from wane or sap.

53.—Do you know how the Bill operates upon the owners of small mills who were in the habit of selling their Deals deliverable on board ship in the stream?—I have understood that, under the new system, sellers of Deals in small quantities have been compelled to land their Deals for the purpose of being culled before shipment, and in this way have been obliged to pay wharfage, landing and shipping charges, amounting in some cases to 20 per cent. of the value.

54.—Besides your Mills at the Etchemin, have you any Mills elsewhere which are not under the supervision of Cullers?—I have not.

55.—In the event of no alteration being made in that part of the Bill which prescribes compulsory culling, do you conceive that any alteration is required in the Tariff, and if so, what?—I think that the present rate ought to be reduced two-thirds.

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56.—Are you acquainted with the class of men who now practice as commissioned Cullers?—Yes.

57.—What, in your opinion, ought men belonging to that class to make, during the season, in the exercise of their business?—From £60 to £70. Some are unemployed during the winter; others get employment in culling both deals and saw logs in the woods. The light in which I view the Cullers is that of a superior class of labourers,—I speak of the class generally; some of the Cullers are well educated men, and form an exception.

58.—With reference to the description of first class Deals, is not the evil susceptible of remedy without reference to Legislation at all; would not the evil cure itself by raising the price of second quality?—I think it would in the course of time.

59.—Do you not think it would be advantageous to the trade in general, if it were optional for the buyer and seller to agree to their own inspection, and in the event of a dispute to have reference to a Board of Supervision?—I do.

Mr. Alexander M'Bean called in; and examined:—

Answer to Q. 1.—I am in all kinds, with the exception of Staves.

Answer to Q. 2.—Five Rafts of Deals and Square Timber.

Answer to Q. 3.—I am, and would not wish to do away with the principle. I should like to see the present statute modified, especially in the culling of Deals.

Answer to Q. 4.—Yes, the culling, which I would like to see better classified, and the Deals more particularly. With reference to Square Timber, I have had none culled since the Act came into force, but I know that they are more severe in rejecting knots in square white pine than they were before the passing of the Act. I should wish to see the classification altered, and made as follows:—With reference to Masts, I am of opinion that three feet to the inch would be sufficient without any extreme length: these are the dimensions of Masts used in merchant vessels. Under the present Bill, the extreme length which is now exacted operates in favor of the merchant and against the manufacturer, inasmuch as the Mast may be dressed as well under as above this extreme length, although the piece of Timber is equally fit for the purpose. In this way, a stick of Timber measuring 21 inches, is reduced to 18 inches, when it has not the extreme length, and the value is diminished one-half. I do not approve of the breaking up of the raft, viz. one-tenth, without the consent of the parties. I would wish such a modification of the Law as would enable buyer and seller to regulate the measurement of their Timber among themselves: I refer to the 14th Section, and the breaking up of one-tenth of a Raft when there is no specific agreement to the contrary, and would wish that part of the law to be abolished.

[The Witness then handed in the following Memo.]

First quality or merchantable Deals to be well sawed and butted, not more than 3-4 inch wane, free from rots, rotten knots, open case knots, splits and shakes; all sound knots, not exceeding one inch in diameter, notwithstanding color, to be received as merchantable.

Second quality,—to be sawed and butted, not more than 3-4 inch wane, free from rots, rotten knots, splits and shakes; all sound knots, notwithstanding size or color, to be received as second quality.

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Culls to consist of such as do not come within the definition of first and second qualities.

The Standard hundred Deals—to be equal to 100 pieces, 12 feet long, 11 inches broad, 2½ inches thick. Deals of all qualities shall not be less than 8 feet long, 7 inches broad, 2½ inches thick; Deal ends 6 feet long. All Deals when culled, to be stamped by the Culler with the letters:—M. on Merchantable, S. on Seconds, R. on Culls.

*Answer to Q. 5.*—It is between 40 and 50 per cent. on Deals, and 40 per cent. on Square Timber.

*Answer to Q. 6.*—It is impossible. By sworn Cullers, independent both of buyer and seller.

*Answer to Q. 7.*—I managed to settle my business in one half the time, in consequence of the facilities in culling. When the culling was done by persons employed by the Cove owner, great delays were experienced, as the Cullers would be ordered from one raft to another, as their services were more or less required, and the seller was detained to suit the convenience of the Cove owner; and after the culling was over, we found that great injustice had been done to us, and that what we considered as Second Deals when sold to merchants, were First Deals when shipped.

*Answer to Q. 8.*—When the culling was complained of, the persons culling excused themselves by saying that they were acting under compulsion. I have known instances where, upon my complaining of the strictness of the culling, the Cove owner has come down with me, and instructed the Culler not to be so very particular,—which order has been obeyed.

Friday, 24th January, 1845.

Mr. Alexander M'Bean again called in; and examined:—

60. Is it not a fact, that Timber is in many instances shipped as fast as it is measured; therefore, by the time the specification is handed in, the poor man can have no redress, as he is deprived of the power of referring to the Timber?—According to the old practice, in many instances, two-thirds of the rafts were broken up and shipped before the seller could obtain a specification,—often to the great detriment of the seller.

61.—Do you export Timber to Great Britain or elsewhere, on your own account?—I do not.

62.—If you were in the practice of exporting Timber on your own account, would you think it necessary to have such Timber measured by the Supervisor before shipment?—I would.

63.—What reason do you assign for this opinion?—I think it would advance the sale.

64.—Are you aware of any hardships suffered by the merchants of Quebec, in consequence of the existing Law?—The Cove owners in Quebec are generally losers by the new Law, inasmuch as they lose the fees of the Cullers.

65.—Do you not think it would be advantageous to the trade in general, if it were optional for the buyer and seller to agree to their own measurement and inspection; and in the event of a dispute, to have reference to a Board of Supervisors?—In my opinion it would be injurious to the manufacturer.

Mr. Charles E. Dunn, of Quebec, Merchant, called in; and examined:—

*Answer to Q. 1.*—I am.

*Answer to Q. 2.*—I had about eight rafts of Square Oak and Staves, valued at about £40,000.

*Answer to Q. 3.*—I would not.

*Answer to Q. 4.*—They are.

*Answer to Q. 5.*—They are less. Square Timber and Standard Staves about one-third. West India are higher by the present tariff than formerly. Deals 50 per cent. less.

*Answer to Q. 6.*—It is impossible; the duties should be performed by some person independent of both buyer and seller.

*Answer to Q. 7.*—Compared with former years it facilitated it.

66.—Do you think the Board of Examiners would be improved by making Cullers part of such Board?—It would.

67.—Is it possible to carry on the Lumber trade without measurement taking place, to determine the respective rights of parties; if not, should that duty be performed by the hired servants of the purchaser, or by parties legally commissioned and independent of buyer and seller?—No.

68.—Was there any system at all in existence before the present Law, whereby a party aggrieved could get any redress at all in reference to culling and measuring Lumber?—There was not.

69.—Is the definition of merchantable Deals too stringent by the Law; if so, have you any amendment to offer more suitable to the general nature of the trade?—Quite too stringent.

70.—Are you aware that fraud is committed in shipping Deals, owing to their not being inspected, to wit, thirds as seconds, and seconds as firsts; and would it not benefit the producer by having them stamped and shipped under their proper denomination?—I cannot answer the first part of the question; but I approve of the system of stamping.

71.—Should not heart Staves be received at 4 and 3½ inches wide, and 5½ feet long, in accordance with the former system of culling, and be now legalized so?—I would not.

72.—Are there not many merchants in Quebec who are interested in the Lumber trade, against the repeal of the present Law?—There are some.

73.—Was it not usual that three small worm holes were allowed in Staves, if otherwise good timber?—It is usual.

74.—What was the charge of culling Deals before the Law, and what is the charge now under the Law, and what the Quebec Tariff?—The charge formerly was 4s. 6d.; it is under the present Law 3s.

75.—Has the operation of the present Law the effect of raising the character of Lumber in the Home market?—It has.

76.—Is not the charge for culling and measuring Lumber in general, by the present Law, much less than what was formerly exacted?—From 25 to 50 per cent. lower.

77.—Are you aware if the members of the Board of Trade are interested as Cove holders; and if so, to what extent?—The majority of them are, and to a very considerable extent.

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Thursday, 30th January, 1845.

Mr. Donald M<sup>r</sup> Arthur called in; and examined:—

78.—Are you engaged in the Deal trade?—I am.

79.—Did you sign the Petition of Messrs. Hamilton &amp; Low without reading it, and under the impression that it only prayed for the modification of the merchantable definition of Deals?—I did; and I understood that it was to place the Deal trade on a better footing.

80.—What do you object to in the Petition to which you have alluded?—My wish is, that we would be enabled to go into the market and know what we were buying and selling.

81.—Are you satisfied with the standard for Deals, as defined by the present Act?—I am, as regards size, but not as regards quality.

82.—Do you desire any alteration in the Bill, to the effect that commissioned Cullers in the hire of the purchasing merchant should cull your Deals; or would you prefer that duty being performed by a Culler under the Supervisor?—Under the Supervisor.

83.—Do you recommend a more moderate definition of merchantable Deals; and do you think that stamping their quality and denomination upon them would be an improvement and advantage to the trade?—I certainly do.

84.—How many Deals do you manufacture annually?—About 20,000.

Mr. Alonzo Cook called in; and examined:—

*Answer to Q. 78.*—I am.*Answer to Q. 81.*—I am, as to standard of size, but not as to classification.*Answer to Q. 82.*—I would prefer a Culler under the Supervisor.*Answer to Q. 83.*—I would recommend a more moderate course, and would approve of their being stamped.

85.—Are you aware that fraud is committed in shipping Deals owing to their not being inspected, to wit, thirds as seconds, and seconds as firsts?—I am aware that in some cases formerly, seconds were shipped as firsts.

86.—Do you think that a Culler engaged under a master, is in a position to be as independent as if under a neutral party subject to the Law?—I do not.

87.—Is it possible to carry on the Lumber trade without measurement taking place to determine the respective rights of parties; if not, should that duty be performed by the hired servants of the purchaser, or by parties legally commissioned and independent of both buyer and seller?—I do not think that it is; it should be performed by a Culler independent of both buyer and seller.

88.—How many years have you been in the Deal trade, and what quantity do you manufacture annually?—Ten years, and manufacture from 40,000 to 60,000 Deals annually.

The Chairman laid before the Committee the following "Observations by Messrs. Hamilton &amp; Low, on the Lumber Inspection Act of December, 1843."

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1st.—We are "Coveholders," yet not in the general acceptation of the term, for we do not buy any Lumber in the Quebec market, and our establishment at New Liverpool (six miles above Quebec, on the opposite shore,) is only used for sorting and delivering for shipment, Deals manufactured by us here.

2nd.—The Lumber Act in its present compulsory form, has proved vexatious and expensive to an unprecedented degree, in our case, during the past season.

3rd.—We object not to Cullers being sworn and licensed, neither to Deals being culled by such before shipment; we would not wish to ship Deals unculled; and even that operation is necessary in order to their being priced and invoiced.

4th.—But we do claim that the option may be permitted to buyer and seller, to employ any Culler qualified by Law, without being shackled by the cumbersome and expensive provisions of the Act.

5th.—We derive no assistance or advantage from the Supervisor's department, and therefore protest against being compelled to pay a large amount of fees there, literally for nothing. It is even said that the Deal trade was designedly brought under the present Law, with a view of maintaining the culling establishment for Square Timber, by aid of an extraordinarily high tariff of culling fees on Deals! During the past season we paid about £700 for such fees and charges, more than any previous period. Besides from the want of control or direction on the part of the owner of the article, over the work of the present Cullers, much confusion and disorder is apt to occur, especially in such localities as New Liverpool, which is subject to the frequent changes of the tides, by night and day. On this account alone, our extra labor in hands cost us 50 per cent. more last season than formerly.

6th.—The culling fees for Deals (which do not cover laborers' wages, that have to be paid by parties besides,) might properly be reduced two-thirds, and there would still be a handsome compensation left for the services of Cullers.

7th.—Under the Act, we have also suffered loss by the classification of our Deals. Our first and second qualities were diminished eight per cent.; the thirds and culls being greatly augmented. Even the Cullers themselves now admit that in adhering to the prescribed rules for culling Deals, they were obliged to go beyond what they considered a just standard, to the injury of the manufacturer.

8th.—The Act is also *partial*, in exempting the Port of Montreal, and all below the island of Orleans, (*vide* the 23rd section,) which is manifestly unfair towards those doing business in less favored places. And if it be any object of the Act to give a uniform character to Canada Deals, why not embrace all the shipping ports? It is evident, therefore, that the Act is not that immaculate measure which some of its advocates would seem to regard it.

9th.—The manufacturer exporter of Deals is also exempted, on the ground, it is presumed, that he ships his own commodity; wherefore not, on the same principle, also allow the privilege of like exemption to buyer and seller, if they should mutually agree to have the article sorted by a qualified Culler, without coming under all the provisions of the Law? Surely the character of the article could not possibly suffer in the one case more than in the other?

10th.—Cullers are as necessary in the Timber trade as Pilots are for the navigation. Indeed, it oc-

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curs to us that the regulations for Cullers might be advantageously assimilated to those of Trinity House for Pilots, as nearly as may be; for instance, let individuals properly qualified and able to give reasonable security for the due performance of the duties, have commissions as Cullers, and leave them to find employment like members of any other licensed calling or profession. The Culler of experience and character would then be sure of finding employment, and yet be deemed worthy of the confidence of all parties concerned. A method for a temporary suspension or dismissal from office of Cullers, for incapacity or misbehaviour, (regarding which the present Law makes no provision,) might also be advantageously introduced, and the power in such case might be conferred on the Board that would issue the Cullers' commission.

11th.—The qualification of *Education* inserted in the Act, does not appear to us as applicable to Deal Cullers, to answer any desirable end; for while it serves to disqualify many uneducated persons of experience and good judgment in that capacity, still, others have been licensed under the Act who are extremely deficient in these respects, at the same time that they are incapable of making out their own specifications. Let this qualification of education be then dispensed with, and yet the educated Culler will nevertheless be preferred, if well qualified in other respects.

12th.—Another grievance of the Act is the authority deemed to appertain to the Supervisor's office to withdraw a Culler from a party's employment, at any moment and without any reason being alleged, when it may be desirable to retain him, from his having become acquainted with the routine of that party's business, and can therefore more satisfactorily discharge his duty, than a fresh hand substituted in his place. We were once threatened with the exercise of this objectionable authority in the course of last season.

13th.—The practice of "measuring off" Square Timber *without Culling*, is understood to have first engendered distrust, and given rise to complaints in that branch of the trade; yet, strange to say, the present Act would seem in effect to legalize the same practice, (*vide* 14th Section.) And what is more, the privilege of "measuring off" Square Timber, at a comparatively light fee, virtually amounts to an *optional exemption*, so far, of it; while, from the circumstance of Deals necessarily requiring to be sorted, the law remains *compulsory* in respect of them. It does seem hard that the Deal trade should be involved, as in our case to its prejudice, in a measure intended to remedy abuses, real or imaginary, in another branch of the Timber trade.

14th.—To enforce the *stamping* of the different qualities of Deals may be objectionable, for as much as the Quebec exporter ought to be allowed to send his article to the British market free from any distinguishing mark which might possibly prevent some Deals from being classified according to their real quality and estimation there. It were useless to enforce compulsory regulations for Deal culling in Canada, more complicated and stringent than may be requisite in the Home market, where it may be presumed dealers in Timber are experienced practical men who need not the so-called protection of the present Lumber law; and where after all that may be attempted here, the *quality* of the article alone will ultimately decide its class and value.

15th.—For these reasons, it is earnestly desired that the present Lumber Inspection Law may be now rendered *non-compulsory*, in some of its provisions, as respects the Deal trade; for which purpose a Bill is

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about to be brought into the Legislature during the present Session, intended in effect to enact "that all Canadian Deals and sawed wood shall be exempted from all the provisions of the said Act, *saving* the relative standards of measurement, and *excepting* the 28th and 29th Sections, unless the owner and buyer shall agree and require that the same shall be measured and culled under the said provisions: Providing always that it shall be lawful for any Licensed Culler to hire for any time to cull, measure, and ship such Deals and sawed wood for the owner or buyer for such wages as the parties may agree upon; and in every such case of hiring no fees or charges shall be payable under the said Act."

It will readily appear that either the buyer or seller may, nevertheless, avail himself of the Act, if he think proper so to stipulate with the other party.

(Additional Note to Observation 13th.)

To shew how far this optional exemption from culling is deemed a practical benefit in the Square Timber branch, it may be observed that of 340,744 pieces (of all kinds) of Square Timber in Quebec market last season, *only* 3,093 pieces were *actually culled*, (*vide* Supervisor's printed Returns, Document No. 1.) This exemption must therefore be of immense advantage to that branch, else it would not have been so extensively adopted; but the same favourable privilege is denied by the Act to the Deal branch, where culling under its expensive provisions is strictly compulsory.

Another fact worthy of remark is, that the sums paid to the Supervisor, as culling fees on *Deals and Plank*, amount to £4621 1s. 6d., while the fees paid on *Square Timber culled*, amount only to £87 15s. 5d.

These two results go forcibly to demonstrate the necessity which exists for granting to the Deal trade a relaxation of the existing system of *compulsory* culling, as well as a reduction of the high tariff of fees; more especially as it appears from the Supervisor's accounts, that the fees collectable from Square Timber are sufficient to support the present culling establishment for itself.

The subjoined calculations, which are made from data furnished in the Supervisor's printed Returns, will also shew that, taking the respective valuations of last season's sales of Square Timber and Deals, the Supervisor and Cullers' fees on Deals, (exclusive of the additional heavy cost of labor, &c., paid by parties,) are at least *double* those paid on Square Timber. Besides, the specifications for Square Timber are prepared and registered in the Supervisor's office, without any additional charge, while we, and other shippers of Deals at a distance from the office, have not that advantage afforded to us.

The present Law bears with peculiar severity on our business as saw-millers. As already mentioned, it is *compulsory* on the Deal branch, yet affords an optional exemption from culling to the Square Timber branch, although, as between the two branches, it occurs to us that the Deal manufacturers have an undeniable just claim to more lenity and favorable consideration, considering the large amount of capital necessarily invested by them in erecting saw-mills, and making other improvements for their operations, which again are well known to benefit the localities where the same are established, in a permanent manner and to a much greater degree than the necessarily more transient operations of the Square Timber business. But the Act goes to reverse this case, and places the Deal branch in a most unfavorable and discouraging position.

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COMPARATIVE ESTIMATES, based on Printed RETURNS furnished by the SUPERVISOR of CULLERS, for the year 1844, (the quantities only, not the estimated valuations, being so furnished.)

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		Standards.	DEALS.		£ s. d.	£ s. d.
Pine ... Total		1,686,648				
Whereof 65 p. cent. or		1,096,321	Are 1st and 2nds, at £7 10 per standard 100	...	...	82,224 1 6
do 20 do		337,330	Are 3rds, at 3 5 do	...	10,963 4 5	
do 15 do		252,997	Are Culls, at 1 10 do	...	3,794 19 1	14,758 3 6
			Pine, estimated valuation		...	£96,982 5 0
Spruce ... Total		1,201,372				
Whereof 65 p. cent. or		780,892	Are 1st and 2nds, at £7 0 per standard 100	...	...	54,662 8 9
do 20 do		240,274	Are 3rds, at 3 10 do	...	8,409 11 9	
do 15 do		180,206	Are Culls, at 1 10 do	...	2,703 1 9	11,112 13 6
			Spruce, estimated valuation		...	£65,775 2 3
		2,888,020	Pine and Spruce, total estimated valuation		...	£162,757 7 3

SQUARE TIMBER.

	Measured.	Culled.	Total.		£ s. d.
	Pieces.	Pieces.	Pieces.		
White Pine ...	189,094	1,666	190,760	Average 30s. each	286,140 0 0
Red do	108,100	450	108,550	do do do	162,825 0 0
Oak ...	13,397	429	13,826	do 40s. do	27,652 0 0
Elm ...	18,573	50	18,623	do 30s. do	27,934 10 0
Ash ...	3,190	...	3,190	do do do	4,785 0 0
Birch ...	3,912	478	4,390	do do do	6,585 0 0
	336,266	3,073	339,339	Square Timber, total estimated valuation	£515,921 10 0

AVERAGES:—

White Pine, 60 feet at 6d., say 30s. per piece.  
Red do 40 do at 9d., say 30s. do.

DEALS.	Charges.	Valuation.
	£ s. d.	£ s. d.
Estimated valuation of Deals culled, for the Season of 1844	...	162,757 7 3
Amount of Culling Fees paid to Supervisor on do.	4,332 0 8	
Add, estimated cost of labour, and expense of Cove management, on 2,888,020 standard, say 5s. per standard 100	7,220 0 0	
	£11,552 0 8	£162,757 7 3
The above charges being upwards of 7 per cent. on the valuation, Whereof the proportion for Culling Fees is 2½ per cent. Do do for labour, &c. 4½ per cent.		

SQUARE TIMBER.

	£ s. d.	£ s. d.
Estimated valuation of Square Timber measured and culled, for the season of 1844	...	515,921 10 0
Amount of Fees paid to Supervisor on do, viz. :—		
For measuring	6,182 8 0	
For culling	87 15 5	
	£6,270 3 5	£515,921 10 0

The culling and measuring charges on valuation being less than 1½ per cent.  
N.B.—The cost of labour connected with Square Timber is not stated, but it is extremely light comparatively with that for floated Deals.

Charles Adamson Low, Esquire, called in; and examined:—

89. How many years have you been engaged in the Lumber trade, and in what branch of it?—I have been 30 years; I have always been in the Deal, and partly in the Square Timber trade.

90. Have you heard any Lumberer on the Ottawa river, who is a manufacturer of Square Timber, complain of the charges for measuring or culling, and, if so, name them?—I have not. I have, however, heard complaints from Mr. Wright and Mr. Montmarquet, of the folly of appeal from Cullers' decision.

91. Do you think that a Culler engaged under a master is in a position to be as independent as if under a neutral party subject to the law?—I do, provided he gives security, and is amenable to the Board, who, if he acts wrong, will either suspend or dismiss him.

92. Was there any system at all in existence before the present law whereby a party aggrieved could get any redress at all in reference to culling and measuring Lumber?—I conceive that there was just as much before as now.

93. Is the definition of merchantable Deals too stringent by the Law; if so, have you any amendment to offer more suitable to the general nature of

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the trade?—I do not consider that it is defined at all by the present Law, and that it may be either not sufficiently stringent or too much so.

94. Are you not aware that fraud is committed in shipping Deals, owing to their not being inspected, to wit, Thirds as Seconds, and Seconds as Firsts; and would it not benefit the producer by having them stamped and shipped under their proper denomination?—I am not aware of the first; and I do not think that the last would benefit the trade.

95. How much did it cost you to cull your Deals before the Law was in existence?—Four pence per standard hundred, Culler's fees.

96. What was the charge of culling Deals before the Law, according to the Quebec Tariff?—I do not know what the charge was before the Tariff, but the present charge is 3s.

97. How much did you charge the parties purchasing from you, for culling the hundred standard of Deals?—I charged 5s. per standard, for labor and culling.

98. Is not the charge for culling and measuring Lumber in general, by the present Law, much less than what was formerly enacted?—As regards the first part of this question, I do not know; to the last I have already answered.

99. Is it possible to carry on the Lumber trade without measurement taking place to determine the respective rights of parties, if not, should that duty be performed by the hired servants of the purchaser, or by parties legally commissioned and independent of both buyer and seller?—I recommend that it should be optional.

Mr. Low then handed in the following certificate:—

We the undersigned merchants, of Quebec, who annually purchase from Messrs. Hamilton & Low, almost the entire quantity of Deals they manufacture, do hereby certify that, from the mode in which the Deals are prepared in Moulinette, and shipped into our various vessels, it is impossible that the specifications which we receive from them, can come through the office of the Supervisor of Cullers, and therefore for the one-third of the fees, viz.: one shilling per Quebec standard hundred of Deals, paid by them, according to Law, into the said office, Messrs. Hamilton & Low receive no value whatever.

H. & E. BURSTALL.  
ATKINSON, USBORNE & Co.  
CHARLES E. LEVEY & Co.  
JAMES J. LOWNDES.

Quebec, November, 1844.

Monday, 3rd February, 1845.

John Sharples, Esquire, Supervisor of Cullers, Quebec, called in; and examined:—

100. Are you practically skilled in the measurement and culling of Timber, Deals, Staves and Masts, and if so, how long have you been engaged therein?—I have been actively engaged in the Lumber trade for the last 15 or 16 years, and I am practically acquainted with the nature and qualities of Lumber generally, as also the system of measuring Timber and culling Deals and Staves as practised at Quebec.

101. Did any disputes or difficulties occur last season in the measurement and culling of Lumber and Deals, under the present Lumber Act, and if so, please state in what manner they were disposed of?—

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On the whole of the Lumber measured and culled, surveys to the number of fourteen were constituted; the following is the result:—seven were decided against the Culler; five were decided in favor of the Culler; two could not be proceeded with as the law required, owing to a portion of the lot or raft being broken up or shipped. In some, I mean a dozen instances, where the parties expressed themselves dissatisfied, the Culler, by the consent of both parties, was directed to re-examine his allowances and measurement, and if he discovered any error to correct it.

102. Were complaints made to you last season of the oppressive operation of the present law, and the insufficiency of its provisions for the ends proposed; and if so, state to the Committee the names of the complainants, and the branch of the trade in which they were engaged?—The producers and manufacturers generally expressed themselves as favorable to the principle of the present Act, at the same time they conceived that some of the details of the law required to be modified and amended; on the other hand, two or three extensive Deal producers expressed themselves dissatisfied with the Act and its provisions; of the latter, Messrs. Hamilton & Low and John Thompson so expressed themselves.

103. Were all the persons employed last season as Cullers of Timber and Deals, at the Port of Quebec, efficient in their respective departments?—Two or three Cullers employed by the Office were not, at the commencement, so efficient as they subsequently became by practice during the middle and latter part of the season: one or two cases of incapacity occurred; with these exceptions, the Cullers employed by the Office were efficient. Of those employed by the Merchants as Shipping Cullers, I can render no opinion, I refer to Timber Cullers solely.

104. Were they in number more or less than required for the proper despatch of business?—The number employed enable the Officer to meet the pressure of business on the respective departments, and in busy times all were actively engaged.

105. Is it within your knowledge that parties having Timber to be culled or measured, submitted to delay in order to get Cullers of judgment and experience when it came to their turn to be employed, rather than employ those who at the time happened to be at the top of the list?—I have reason to suppose that in some few instances requisitions were timed; whether delay was submitted to or not I cannot say.

106. Are there not some very efficient Deal Cullers who, in point of education, can barely sign their names and make rude figures, and have such had their full share of employment during the past season?—There are four or five Licensed Deal Cullers coming within the limit of education referred to, and who had their full share of employment.

107. Can you state the quantities of Deals and Timber shipped from places exempt from the operation of the Lumber Act, namely, the Port of Montreal, and places below the Island of Orleans?—I do not know; but I believe the shipment of Lumber from the Port of Montreal to be of a very limited extent.

108. Are the provisions of the Act sufficient for correctly ascertaining the average quality and contents of rafts of Timber measured of, or has deception been practised by sellers, which was only discovered when the rafts were opened up for shipment; and if so, have such instances been frequent during the past season?—Assuming that this applies to the fourteenth clause, (the breaking up one-tenth to make sound the

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average residue of the raft thereby,) I would remark that but few rafts were measured under the provisions of this clause. Complaints were made by parties that the average of soundness thus furnished was at times incorrect. In my opinion it is not calculated to ascertain with certainty the fair proportion of cull timber contained in a raft. I did hear, occasionally, of rafts when broken up by the purchasers for shipment turning out worse, as regards culls, than they have anticipated or calculated upon; but have no direct knowledge of such.

109. Are you prepared, as a practical Deal Culler, what should constitute each grade of quality, say, firsts, seconds, thirds, and culls, keeping strictly in view the respective qualities of woods produced from and width of the deals; if so, be pleased to state the same?—As one practically acquainted with the trade, (but not as a Culler,) I annex a definition of merchantable Deals of the respective woods. As regards second, third, and cull qualities, I do not conceive that a definition to embrace each and every defect, number and size, and description of knots to be allowed on the respective qualities could be drawn up. The Culler's judgment must be the guide to a considerable extent. To be merchantable, white or yellow pine Deals should be free from rot, rotten knots, open case knots, worms, shakes, splits, and black or dead sap, with perhaps a trifling exception on the end or edge of a Deal. It is usual to allow to the extent of three sound solid knots from one to one and one-half inches diameter, and fairly divided; if smaller, a greater number: small hard black knots to the extent of three or so, were formerly allowed, owing to the difficulty of procuring Deals free from such knots. Under the present Act such knots cannot be received, as the definition prohibits them; Deals, with one clear side are allowed more latitude as regards knots than when knots appear on both faces. A small wane of one-half inch is usually allowed, and if confined to the end of the Deal, a little more. Red Pine Deals of merchantable quality are allowed more latitude for sound knots than White Pine, and it is desirable for Red Deals to be pretty free from sap; a slight heart shake may be allowed, but with these exceptions they come under the same definition as White Pine Deals. Spruce Deals, to be merchantable, should be free from rot, rotten knots, open case knots, worms and splits; a trifling heart shake is usually allowed. It is the nature of Spruce wood to contain small sound grey and black knots in great numbers, consequently first quality Spruce are not to be procured without them. If the Deal is pretty free from knots on one face, a dozen or more of these small knots ought to be received as a merchantable Deal. However, to lay down a standard of knots for Spruce is, I conceive, very difficult.

110. Have the provisions of the present Act tended to facilitate the transactions of the Deal manufacturers during the past season at Quebec, or otherwise?—Every despatch was afforded to the Deal manufacturers equally with the producers of other lumber; and no complaints were made of detention. One or two extensive deal wharf proprietors informed me, that this year they were enabled to give much greater despatch to the bateaux bringing the deals from the mills, as they could command, by means of the Supervisor's office, any number of Cullers to meet any particular pressure.

111. Did you during the past season furnish a specification to each vessel in which deals were shipped from the establishments of Messrs. Hamilton & Low, John Thomson, and Peter Paterson, and what proportion of the entire export from Quebec of Pine and Spruce Deals did these establishments furnish?—No, I did not. The specification of Deals culled

for the three firms named, were furnished as requested and directed by themselves, in accordance with the law. The Supervisor is not expected to render specifications of shipments to vessels, the Office or Culler not having anything to do with the matter: this is the business of the wharf or Cove proprietor. The three firms alluded to have respectively passed through the Supervisor's Office about 800,000 standard Deals and about 130,000 pieces Boards and Planks.

112. Will you state the cost, including labour of culling and measuring one thousand feet Square Timber during the past season, and the like cost upon Deals of all kinds, Quebec standard 100?—

Cost of culling and measuring, 1000 feet of hardwood Timber, is 25 tons, @ 8d..... £0 16 8 the amount of labour will depend upon whether the Timber requires to be redressed or otherwise.

Deals, culling one Quebec Standard Hundred..... 0 3 0

Labour, supposing them to be floated:—

Pine Deals landed } Landing 2s. 6d. and piled on a wharf. } Piling...2s. 6d. — 0 5 0 with a trifle for washing, if required.

113. It appears by your Returns, that of 340,724 pieces of Timber, which passed through your office at Quebec last season, only 3,093 were culled, the remainder having been measured off and not culled; can you account for the proportion of culled being so small?—With respect to Square Timber, the custom at the Port of Quebec for many years back, has been for the producer to dispose of his raft by selling it measured off, and this rule of sale was continued the past season; added to which, the present stringent definition of merchantable Square Timber would of itself deter parties from selling inspected, as a limited portion only of a good raft would be found to meet the present standard. Deals and Staves on the contrary are and have hitherto been invariably culled or inspected.

114. If the manufacturer of Deals may ship on his own account without culling, why should other parties desiring the same freedom be subject to compulsory culling?—I believe the manufacturers of Deals claimed and obtained the exemption upon the ground that no conflicting interest was brought into play; that in fact no rights of respective parties had to be determined, therefore no Culler was required. On the other hand, if the rights of parties had to be ascertained, then it was deemed necessary that the Culler should be independent of both parties, in order to admit of the free and unfettered exercise of his judgment.

115. Are the same qualities of Timber and Deals suitable for the Markets in the United Kingdom?—As regards Timber, I conceive there is both common and prime Timber furnished the respective British Markets; at the same time, the proportion of prime Timber shipped for certain ports, exceeds by far the common wood, and, on the contrary, to other ports, the export of common is in excess of the prime. With respect to Deals, the Liverpool Market is furnished principally with third quality Deals, a small proportion of seconds, and but few of any firsts. The small London Market consumes a heavy proportion of first quality, with seconds and thirds to a limited extent. The other ports vary, some requiring a greater proportion of one quality over another.

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116. Can you state the amount paid to you for culling by Messrs. J. Thomson, and Hamilton & Low, respectively, and what portion of such amount was repaid them by the purchasers?—Yes;

John Thomson paid	...	...	...	£196
Hamilton & Low	...	...	...	563

These amounts, respectively, embraced the full Tariff, half of which by law is directed to be paid by the purchaser; I presume, therefore, the one-half was refunded by the respective purchasers, but have no direct knowledge of such being the case.

117. Can you state the rates usually paid to Deal Cullers by the Wharf proprietors when employed by the job, prior to the passing of the Act?—The rates varied according to the extent of the lot to be culled: I am aware of 2s. 3d. per standard hundred having been paid Cullers for weighty rafts, and for smaller lots, 2s. 6d. to 3s. 6d.

118. Were any Deals counted off direct from bateaux on ship-board, and is it practicable to cull Deals without their being landed; or if the present law in this respect interferes with the former custom?—I received requisitions for several bateaux of their Deals to be counted off, throwing out the badly split and rotten, and which were shipped direct on ship-board. The present law does not, to my knowledge, interfere with any former custom or practice of the trade; and if it be practicable to cull direct on ship-board, it may be done as well by a Licensed Culler as any other. In my opinion it is impracticable so to cull Deals to any extent, for the following reasons:—it would be very difficult indeed to obtain a return of the number and quality of the respective dimensions and sizes, added to which, vessels usually have orders for a specified quantity of one quality only, or a certain proportion of firsts, seconds and thirds.

119. Can you furnish a comparative statement of the gross amount of fees for culling and measuring all Lumber through your Office the past season, at the present rates of tariff, and the rate of tariff charged prior to the passing of the Act?—Gross amount of fees for culling and measuring all Lumber under the present Act, (see Supervisor's Report,) £12,753: The same quantity of Lumber calculated at the tariff of fees existing prior to the Act.—

Measuring White Pine Timber	...	...	4d.
do Red Pine and all other Timber	...	...	6d.
Culling Oak Timber	...	...	9d.
do all other do	...	...	7½d.
do Deals, per standard	...	...	4s. 6d.
do Standard Staves	...	...	15s. 0d.
do West India...	...	...	6s. 0d.
do Lathwood	...	...	2s. 0d.
do Oars and Handspikes	...	...	4s. 6d.

Masts, Spars, &c. assumed as the same, will amount to the sum of £17,416.

120. Does not the absence of defined modes of measurement in the present law give rise to disputes, and is it not desirable to define certain modes, in order that the Merchant and Culler may clearly understand the meaning of the law?—Undoubtedly it does; the orders for measuring off Square Timber were frequently filled up in an unintelligible manner. At the commencement of the season, it was the every-day practice of parties concerned to fill up their requisitions for the raft to be measured off, making allowances for all visible defects. The sellers generally, in disposing of their rafts subject to this mode of measurement, supposed the allowances comprehended consisted of allowances for rotten and split ends, and rank culls only; whereas the purchasers conceived that any and every defect, whether injurious to

the Timber or not, was therein embraced. With this wide difference of opinion existing between seller and buyer, it was almost impossible for the Culler to satisfy both parties, consequently early in the season many complaints arose from both sides. After the first three weeks operations this mode of filling up requisitions was abandoned, and in lieu, the specific defects mutually agreed upon were severally inserted; thus the seller and buyer understood each other, and the Culler's duty was more clearly established; and with the introduction of this change complaints about the measurement of Timber ceased, or nearly so. By confining the measurement to certain well defined modes, the duty of the Culler would be simplified, and thereby enable him to satisfy both parties.

121. What would be the practical result if hired Cullers were permitted to measure Lumber without reference to the Supervisor's office, and could such an office be at all sustained in terms of the present Law?—The practical result of enacting that Lumber might be measured or culled with or without reference to the Supervisor's office, would at once disconnect the operative Cullers from the Supervisor's office; the Cullers feeling that the amount of work to be obtained from that office would be of so uncertain a nature and of so limited an extent, they would without doubt be under the necessity of engaging their services upon salary to the respective Cove establishments. These establishments being in number limited, would immediately secure the services of the Culler, and this being general, and as no Lumber can be shipped without passing through a Cove, it follows that all Lumber would require to be measured or culled by the Cullers connected and attached to the respective Coves; and in addition, the Supervisor not having Cullers at command, would not be in a position to execute any orders he might receive.

122. Would it not be advantageous to the shipping merchant to have Timber put into shipping order and into a merchantable state by the seller, and at the same time leaving it open to measure off Timber if parties so agreed?—Undoubtedly it would be advantageous to the shipper to receive his Timber in this state,—sound prime rafts would no doubt be received measured off.

123. Should not Heart Staves be received at 4 and 3½ inches wide and 5½ feet long, in accordance with the former system of culling, and be now legalized so?—Prior to the passing of the Act, Heart Staves of 5½ feet long of 4½ inches broad, were received as merchantable. I consider they ought to be received of the above width 4½ inches.

124. Are you of opinion that the culling or the measuring of Lumber of all descriptions, or of any description in particular, should be compulsory, if so, state for what reason it should be so?—I am of opinion that if any act of measuring, culling or assorting, is required in order to establish the rights of parties, it ought to be compulsory that this be performed by a Licensed Culler, independent alike of both parties. In viewing this question of option applied to the Lumber trade, it is necessary to take into consideration the nature of the Lumber trade, and the practical operations connected therewith at the principal Shipping Port (Quebec.) If the optional system were adopted, each shipping establishment would immediately enlist the services of a Culler, and thereby render the Supervisor's office inoperative as respects acts of measuring and culling being performed under its superintendence, the office being deprived of the Cullers' services; and thus sellers would be under the necessity of having their Lumber measured or inspected by the Cullers connected with the

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respective Coves. This, without doubt, would be the result, and therefore the question is narrowed down to whether Cullers who have to decide the question of quantity and quality between man and man, would be in a better position to exercise their judgment more freely and fearlessly when independent alike of both parties, or whether as the paid servants of either one party or the other. Believing that a Culler is in a more eligible position as an independent man, I am therefore of opinion, that the measuring and culling ought to be performed by Cullers acting under the Supervisor's office.

125. Had you occasion last season, in the exercise of your office as Supervisor, to remove, or attempt to remove, Cullers assigned to parties, in order to give rotation to other Cullers; and if so, name the instances in which it occurred and where?—Orders of removal were furnished Cullers culling at various establishments, among which, I believe, were Messrs. Le Mesurier & Co., J. J. Lowndes, W. Henry, J. Thomson, Wm. Price & Co., Hamilton & Low, and Peter Paterson. The ground of removal was twofold: it was apprehended that by allowing Cullers to remain too long at one establishment, their inspection might be influenced; and, secondly, the earnings of the Cullers might be more equalized thereby.

126. Are you of opinion that the scale of fees now allowed to Cullers is too high; if you think so, state in what manner you would wish to reconstruct the scale?—The present scale of fees will admit of a reduction of one-fifth to one-sixth, but I do not conceive that the proportion of fees now paid to the Cullers is too high. The Cullers have heavy responsibilities connected with their office, and the value of property submitted to the judgment of each Culler will be found, if estimated, to be very heavy; it is, therefore, desirable that their standing and position should be considered, and that they should be well remunerated for their services. The earnings of the Cullers in their respective departments, will be more equalized next season, as during the past one many of the Cullers were not licensed until a part of the season had expired; this, of course, cannot occur next year. However, a certain difference will always exist, as one Culler will execute the same amount of work in much less time than another. The scale of fees might be reduced as follows:

Measuring off Timber.

W. Pine, Basswood and Butternut,	2½d.	per ton.
Red Pine	3½d.	do
Hardwood	3½d.	do
Culling and measuring W. Pine Timber,	5d.	do
do do Red do do	6½d.	do
do do Hardwood,	6½d.	do
do do Deals, per stand. 100,	2s. 6d.	
do do Standard Staves,	12s. 6d.	
do do W. I. do	6s. 0d.	
do do Barrel do	4s. 0d.	

Masts, Spars and Bowsprits, same as present scale.  
Oars and Handspikes, and Lathwood, do.  
Boards and Plank, two inches and under, 1s. 9d. per 100 pieces.

The amount of fees paid to Cullers to remain the same, or nearly so; the reduction to be from the proportion allotted the office. Annexed is a Statement of the average earnings of the Cullers in their respective departments, with an estimate of disbursements deducted. In viewing their earnings at present as compared with former years, it ought to be remembered that, in addition to the amount of salary allowed them, they were invariably furnished with a house free of rent, and firewood, equal to £30 to £35 at least.

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STATEMENT.

The Cullers on the Timber Department have to pay parties to assist them to measure; their expenses range from £50 to £90 each, leaving, upon the average, the sum of at least £65 each, to be disbursed out of their gross earnings. The average net receipt of Timber Cullers will be found to be £160 to £165 each.

The Deal Cullers' expenses average, I conceive, £20 to £25 each, which, deducted from their gross earnings, will leave an average of £105 as net receipts.

The Stave Cullers expenses averaged about £9 to £10 each, which, deducted from their gross earnings, will leave an average of £75 each, as net receipts.

It is necessary to keep in view, that the quantity of Timber measured last year, exceeded the average of the four or five last years by fully one-fifth. Deals, also, I believe to be in excess of former years; but, on the contrary, the quantity of Staves culled last season was considerably under the average of the four or five prior years, say one-third or thereabouts: therefore, assuming an average of four or five years, Timber and Deal Cullers will not earn equal to last season, and Stave Cullers will earn more.

James Dean, Esquire, of Quebec, called in; and examined:—

127. What is your name and firm, and do you ship Lumber to the United Kingdom from the Port of Quebec?—James Dean, of the firm of Dean, Rodger & Co., of Quebec, shippers of Lumber from that Port to the United Kingdom.

128. Are there not many merchants in Quebec who are interested in the Lumber Trade, against the repeal of the present law?—I believe that all the merchants in Quebec engaged in the Lumber Trade, and not directly or indirectly interested in Coves, are opposed to the repeal of the present Lumber Act. They desire such alterations in the Act as would render compulsory either the partial or complete inspection of Timber, (the latter I think in preference,) and the complete inspection and culling of Deals and Staves. With this also, the greater number of those interested in Coves would be satisfied; but they would prefer the repeal of the Act, or that it should be rendered non-compulsory, which, in my opinion, amounts to about the same thing.

129. Do you think the Board of Examiners would be improved, by making Cullers a part of such Board?—I do not think that the Board of Examiners would be improved by making commissioned Cullers members thereof.

130. Are you aware that fraud is committed in shipping Deals, owing to their not being stamped, to wit, thirds as seconds, and seconds as firsts, or intermixed; and would it not benefit the trade by having them stamped, and shipped under their proper denomination?—I am not aware that frauds are committed by shipping third quality Deals as seconds, and seconds as firsts. It is quite possible, however, and I know of nothing to prevent its being done. I think it would benefit the trade were the several qualities of Deals to have distinctive stamps or brands put on them, so as to prevent mistakes.

131. Is it possible to carry on the Lumber Trade without measurement taking place to determine the respective rights of parties; if not, should the duty be performed by the hired servant of the purchaser, or by parties legally commissioned and independent of buyer and seller?—It is impossible to carry on the

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Lumber trade without the measurement of Timber, and the culling and assortment of Deals and Staves; and when these are necessary in order to determine the respective rights of buyer and seller, it is just and reasonable that they should be performed by properly qualified persons independent of either party, and not by the servants or persons under the control of either.

132. Would it not be advantageous to the shipping merchant to have Timber put into shipping order, and into a merchantable state, by the seller, and at the same time leaving it open to measure off Timber, if the parties so agree?—It would be decidedly advantageous to the shipping merchant to have Timber put into shipping order, or into a merchantable state, by the seller; and I believe it would be equally so to the honest lumberman, and those who furnish him with the means of bringing his Lumber to market.

133. What would be the practical result, if hired Cullers were permitted to measure Lumber without reference to the Supervisor's office, and could such an office be at all sustained in terms of the present Law?—The practical result would be, that (as heretofore, under a similar system,) some injustice would be done, and a vast deal of dissatisfaction and distrust created on both sides, from the apprehension of more, and the want of protection to either buyer or seller. Under such a system I do not think a Supervisor's office would be necessary, or that such an establishment could be sustained.

134. Does not the absence of defined modes of measurement in the present Law give rise to disputes, and is it not desirable to define certain modes, in order that the Merchant and Culler may clearly understand the meaning of the Law?—It is desirable as far as possible to define the modes of measurement and culling, but I do not think this can be done completely. A great deal must be left to the judgment and experience of the Culler or Measurer. I consider uniformity in measuring and culling of much greater importance than any particular mode of performing these operations, and in order to introduce and secure this, two or more Surveyors should be appointed, whose duty it should be to superintend and control Measurers and Cullers in the actual performance of their work. Under the present Law the Supervisor's duties are limited by the walls of his office, beyond which he sees nothing of what his officers are about, and of course can exercise no control over the way in which they perform their duties. The consequence is, that there are as many modes of culling and measuring as there are Cullers and Measurers, each putting his own construction on the definition of his duty given in the Act, or contained in the special agreement, a copy of which may have been given him for his guidance.

135. Are you of opinion that the culling or measuring of Lumber of all descriptions, or of any description in particular, should be compulsory; and if so, state for what reason it should be compulsory?—I am of opinion that the culling and measuring of Lumber of all descriptions ought to be compulsory: my reasons for this opinion will be found in my answers to the preceding questions.

136. Are you a member of the Board of Trade of Quebec, and were you present at the meeting of the Council thereof, when it was determined by the Board to petition against the present Law to regulate the measurement and inspection of Lumber?—I am a member of the Board of Trade of Quebec, and was present at the meeting of the Council thereof, when it was determined to petition against the present Law to regulate the measurement and inspection of Lumber; but I did not agree to or concur in the Petition adopted.

Thursday, 13th February, 1845.

Mr. George Benson Hall, of Quebec, called in; and examined:—

137. Are you engaged in the Lumber Trade?—Not on my own account, but as agent for Messrs. P. Paterson and Sons, of Montmorenci, largely in the Deal trade.

138. How long have you been engaged in the business; and to what extent have you carried it on?—For the last 16 years; and have manufactured to the extent of about 400,000 Deals annually.

139. Have you any knowledge of the practical working of the Lumber Act passed last Session of Parliament; and if so, be pleased to state what you know upon the subject?—It has in many instances been a source of very great annoyance, and been attended with very serious loss to manufacturers of Deals. It has also interfered with the management and economy, and increased the expense of manufacturing Deals.

140. In what particular do you conceive the description of first class Deals, as given by the Statute, to be unreasonable?—The Statute requires that first class Deals should be free from all knots. Spruce Deals are not to be found without them, except in few instances. I should think that small sound black knots do not impair the quality of Deals, so as to prevent them from belonging to first class. I approve of the classification of Deals contained in the circular forwarded by the Committee to Mr. Paterson on the 21st December last.

141. Are you aware of the standard of goodness of Deals in the British markets, say London and Liverpool?—I am not.

142. State in what particular you conceive the Bill to have operated injuriously to you as manufacturers of Deals, either in adding to your expenses or otherwise?—The fees for culling are exorbitant. For the last 20 years the cost of culling the average quantity of Deals manufactured annually at our establishment, say 400,000, has never exceeded £90 or £100; whereas last season, I paid into the hands of the Supervisor the sum of £598 for culling the same quantity, shewing a loss of £500 in that branch of the Lumber trade, for which we received no benefit whatever from the Supervisor's office.

143. Would you approve of the system of stamping Deals to mark their quality, being made compulsory?—It should not be compulsory; it should be optional with buyer and seller.

144. Do you know how the Bill operates upon owners of small mills who were in the habit of selling their Deals deliverable on board ship in the stream?—I cannot say.

145. In the event of no alteration being made in that part of the Bill which prescribes compulsory culling, do you conceive that any alteration is required in the Tariff; and if so, what?—I consider that one-third of the fees, viz., 1s. per Quebec standard thousand, which is now paid into the hands of the Supervisor for the support of the office, should be no longer paid in cases where the said office can perform no service to the parties, as the case is with me,—and that the amount paid the Cullers be reduced one half.

146. Are you acquainted with the class of men who now practice as commissioned Cullers?—Yes.

147. What, in your opinion, ought men belonging to that class to make during the season in the exercise of their business?—Before the Law came into

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operation, we paid them from 7s. 6d. to 10s. a-day, during the summer months. These men are sometimes employed to cull logs, &c. in winter at a lower rate.

148. With reference to the description of first class Deals, is not the evil susceptible of remedy without reference to Legislation at all;—would not the evil cure itself by raising the price of second quality?—It has not yet operated in that way.

149. Do you not think it would be advantageous to the trade in general, if it were optional for the buyer and seller to agree to their own inspection, and in the event of a dispute to have reference to the Board of Supervision?—I do.

150. What may be the nature of the relief which you claim for the Deal trade under the existing Law?—To make it optional for buyer and seller.

151. Have you any practical suggestions to offer in respect to the regulation of the office of Culler, or any other suggestion?—To facilitate and advance the trade, I pray that the compulsory measure be abolished, and that buyer and seller, where they find it to their advantage to employ a person in whom they have confidence (not a Culler on the books of the Supervisor) to cull or measure their Timber, they may be at liberty to do so; and, on the other hand, if the parties desire it, they shall have the privilege of employing a licensed Culler under the Supervisor; this, in my opinion, would be doing justice to all parties, and enable manufacturers of Deals to have the management and economy of their business in their own hands again, of which they have in a great measure been deprived under the existing compulsory law. The Deal trade requires strict economy to enable it to compete with the large exportations from foreign and the lower ports.

Monday, 24th February, 1845.

Mr. Charles Cazeau, of Quebec, Culler, called in; and examined:—

152. The Committee understand that you are a commissioned Culler; if so, state in what department and during what length of time you have held a commission?—I cull Square Timber, Deals, Planks, Boards and Lathwood. The first commission that I had as a Culler was about thirty years ago.

153. Have you practiced extensively as a Culler?—Yes, since that time, I was employed ten years, by Mr. Atkinson as a Culler.

154. Have you perused the Bill brought in by Mr. Stewart, of Bytown?—I have.

155. Be pleased to offer any observations thereupon?—The third clause is an improvement upon the last Bill, as the Board at present constituted is composed of merchants interested in the trade, and their personal interest I consider to be at variance with their duty. I think that the power which the new Act gives may be safely lodged.

156. Have you read the Bill before the House, and is the description of merchantable Deals such as you think suitable to the trade?—I do conceive the description an improvement on the present Act, inasmuch as it is not so severe in describing the number of knots.

157. If optional culling and measuring were introduced in the Lumber trade, what effect would it have, and could the Supervisor's Office be sustained

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as prescribed by law?—It would have the effect of bad measurement, and compel the Cullers to seek employment from the merchants as formerly; the Supervisor's Office therefore could not be sustained.

Mr. Alexis Dorval, of Quebec, Culler, called in; and examined:—

158. Have you read the Bill before the House; and is the description of merchantable Deals such as you think suitable to the trade?—I have; and I approve of the description therein contained.

159. If optional culling and measuring were introduced in the Lumber trade, what effect would it have, and could the Supervisor's office be sustained as prescribed by the Law?—It would have a bad effect, and the Supervisor's office could not be supported.

160. Do you approve of the mode of appointing the Board of Examiners as prescribed in the Bill now before the House?—I do.

161. Is the 24th clause suitable to your views of the trade, and would you recommend option to the extent permitted in that clause?—I would not.

Mr. James Scott, of Quebec, Culler, called in; and examined:—

162. Have you read the Bill before the House; and is the description of merchantable Deals such as you think suitable to the trade?—I think it is, as it modifies the old Act.

163. If optional culling and measuring were introduced in the Lumber trade, what effect would it have, and could the Supervisor's office be sustained as prescribed by the Law?—It is my opinion that if optional culling were allowed, the office of Supervisor would necessarily be done away with, and could not be supported. It is now considered a very useful office for the protection not only of the Culler but of all parties concerned in the Lumber trade. The Cullers who are now employed by the Supervisor would be obliged to have access to the old system of being employed by merchants owning Coves and Wharves, and who perhaps would not look so much to the respectability of the Culler, as to the cheapness at which they could employ him. It would also tend to destroy the independent footing on which Cullers are now employed.

164. Do you approve of the mode of appointing the Board of Examiners as prescribed in the Bill now before the House?—I do; but I disapprove of the mode of appointing a Board of Examiners according to the existing Law.

165. Is the 24th clause suitable to your views of the trade, and would you recommend option to the extent permitted in that clause?—I would not: I am of opinion that a Board of Surveyors should be appointed.

166. Do you think that the present tariff of fees for the measurement and culling of Timber can be reduced?—I should say not, as the expenses to which Cullers are subjected, are very great, viz., travelling expenses to and from the place where the Timber to be culled is, payment of laborers and other assistance. My expenses the last season, as a Culler of Deals, amounted to £40, and they would have been much greater if I had culled Square Timber, as I would then have required two tape holders, and a scribe; besides, we have sometimes to pay £25 for an assistant. In measuring Deals we require only one person.

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167. Can you state the rate of salary which shipping Cullers receive, when employed by merchants upon their own private account?—An experienced first-rate Culler in the employment of a Merchant, as his hired shipping Culler, would receive a salary of about £200 a-year; I mean over and above lodging and fuel. An instance of this, is Mr. Roderick McGillis in Mr. George Burns Symes employ, and Mr. James McFee, in the employment of Messrs. Wood & Gray. The duty performed by this class of men, is looking after the shipment of the Timber as well as the culling,

Tuesday, 25th February, 1845.

Mr. Charles Cazeau again called in; and examined:—

168. Do you think that the tariff of fees for the measurement and culling of Timber can be reduced?—No, I do not think that the tariff can be reduced without lowering the character of the body of Cullers, and risking their integrity. The expenses they incur are very heavy, amounting in some instances to £70 or £80 a-year. The tariff, as it now stands, is 3s., of which 1s. goes to the Supervisor's office. Under the old tariff of Lower Canada, the Cullers were allowed 4s. 6d., from which no deduction was made; but the old tariff was evaded, as parties interested abstained from having their Timber culled by Cullers. Cullers are not employed at all during the Winter, and they are prohibited under the Law, as it now stands, from buying or selling either for themselves or for others, Timber of any kind; or manufacturing for themselves.

169. Can you state the rate of salary which shipping Cullers receive when employed by Merchants upon their own private account?—I cannot state positively, but I believe that some of the persons belonging to this class receive £150 per annum.

170. What time, in your opinion, is necessary to qualify a person to become such a judge of Timber as to be able to cull it?—In my opinion, a young man at the age of 18, who would devote himself for four years to the business, would have sufficient knowledge of Timber to qualify him as a Culler. He should possess at least the requisite knowledge to write and make his specifications of Timber himself: he must of course be able to reduce quantities into standard.

171. Is it to your knowledge, that in practice, Cullers employed by the Supervisor, have acted at some time as the hired salaried servants of private merchants; and that by arrangement between them, any division of the receipts from the Supervisor's office has been made between such Culler and his employer?—I know that one Dubois was a Culler in the employ of Mr. Thomson for the last 10 years, at a salary of, as he told me, £50 per annum; and that he acted last season as a licensed Culler employed by the Supervisor; this Dubois is an illiterate person, and is not one who would be employed if the choice were left free. It appears by the Supervisor's return, that this man received last year £124 7s. 4d. He worked all last season culling Mr. Thomson's Deals; and at the close of the season Mr. Thomson, by agreement with this man, was entitled to the amount of his earnings, as there was an understanding between them that, notwithstanding the Bill, Dubois was to remain in Mr. Thomson's employ at the old salary of £50 a-year. I interfered between Dubois and Mr. Thomson, and prevented the carrying out of this bargain. Mr. Thomson endeavoured to force Dubois to pay him the money from the Supervisor's office, but I believe that he has since given it up as hopeless. Over and above the quantity of Timber culled by Dubois, and of which

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he has made a return to the Supervisor's office, there remains still on Mr. Thomson's premises, of culled and piled Deals, the amount of 200,000, of which no return has been made to the Supervisor's office, and in consequence the fees will not be paid by Mr. Thomson. The statement which I make is derived from what Dubois has told me himself, and has told many others; but I know as a fact, that Dubois worked in Mr. Thomson's employ last season, precisely in the same way as he was in the habit of doing before the passing of the Bill; he was the only Culler employed.

Robert Hamilton, Esquire, called in; and examined:—

172. Have you any knowledge of the business of J. Thomson at the Etchemin Mills, last season?—I have.

173. Do you know one L. Dubois?—I do.

174. How long have you known him?—During the last season only; he was engaged in culling Deals during the whole of the shipping season.

175. Was there any other licensed Culler?—There was not.

176. How many Deals were culled at Mr. Thomson's Mills last season?—Between 300,000 and 400,000 were culled at Mr. Thomson's establishment at Etchemin. Dubois did not cull the whole himself, because, after he left, some were culled by an individual not a licensed Culler. Dubois left, as near as I can recollect, in the latter part of October. This person may probably have culled 30,000 more or less after Dubois left. Dubois knows as much of reading and writing as to qualify him. It is to my knowledge that he was the hired Culler of Mr. Thomson, at a stated sum per month. At the commencement of the season, Mr. Thomson was undecided whether he should ship the Deals he was about to manufacture, on his own account, or sell them in the Quebec market; and as the culling of his Deals up to the last season had only cost him at the rate of 2½d. per Quebec standard hundred, and the fees by the present Act 3s., he wished to save the difference in the event of shipment on his own account. He went to the Supervisor and asked his authority to engage Dubois, as I was told by Mr. Thomson. The Supervisor referred Mr. Thomson to the Law; and as nearly as I can recollect, the Supervisor, without saying anything to commit himself, said that under the circumstances of the case, as it was probable Mr. Thomson would be the exporter of his Deals, he thought he would be justified in engaging Dubois; telling him at the same time, however, that for the Deals he would sell in the Quebec market, he would be answerable to the Law if there was any difficulty made. At the close of the season Dubois was paid by Mr. Thomson the amount agreed upon, which I have just heard the Chairman say, was stated at £50; which was three or four times more than ever he had received before. I was not present when any bargain was made. Dubois made a return to the Supervisor's office of the Deals culled. The Supervisor sent in his bill for payment. Mr. Thomson deducting the Deals he had exported himself, said that Dubois was already paid, and expressed his willingness to pay the 1s. for the office on the Deals sold in the Quebec market. The Supervisor said, that in order to make the books square, the 3s. should be paid. Mr. Thomson believed there could be no difficulty in getting back the 2s. from the Culler; the Culler, however, refused to pay the amount back for some time, but finally was in a manner compelled to do so, minus the sum of £20.

177. Are you a manufacturer of Deals and Square Timber, and are you deeply interested in the details of the present Bill before the House?—As far as Deals are concerned I am deeply interested, but I am not in Square Timber.

## R E T U R N

To an Address of the Legislative Assembly to His Excellency the Governor General, praying that His Excellency would cause to be laid before the House, a Statement in a Tabular form, of all Sums of Money which have been expended from the Public Treasuries of the several Provinces of Upper and Lower Canada, for Public Improvements and Education, in each of the several Counties and Ridings in this Province, since the year 1830, specifying the authority under which such expenditure was made, and the several times of making such expenditure.

By command,

D. DALY,

*Secretary.*

SECRETARY'S OFFICE,  
6th March, 1845.

*Letter from the Inspector General to the Provincial Secretary, with four Enclosures.*

(COPY.)

INSPECTOR GENERAL'S OFFICE,  
MONTREAL, 4TH MARCH, 1845.

SIR,

I have the honor herewith to transmit Statements of Monies expended from the Public Treasuries of the several Provinces of Upper and Lower Canada, for Public Improvements and Education since the year 1830, specifying the authority under which such expenditure was made, as required by an Address from the Legislative Assembly of the 9th December last, now returned.

The Records of this office do not shew the expenditure, in all cases, in the several Counties and Ridings; where not so specified, the expenditure within the respective Districts is given.

I have, &c.,

• (Signed,) W. B. ROBINSON.  
*Inspector General.*

Honorable D. DALY,  
&c., &c., &c.

Appendix (P. P.) No. 1.—STATEMENT of Monies expended from the Public Treasury for PUBLIC IMPROVEMENT in UPPER CANADA, since 1830; furnished pursuant to an Address of the Legislative Assembly, December, 1844.

Appendix (P. P.) No. 2.—STATEMENT of Monies expended from the Public Treasury for PUBLIC IMPROVEMENT in UPPER CANADA, since 1830; furnished pursuant to an Address of the Legislative Assembly, December, 1844.

District.	Works.	Authority.	1831.	1832.	1833.	1834.
			£ s. d.	£ s. d.	£ s. d.	£ s. d.
Bathurst	Tay Navigation	4 Will. IV. c. 42	...	...	...	1,000 0 0
	Burlington Bay Canal	11 Geo. IV. c. 12	1,212 5 10	...	...	...
	Brantford and Hamilton Road	7 Will. IV. c. 78 & 2 Vic. c. 50	...	...	...	...
Gore	Desjardins Canal	2 Will. IV. c. 24 & 5 Will. IV. c. 34	...	5,000 0 0	...	...
	Dundas and Waterloo Road	7 Will. IV. c. 79	...	...	...	...
	Oakville Harbour	1 Will. IV. c. 25	2,500 0 0	...	...	...
	Brantford Bridge	3 Will. IV. c. 31	...	...	1,500 0 0	...
	Bridges and District Roads	3 Will. IV. c. 38	2,000 0 0	...	...	4,350 0 0
	Home District Roads	3 Will. IV. c. 38	...	...	...	...
	Yonge Street	6 Will. IV. c. 30	...	...	2,000 0 0	3,200 0 0
	Dundas Street	7 Will. IV. c. 78	...	...	...	...
	York Roads, E. and W.	...	...	...	...	...
	Whitby Harbour	7 Will. IV. c. 71	...	...	...	...
Home	York Harbour	3 Will. IV. c. 32	...	2,000 0 0	...	...
	Main North Toronto Road	4 & 5 Vic. c. 28	...	...	...	...
	Rouge Hill Road	...	...	...	...	...
	Roads and Bridges	1 Will. IV. c. 17 & 3 Will. IV. c. 60 & 7 Will. IV. c. 107	1,000 0 0	...	...	4,325 0 0
Huron	Roads and Bridges	do do	...	...	...	...
	St. Lawrence Canal	4 Will. IV. c. 40	...	...	3,000 0 0	35,000 0 0
Eastern	Roads and Bridges	1 Will. IV. c. 17 & 3 Will. IV. c. 60 & 7 Will. IV. c. 107	1,000 0 0	...	...	4,250 0 0
	Johnstown District Roads	7 Will. IV. c. 80	...	...	...	...
	Gananoque Bridge	...	...	...	...	...
Johnstown	Roads and Bridges	1 Will. IV. c. 17 & 3 Will. IV. c. 60 & 7 Will. IV. c. 107	1,900 0 0	...	...	4,250 0 0
	Kettle Creek Harbour	1 Will. IV. c. 26	1,500 0 0	1,500 0 0	500 0 0	...
London	Roads and Bridges	1 Will. IV. c. 17 & 3 Will. IV. c. 60 & 7 Will. IV. c. 107	2,000 0 0	...	...	4,425 0 0
	Kingston and Napanee Road	7 Will. IV. c. 81 & 2 Vic. c. 50	15,000 0 0	14,111 2 2½	1,088 17 9½	...
Midland	Roads and Bridges	1 Will. IV. c. 17 & 3 Will. IV. c. 60 & 7 Will. IV. c. 107	2,200 0 0	...	...	4,300 0 0
	Newcastle Distr't. Improvements	4 & 5 Vic. c. 28	...	...	...	...
	Coburg Harbour	2 Will. IV. c. 22 & 5 Will. IV. c. 43	...	3,000 0 0	...	...
	Newcastle Inland Waters	3 Will. IV. c. 33, 6 Will. IV. c. 39, and 2 Vic. c. 55	...	...	2,000 0 0	...
Newcastle	Port Hope Harbour	2 Will. IV. c. 23	...	2,000 0 0	...	1,500 0 0
	Paris Bridge	4 Will. IV. c. 44	...	...	...	1,150 0 0
	Trent Bridge	3 Will. IV. c. 34	...	...	2,000 0 0	...
	Trent Navigation	7 Will. IV. c. 68	...	...	...	...
	Roads and Bridges	1 Will. IV. c. 17, 3 Will. IV. c. 60, & 4 Will. IV. c. 107	1,900 0 0	...	...	4,350 0 0
	Dunville Bridge	4 Will. IV. c. 43	...	...	...	1,250 0 0
	Erie and Ontario Rail Road	7 Will. IV. c. 68	...	...	...	...
	Queenston and Grimsby Road	7 Will. IV. c. 82	...	...	...	...
Niagara	Welland Canal	1 Will. IV. c. 18 & 4 Will. IV. c. 40	50,000 0 0	...	7,500 0 0	42,500 0 0
	Grantham Academy	7 Will. IV. c. 84	...	...	...	...
	Roads and Bridges	1 Will. IV. c. 17, 3 Will. IV. c. 60 & 7 Will. IV. c. 107	1,600 0 0	...	...	3,600 0 0
Simcoe	West Gwillimbury Road & Bridge	6 Will. IV. c. 28	...	...	...	...
	Tecumseth Road	...	...	...	...	...
	Chatham Bridge	7 Will. IV. c. 83 and 3 Vic. c. 51	...	...	...	...
Western	Roads and Bridges	1 Will. IV. c. 17, 3 Will. IV. c. 60 & 7 Will. IV. c. 107	1,700 0 0	...	...	4,050 0 0
Gore and Niagara	Grand River Navigation	7 Will. IV. c. 73	...	...	...	...
Gore and London	London and Brantford Road	4 and 5 Vic. c. 28	...	...	...	...
Gore and Talbot	Hamilton and Port Dover Road	4 and 5 Vic. c. 28	...	...	...	...
	London and Sarnia Road	4 and 5 Vic. c. 28	...	...	...	...
London & Western	London and Sandwich Road	4 and 5 Vic. c. 28	...	...	...	...
	London and Chatham Road	4 and 5 Vic. c. 28	...	...	...	...
Eastern and Ottawa	Military Road, L'Orignal	4 and 5 Vic. c. 28	...	...	...	...
	Ganaraxa to Owen's Sound	4 and 5 Vic. c. 50	...	...	...	...
	River Ottawa	4 and 5 Vic. c. 28	...	...	...	...
	St. Lawrence Improvements	...	...	...	...	...
	Toronto and Saugeen Road	...	...	...	...	...
	Erection of Light Houses	7 Will. IV. c. 95	...	...	...	...
Bathurst	Roads and Bridges	1 Will. IV. c. 17, 3 Will. IV. c. 60 & 4 Will. IV. c. 107	1,900 0 0	...	...	4,250 0 0
Ottawa	Roads and Bridges	do do	1,000 0 0	...	...	2,800 0 0
Prince Edward	Roads and Bridges	do do	...	...	...	650 0 0
			£90,212 5 10	27,611 2 2½	20,488 17 9½	131,700 0 0

Appendix (P. P.) No. 2.—STATEMENT of Monies expended from the Public Treasury for EDUCATION in Assembly, 7th March.

District.	School.	Authority.	1831.	1832.	1833.	1834.
Bathurst	Common	4 Geo. IV, c. 8, and annual Grant £250	£ 250 0 0	...	1,000 0 0	750 0 0
	District	4 Geo. IV, c. 27	100 0 0	50 0 0	100 0 0	100 0 0
Brook	Common	7 Will. IV, c. 30, £250 per ann. and annual Grant	...	...	...	...
	District	7 Will. IV, c. 30	...	...	...	...
Eastern	Common	4 Geo. IV, c. 8, £250 per ann. and annual Grant	500 0 0	...	1,000 0 0	500 0 0
	District	47 Geo. III, c. 6, and 48 Geo. III, c. 16	100 0 0	100 0 0	100 0 0	100 0 0
Dalhousie	Common	...	...	...	...	...
Colborne	Common	...	...	...	...	...
Gore	Common	4 Geo. IV, c. 8, £250 per ann. and annual Grant	...	250 0 0	850 0 0	250 0 0
	District	59 Geo. III, c. 4	100 0 0	100 0 0	100 0 0	100 0 0
Home	Common	4 Geo. IV, c. 8, £250 per ann. and annual Grant	250 0 0	250 0 0	1,000 0 0	1,000 0 0
	District	47 Geo. III, c. 6, and 48 Geo. III, c. 16	50 0 0	...	...	...
Huron	Common	...	...	...	...	...
Johnstown	Common	4 Geo. IV, c. 8, £250 per ann. and annual Grant	250 0 0	250 0 0	250 0 0	750 0 0
	District	47 Geo. III, c. 6, and 48 Geo. III, c. 16	100 0 0	100 0 0	100 0 0	66 3 3½
London	Common	4 Geo. IV, c. 8, £250 per ann. and annual Grant	250 0 0	250 0 0	850 0 0	850 0 0
	District	48 Geo. III, c. 16	100 0 0	100 0 0	100 0 0	100 0 0
Midland	Common	4 Geo. IV, c. 8, £258 per ann. and annual Grant	250 0 0	250 0 0	1,000 0 0*	1,000 0 0*
	District	48 Geo. III, c. 16	100 0 0	100 0 0	100 0 0	100 0 0
Newcastle	Common	4 Geo. IV, c. 8, £250 per ann. and annual Grant	250 0 0	250 0 0	750 0 0	750 0 0
	District	48 Geo. III, c. 16	100 0 0	100 0 0	100 0 0	100 0 0
Niagara	Common	4 Geo. IV, c. 8, £250 per ann. and annual Grant	250 0 0	250 0 0	750 0 0	750 0 0
	District	48 Geo. III, c. 16	50 0 0	100 0 0	100 0 0	100 0 0
Ottawa	Common	4 Geo. IV, c. 8, £250 per ann. and annual Grant	...	250 0 0	250 0 0	250 0 0
	District	4 Geo. IV, c. 28	100 0 0	100 0 0	58 4 4½	108 19 8½
Prince Edward	Common	1 Will. IV, c. 7, £250 per ann. and annual Grant	...	...	...	250 0 0
	District	1 Will. IV, c. 7	...	...	...	...
Talbot	Common	7 Will. IV, c. 33, £250 per ann. and annual Grant	...	...	...	...
	District	7 Will. IV, c. 33	...	...	...	...
Victoria	Common	7 Will. IV, c. 31, and 3 Vic. c. 68	...	...	...	...
	District	7 Will. IV, c. 31	...	...	...	...
Wellington	Common	...	...	...	...	...
Western	Common	4 Geo. IV, c. 8, £250 per ann. and annual Grant	250 0 0	250 0 0	600 0 0	600 0 0
	District	48 Geo. III, c. 16	100 0 0	100 0 0	100 0 0	100 0 0
			£3,500 0 0	3,200 0 0	9,258 4 4½	8,678 2 11½

\* £200 for Prince Edward District included each year.

£150 each year for Sunday Schools

INSPECTOR GENERAL'S OFFICE,  
MONTREAL, February, 1845.

UPPER CANADA, since the year 1830; furnished pursuant to an Address of the Legislative Assembly, 7th March.

1835.	1836.	1837.	1838.	1839.	1840.	1841.	1842.	1843.
£ 750 0 0	£ 750 0 0	£ 750 0 0	£ 750 0 0	£ 750 0 0	£ 750 0 0	£ 250 0 0	£ 705 4 7	£ 24 8 0
100 0 0	100 0 0	100 0 0	100 0 0	100 0 0	100 0 0	50 0 0	45 0 0	50 0 0
...	...	...	...	...	400 0 0	250 0 0	408 8 5	...
750 0 0	1,000 0 0	750 0 0	750 0 0	750 0 0	750 0 0	250 0 0	705 4 7	24 8 0
100 0 0	100 0 0	100 0 0	100 0 0	50 0 0	100 0 0	50 0 0	45 0 0	50 0 0
...	...	...	...	...	...	...	...	516 2 11
...	...	...	...	...	...	...	309 3 9	185 10 2
...	...	...	...	...	...	...	90 0 0	90 0 0
1,450 0 0	250 0 0	1,450 0 0	850 0 0	850 0 0	850 0 0	250 0 0	1,028 13 4	90 0 0
56 14 6	100 0 0	100 0 0	100 0 0	100 0 0	100 0 0	50 0 0	90 0 0	90 0 0
1,000 0 0	1,000 0 0	750 0 0	1,000 0 0	1,000 0 0	1,000 0 0	250 0 0	2,577 7 1	90 0 0
29 11 1½	100 0 0	100 0 0	81 10 1	24 15 10½	100 0 0	50 0 0	90 0 0	90 0 0
...	...	...	...	...	...	...	...	58 1 2
...	...	...	...	...	...	...	76 18 3	45 0 0
750 0 0	750 0 0	750 0 0	750 0 0	750 0 0	750 0 0	1,000 0 0	604 8 10	5 11 1
123 13 11½	100 0 0	100 0 0	82 17 6½	32 17 6½	100 0 0	50 0 0	90 0 0	90 0 0
850 0 0	850 0 0	850 0 0	850 0 0	700 0 0	550 0 0	250 0 0	274 13 0	437 13 3
100 0 0	50 0 0	100 0 0	121 16 7	50 0 0	100 0 0	50 0 0	90 0 0	90 0 0
800 0 0	800 0 0	800 0 0	...	800 0 0	800 0 0	600 0 0	455 8 0	501 8 11
100 0 0	100 0 0	100 0 0	96 11 6	50 0 0	45 17 0½	50 0 0	90 0 0	90 0 0
750 0 0	250 0 0	1,000 0 0	750 0 0	...	750 0 0	1,000 0 0	1,076 15 2	90 0 0
100 0 0	100 0 0	100 0 0	100 0 0	50 0 0	100 0 0	50 0 0	90 0 0	90 0 0
250 0 0	750 0 0	750 0 0	750 0 0	750 0 0	750 0 0	250 0 0	1,305 19 9	90 0 0
100 0 0	100 0 0	100 0 0	100 0 0	50 0 0	100 0 0	50 0 0	90 0 0	90 0 0
...	800 0 0	950 0 0	950 0 0	950 0 0	950 0 0	500 0 0	327 7 8	90 0 0
100 0 0	100 0 0	100 0 0	100 0 0	100 0 0	100 0 0	50 0 0	90 0 0	90 0 0
450 0 0	250 0 0	200 0 0	700 0 0	450 0 0	450 0 0	250 0 0	419 11 5	90 0 0
103 8 5½	66 8 9	100 0 0	100 0 0	87 3 2½	100 0 0	50 0 0	90 0 0	90 0 0
...	...	...	400 0 0	...	800 0 0	250 0 0	380 14 9	...
...	...	...	...	50 0 0	100 0 0	50 0 0	...	90 0 0
...	...	...	...	...	...	250 0 0	436 3 2	...
...	...	...	...	...	15 11 5½	50 0 0	90 0 0	45 0 0
...	...	...	...	...	...	250 0 0	549 19 8	...
...	...	...	...	...	...	...	90 0 0	90 0 0
600 0 0	250 0 0	600 0 0	600 0 0	600 0 0	600 0 0	250 0 0	861 4 3	...
100 0 0	100 0 0	100 0 0	100 0 0	100 0 0	100 0 0	...	...	90 0 0
9,518 8 1	8,066 8 9	10,300 0 0	10,182 15 8½	8,497 10 3½	10,811 9 3½	6,750 0 0	14,688 4 8	9,108 12 0

by authority of 4 Geo. IV, Cap. 8.

W. B. ROBINSON,  
Inspector General.



Appendix  
(P. P.)

7th March. No. 3.—STATEMENT of Monies expended from the Public Treasury for PUBLIC IMPROVE-  
Legislative Assembly,

Names of Counties.	By authority of Acts, &c.	1831.		1832.		1833.		
		£ s. d.	£ s. d.	£ s. d.	£ s. d.			
Beauharnois	... 10 and 11 Geo. IV, c. 10, 1 Will. IV, c. 8, and 3 Will. IV, c. 26	878 17 11	450 0 0	315 0 0				
Bellechasse	...							
Bertouier	... 1 Will. IV, c. 8, 3 Will. IV, c. 26	1,275 0 0	...	161 7 0				
Bonaventure	... 3 Will. IV, c. 26	...	...	...				
Chamblay	... 3 Geo. IV, c. 13, 9 Geo. IV, c. 13, 3 Geo. IV, c. 41, 10 and 11 Geo. IV, c. 10, 1 Will. IV, c. 8, 3 Will. IV, c. 26, 4 Will. IV, c. 11 and 35	6,192 0 0	9,003 0 0	14,220 0 0				
Champlain	... 10 and 11 Geo. IV, c. 10, 1 Will. IV, c. 8, 3 Will. IV, c. 26, and 6 Will. IV, c. 41	679 10 0	...	424 13 1				
Dorchester	... 1 Will. IV, c. 8, 3 Will. IV, c. 26	2,209 10 0	360 0 0	353 5 0				
Drummond	... 1 Will. IV, c. 8	4,273 0 0	...	...				
Gaspe	... 9 Geo. IV, c. 13, 1 Will. IV, c. 8, 3 Will. IV, c. 26	397 10 0	...	...				
Huntingdon	... 10 and 11 Geo. IV, c. 10, 1 Will. IV, c. 8	...	2,565 0 0	...				
Kamouraska	... 1 Will. IV, c. 8, 3 Will. IV, c. 26, and 4 Vic. c. 50	453 0 0	...	298 1 10				
Leinster	... 10 and 11 Geo. IV, c. 10, 1 Will. IV, c. 8, 3 Will. IV, c. 26	342 0 0	...	450 0 0				
L'Islet	... 10 and 11 Geo. IV, c. 10, 1 Will. IV, c. 8, & 3 Will. IV, c. 26	600 17 6	...	544 8 0				
Lotbinière	... 1 Will. IV, c. 8, 3 Will. IV, c. 26	360 0 0	45 0 0	60 15 0				
Megantic	... 1 Will. IV, c. 8, 3 Will. IV, c. 26	723 3 10	...	146 5 7				
Missisquoi	... 10 and 11 Geo. IV, c. 10, 1 Will. IV, c. 14	118 2 6	90 0 0	...				
Montmorency	... 6 Geo. IV, c. 32, 1 Will. IV, c. 8, 3 Will. IV, c. 26	671 12 6	164 16 3	135 0 0				
Montreal	... 10 and 11 Geo. IV, c. 10, 19, 28, and 31, 1 Will. IV, c. 8, 1 Will. IV, c. 37, 3 Will. IV, c. 26	8,920 6 3	1,860 0 0	404 0 0				
Nicolet	... 10 and 11 Geo. IV, c. 10, 1 Will. IV, c. 8, 3 Will. IV, c. 26	873 10 0	...	5 14 9				
Ottawa	... 9 Geo. IV, c. 13, 10 and 11 Geo. IV, c. 10, 1 Will. IV, c. 8, 3 Will. IV, c. 26	1,820 15 5	...	...				
Rimouski	... 57 Geo. III, c. 17, 9 Geo. IV, c. 4, 10 and 11 Geo. IV, c. 10, 1 Will. IV, c. 8, 3 Will. IV, c. 26	4,241 14 0	1,550 16 6	493 1 1				
Rouville	... 10 and 11 Geo. IV, c. 10, 3 Will. IV, c. 26	...	376 17 6	31 14 6				
Saguenay	... 10 and 11 Geo. IV, c. 10, 1 Will. IV, c. 8	675 0 0	297 9 0	...				
Shefford	...							
Sherbrooke	... 10 and 11 Geo. IV, c. 10, 1 Will. IV, c. 8 and 14, 3 Will. IV, c. 26	7,620 15 2	...	180 0 0				
Stanstead	... 10 and 11 Geo. IV, c. 10, 1 Will. IV, c. 8, and 3 Will. IV, c. 26	1,890 0 0	...	607 10 0				
Quebec	... 10 and 11 Geo. IV, c. 10, 14 and 33, 9 Geo. IV, c. 4 and 53, 1 Will. IV, c. 8, 14 and 37, 3 Will. IV, c. 26	16,915 17 6	435 0 0	221 8 0				
Portneuf	... 1 Will. IV, c. 8, 3 Will. IV, c. 26	1,058 7 4	181 16 8	270 0 0				
Saint Maurice	... 9 Geo. IV, c. 4, 10 and 11 Geo. IV, c. 10, 1 Will. IV, c. 8, 1 Will. IV, c. 11, 3 Will. IV, c. 23	772 0 0	1,620 0 0	3,981 13 2				
Saint Hyacinthe	... 1 Will. IV, c. 8	180 0 0	...	270 0 0				
Terrebonne	... 1 Will. IV, c. 8, 3 Will. IV, c. 26	...	...	...				
Two Mountains	... 10 and 11 Geo. IV, c. 10, 1 Will. IV, c. 8, 3 Will. IV, c. 26, Ord. 2. Vic. c. 52	135 0 0	585 0 0	644 19 7				
Vaudreuil	... 10 and 11 Geo. IV, c. 10, 10 and 11 Geo. IV, c. 27, 1 Will. IV, c. 8, 1 Will. IV, c. 21, 3 Will. IV, c. 26	9,285 5 8	292 10 0	...				
Verchères	...							
Yamaska	... 3 Will. IV, c. 26	...	...	...				
		£73,561 5 7	19,885 16 11	24,158 16 7				

N.B.—In 1839, £2,970 for

INSPECTOR GENERAL'S OFFICE,  
MONTREAL, February, 1845.

Appendix  
(P. P.)

MENT in LOWER CANADA, since the year 1830; furnished pursuant to an Address from the  
December, 1844.

1834.	1835.	1836.	1837.	1838.	1839.	1840.	1841.	1842.	1843.
£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
249 15 0									
270 0 0	180 0 0								
18,000 0 0	13,923 0 0	2,340 0 0	...	...	777 1 11	303 15 0	45 0 0	...	6,355 1 5
...	...	900 0 0	720 0 0	...	...	...	...	...	717 2 4
...	...	...	...	...	180 0 0	400 0 0	...	...	...
22 10 0	45 0 0	...	...	...	...	...	...	...	...
...	...	...	...	...	...	45 0 0	22 10 0	...	...
45 0 0	87 17 3	...	...	...	...	...	...	...	...
337 10 0	...	...	...	...	...	...	...	...	...
22 10 0	...	...	...	...	...	...	128 10 0	...	...
225 0 0	...	...	...	...	...	...	...	...	...
387 3 8	...	...	...	...	...	...	...	...	...
...	...	...	...	...	...	752 5 9	47 10 0	...	...
36 0 0	...	...	...	...	...	...	...	...	...
90 0 0	...	...	...	...	...	...	...	...	...
225 0 0	...	...	...	...	235 7 1	...	...	...	...
90 0 0	...	...	...	...	...	...	...	...	...
90 0 0	...	...	...	...	...	...	...	...	...
20,178 5 11	14,148 0 0	3,240 0 0	720 0 0	...	1,192 9 0	1,523 10 9	221 0 0	...	7,072 3 9

New Brunswick Road.

W. B. ROBINSON,  
Inspector General.

Appendix  
(P. P.)

No. 4.—STATEMENT of Monies expended from the Public Treasury for EDUCATION in  
Assembly,

7th March.

Names of Counties.	By Authority of Acts.	1831.		1832.		1833.		1834.	
		£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.		
Beauharnois	9 Geo. IV, c. 46; 10 and 11 Geo. IV, c. 14; 1 Will. IV, c. 7; 2 Will. IV, c. 26; 3 Will. IV, c. 4, and 4 Will. IV, c. 9	583 3 4	1,042 10 5	805 16 0	1,427 17 0				
Bellechasse	do do do	921 4 9	1,290 8 10	499 16 0	489 12 0				
Berthier	do do and 2 Will. IV, c. 30	688 11 1	1,049 15 9	670 8 0	756 19 3				
Bonaventure	do do and 1 Vic. c. 16	78 4 0	36 15 9	168 2 0	449 15 3				
Chambly	do do	963 10 1	1,132 18 10	549 9 0	606 15 0				
Champlain	do do	715 16 8	1,311 4 8	762 10 0	1,186 6 0				
Dorchester	do do	533 18 0	763 13 2	649 3 1	406 14 0				
Drummond	do do	220 12 0	178 10 2	210 18 0	211 10 0				
Gaspé	do do	75 10 0	80 10 0	60 6 0	87 6 0				
Huntingdon	do do	722 8 3	725 11 7	901 4 0	843 17 0				
Kamouraska	do do	2,268 18 9	900 4 3	455 3 0	641 5 10				
Leinster	do do and 4 Will. IV, c. 23	538 14 11	783 19 10	1,333 6 0	949 1 0				
L'Islet	do do	630 16 4	465 3 4	234 3 0	291 4 0				
Lotbinière	do do	792 2 10	1,159 9 9	494 8 0	677 10 0				
Megantic	do do	91 13 6	219 5 3	266 10 7	336 17 3				
Missisquoi	do do	664 11 0	707 3 9	502 16 0	620 11 0				
Montmorency	do do	456 7 4	512 15 3	256 13 0	554 11 0				
Montreal	do do and 2 Will. IV, c. 31	1,341 5 3	2,620 7 2	648 2 0	576 10 0				
Nicolet	do do	397 7 10	747 1 1	466 3 9	474 1 6				
Ottawa	do do	69 19 0	64 8 0	189 6 0	166 15 0				
Portneuf	do do	472 9 8	1,016 17 2	641 12 0	712 19 0				
Quebec	do do	3,368 12 1	2,842 12 3	1,953 2 0	2,302 11 6				
Richelieu	do do	586 5 4	703 0 1	285 15 0	342 9 0				
Rimouski	do do	323 0 8	745 10 10	252 6 0	327 4 0				
Rouville	do do	759 16 3	1,167 14 9	624 13 0	730 10 0				
Saguenay	do do	177 2 3	195 0 1	249 12 0	242 15 0				
Shefford	do do	251 12 10	422 0 8	268 19 0	380 8 7				
Sherbrooke	do do	788 14 2	604 14 6	778 6 6	974 15 0				
Stanstead	do do	2,298 8 8	1,146 18 1	1,277 10 0	1,296 16 0				
Saint Maurice	do do	505 4 11	852 18 6	746 1 0	805 10 0				
Saint Hyacinthe	do do	928 18 4	1,463 11 4	732 8 0	759 6 0				
Terrebonne	do do	198 14 2	382 19 5	307 7 0	265 4 0				
Two Mountains	do do	837 14 2	1,032 8 4	930 18 0	539 12 0				
Vaudreuil	do do	145 19 9	342 4 10	265 7 0	241 16 0				
Verchères	do do	200 4 3	264 11 2	167 15 0	277 9 0				
Yamaska	do do	314 18 3	486 9 11	227 6 0	278 17 0				
		£25,242 10 3	29,461 8 9	19,833 0 11	22,233 0 2				

INSPECTOR GENERAL'S OFFICE,  
MONTREAL, February, 1845.

LOWER CANADA, since the year 1830; furnished pursuant to an Address of the Legislative  
December, 1844.

Appendix  
(P. P.)

7th March.

1835.		1836.		1837.		1838.		1839.		1840.		1841.		1842.		1843.	
£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	
1,745 8 7	325 13 9	628 13 3	...	...	...	...	...	...	...	...	...	...	...	388 15 0	1,260 0 0		
742 10 7	396 16 0	324 10 0	...	...	...	...	...	...	...	...	...	...	...	...	...	496 5 6	
814 2 7	393 15 0	326 9 6	90 0 0	90 0 0	90 0 0	90 0 0	90 0 0	90 0 0	90 0 0	90 0 0	90 0 0	90 0 0	90 0 0	225 0 0	639 9 6½		
391 14 3	68 16 5	146 19 0	...	...	...	...	...	...	...	...	...	...	...	45 0 0	46 2 3		
496 18 3	3,164 7 0	303 14 6	180 0 0	180 0 0	180 0 0	180 0 0	180 0 0	180 0 0	180 0 0	180 0 0	180 0 0	180 0 0	180 0 0	260 0 0	996 3 11		
1,642 19 5	295 19 0	955 2 6	...	...	...	...	...	...	...	...	...	...	...	...	...	36 1 8	
495 1 0	1,001 12 0	964 2 6	...	...	...	...	...	...	...	...	...	...	...	...	544 0 0	960 13 5½	
188 2 0	250 14 0	175 14 6	...	...	...	...	...	...	...	...	...	...	...	160 0 0	199 8 0		
78 6 0	73 16 0	132 9 0	...	...	...	...	...	...	...	...	...	...	...	45 0 0	31 13 4		
944 10 0	627 12 4	511 9 6	...	...	...	...	...	...	...	...	...	...	...	295 0 0	633 0 9		
651 5 10	906 3 0	389 5 6	180 0 0	180 0 0	225 0 0	180 0 0	180 0 0	180 0 0	180 0 0	180 0 0	180 0 0	180 0 0	180 0 0	320 0 0	700 5 8		
977 18 6	723 7 0	451 9 3	90 0 0	90 0 0	90 0 0	90 0 0	90 0 0	90 0 0	90 0 0	90 0 0	90 0 0	90 0 0	90 0 0	165 0 0	524 0 4		
376 6 0	215 5 0	209 14 6	...	...	...	...	...	...	...	...	...	...	...	853 0 0	495 11 10		
815 15 0	536 7 6	512 10 10	...	...	...	...	...	...	...	...	...	...	...	236 0 0	125 0 0		
324 1 0	196 4 0	158 0 6	...	...	...	...	...	...	...	...	...	...	...	...	...	590 4 4	
790 13 0	393 6 0	351 3 6	...	...	...	...	...	...	...	...	...	...	...	700 15 0	942 0 0		
245 14 0	127 17 0	133 0 0	...	...	...	...	...	...	...	...	...	...	...	230 0 0	232 7 0		
782 2 0	1,956 14 0	210 0 0	1,448 4 0	1,407 9 0	2,149 3 11	954 0 0	180 0 0	180 0 0	180 0 0	180 0 0	180 0 0	180 0 0	180 0 0	180 0 0	1,830 12 4		
639 16 0	341 7 0	358 13 0	...	...	...	...	...	...	...	...	...	...	...	191 5 0	465 8 1		
314 11 0	117 0 0	132 15 0	...	...	...	...	...	...	...	...	...	...	...	281 0 0	281 0 0		
894 10 0	416 2 0	408 12 6	...	...	...	...	...	...	...	...	...	...	...	140 0 0	220 0 11		
1,591 4 0	3,342 4 10	307 19 0	803 4 9	797 17 6	1,079 10 0	712 0 0	1,481 2 3	1,843 3 11									
491 1 0	143 18 0	216 17 0	...	...	...	...	...	...	...	...	...	...	...	294 0 0	599 7 0		
452 1 0	215 9 0	258 9 0	...	...	...	...	...	...	...	...	...	...	...	260 10 0	348 7 5		
1,059 19 7	557 4 0	505 16 0	...	...	...	...	...	...	...	...	...	...	...	193 10 0	366 6 9		
700 17 0	316 3 0	232 13 10	...	...	...	...	...	...	...	...	...	...	...	317 10 0	394 12 3		
452 4 0	302 3 6	226 17 6	...	...	270 0 0	180 0 0	180 0 0	180 0 0	180 0 0	180 0 0	180 0 0	180 0 0	180 0 0	180 0 0	180 0 0		
1,690 18 5	649 16 0	414 3 0	...	...	270 0 0	135 0 0	145 0 0	45 0 0	905 0 0								
1,354 12 3	693 17 0	751 1 6	180 0 0	90 0 0	90 0 0	180 0 0	905 0 0										
717 2 0	1,187 8 0	391 2 6	238 10 0	198 0 0	130 10 0	130 10 0	192 10 0	506 19 11									
499 17 0	1,282 10 0	251 16 1	180 0 0	180 0 0	180 0 0	225 0 0	380 5 0	656 12 7½									
262 16 0	61 5 0	139 13 0	...	...	...	...	...	274 0 0	429 19 11								
928 2 0	555 15 0	461 17 0	...	...	...	...	...	640 0 0	1,073 0 0								
415 4 0	230 11 0	237 14 0	...	...	...	...	...	643 12 6	555 11 0								
303 8 9	168 16 0	184 5 6	...	...	...	...	...	358 16 9									
336 2 0	196 2 0	283 7 4	...	...	...	...	...	86 5 0	365 11 6								
25,611 13 3	22,431 16 4	12,648 1 1	3,389 18 9	3,753 6 6	4,529 3 11	3,066 10 0	11,152 19 9	20,238 18 5½									

W. B. ROBINSON,  
Inspector General.



## ESTIMATE

OF

## CERTAIN EXPENSES OF THE CIVIL GOVERNMENT

OF THE

## PROVINCE OF CANADA

FOR THE YEAR 1845, FOR WHICH A SUPPLY IS REQUIRED.

SERVICE.	Currency.			Currency.		
	£	s.	d.	£	s.	d.
<i>Adjutant General of Militia—Canada East.</i>						
Salary of the Adjutant General.....	500	0	0			
Do do First Clerk to do at 7s. 6d. per diem.....	136	17	6			
Do do Second do at 5s. do .....	91	5	0			
Do do Provincial Aide-de-Camp.....	200	0	0			
Contingent Expenses of Postages, Printing, Stationery, Messenger, &c.....	100	0	0			
						1028 2 6
<i>Canada West.</i>						
Salary of one Clerk.....	170	0	0			
Contingent Expenses.....	50	0	0			
						220 0 0
<i>Expenses of Legislature.—Legislative Council.</i>						
Salary of the Clerk.....	500	0	0			
Do of Two Assistant Clerks.....	700	0	0			
Do of the Clerk of Committees, Law Clerk and English Translator.....	250	0	0			
Do do French Translator.....	225	0	0			
Do do Gentleman Usher of the Black Rod.....	100	0	0			
Do do Sergeant at Arms.....	100	0	0			
Do do Chaplain and Librarian.....	200	0	0			
Do do Door Keeper.....	60	0	0			
Do do Head Messenger.....	100	0	0			
Do do Three Messengers for the Session at £45 each.....	135	0	0			
Contingent Expenses.....	6666	13	4			
						9036 13 4
<i>Legislative Assembly.</i>						
Salary of the Speaker from 28th November to 31st December, 1844 at £1000 per annum.....	£	93	3	0		
For the year 1845.....	1000	0	0			
				1093	3	0
Salary of the Clerk.....	500	0	0			
Do do Assistant Clerk.....	400	0	0			
Do do English Translator and Law Clerk.....	350	0	0			
Do do French Translator and Law Clerk.....	250	0	0			
Do do Sergeant at Arms.....	100	0	0			
Do do Clerk of the Crown in Chancery.....	150	0	0			
Contingent Expenses including Sessional Allowance to Members.....	19400	0	0			
						22243 3 0
<i>Pensions to Officers and Servants of the late Legislative Bodies of the two portions of the Province.</i>						
William Smith as late Clerk of the Legislative Council of Lower Canada, and Master in Chancery.....	393	6	8			
William Ginger as late Sergeant at Arms to do.....	66	13	4			
Louis Noreau as Messenger to do.....	20	0	0			
L. B. Pinguet as Clerk of Committees to the House of Assembly, Lower Canada.....	66	13	4			
Samuel Waller as do do do do.....	100	0	0			
David Jardin as do do to do in Upper Canada.....	133	6	8			
William Coates, the same.....	133	6	8			
Jasper Brewer as late Librarian to do Lower Canada.....	133	6	8			
François Rodrigue as Messenger to do do.....	18	0	0			
Louis Gagné as do to do do.....	18	0	0			
Pierre Lacroix as do to the Legislative Council, Lower Canada, from 1st October, 1841 to 31st December, 1845, at £18 Currency, per annum.....	76	10	0			
Joseph Bolduc, the same.....	76	10	0			
						1235 13 4
Carried over.....			£			33763 12 2

Appendix  
(Q.Q.)

## ESTIMATE of Certain Expenses of the Civil Government, &amp;c.—Continued.

Appendix  
(Q.Q.)

1845.

1845.

SERVICE.	Currency.			Currency.		
	£	s.	d.	£	s.	d.
<i>Brought over</i> .....				33763	12	2
<i>For the Promotion of Education.</i>						
Salary of the Secretary of the Royal Institution for the advancement of Learning for 1845.	100	0	0			
Allowance to do for a Clerk, Messenger and Contingencies.....	67	15	7			
Salary and Allowance for House Rent to the Master of the Grammar School at Montreal for 1845.....	282	4	6			
	£	s.	d.			
Aid towards the Support of the National School at Quebec for 1845.....	111	2	3			
Balance for 1844.....	83	6	8			
				194	8	11
The same at Montreal for 1844.....	111	2	3			
Amount for 1845.....	111	2	3			
				222	4	6
To the Society of Education at Quebec for 1844.....	280	0	0			
Do do do for 1845.....	280	0	0			
				560	0	0
To the Education Society at Three Rivers for 1844.....	100	0	0			
Do do do for 1845.....	100	0	0			
				200	0	0
To the British and Canadian School at Quebec for 1844.....	200	0	0			
Do do do for 1845.....	200	0	0			
				400	0	0
The same Montreal for 1844.....	200	0	0			
Do do for 1845.....	200	0	0			
				400	0	0
To the St. Andrews School at Quebec for 1844.....	100	0	0			
Do do do for 1845.....	100	0	0			
				200	0	0
To the Montreal Recollet School for 1844.....	60	0	0			
Do do do for 1845.....	60	0	0			
				120	0	0
To the St. Jacques School at Montreal, balance for 1844.....	150	0	0			
Do do do for the year 1845.....	200	0	0			
				350	0	0
To the Montreal American Presbyterian Free School for 1844.....	100	0	0			
Do do do do for 1845.....	100	0	0			
				200	0	0
To the College of Ste. Anne de la Pocatière for 1844.....	200	0	0			
Do do do for 1845.....	200	0	0			
				400	0	0
To the College of St. Hyacinthe, balance of 1844.....	150	0	0			
Do do for the year 1845.....	200	0	0			
				350	0	0
To the College at Chambly, balance for 1844.....	150	0	0			
Do do for the year 1845.....	200	0	0			
				350	0	0
To the College at L'Assomption for 1844.....	100	0	0			
Do do for 1845.....	100	0	0			
				200	0	0
For the Salary of the Teacher of the Academy at Berthier for 1844.....	100	0	0			
Do do do do for 1845.....	100	0	0			
				200	0	0
Aid to the Academy at Charlestown for 1844.....	100	0	0			
Do do do for 1845.....	100	0	0			
				200	0	0
Aid to the Stanstead Seminary for 1844.....	100	0	0			
Do do do for 1845.....	100	0	0			
				200	0	0
Aid to the Shefford Academy for 1844.....	100	0	0			
Do do do for 1845.....	100	0	0			
				200	0	0
Aid to the Sherbrooke Academy, balance for 1844.....	83	6	8			
Do do do for 1845.....	111	2	2			
				194	8	10
Aid to the Rev. Andrew Balfour's School at Waterloo in Shefford for 1844.....	100	0	0			
Do do do do do for 1845.....	100	0	0			
				200	0	0
Aid to the Master of the School under the Royal Institution at Three Rivers for 1844.....	45	0	0			
Do do do for 1845.....	45	0	0			
				90	0	0
Aid to the British North American School Society at Sherbrooke for 1844.....	50	0	0			
Do do do do do for 1845.....	50	0	0			
				100	0	0
Aid to the Upper Canada College for 1844.....	1111	2	2			
Do do do for 1845.....	1111	2	2			
				2222	4	4
Aid to the Victoria College for 1844.....	500	0	0			
Do do for 1845.....	500	0	0			
				1000	0	0
<i>Carried forward</i> .....	£			9203	6	8
				33763	12	2

Appendix  
(Q.Q.)

## ESTIMATE of Certain Expenses of the Civil Government, &amp;c.—Continued.

Appendix  
(Q.Q.)

1845.

1845.

SERVICE.	Currency.	Currency.
	£ s. d.	£ s. d.
<i>Brought forward</i> .....	9203 6 8	32763 12 2
<i>For the Promotion of Education.</i>		
Aid to the High School in Durham Village, Missisquoi for 1844.....	£ 100 0 0	
Do do do do for 1845.....	100 0 0	
Aid to the Infant School at Quebec for 1844.....	55 11 1	200 0 0
Do do do for 1845.....	55 11 1	
Aid to the Medical Faculty of McGill College for 1844.....	500 0 0	111 2 2
Do do do for 1845.....	500 0 0	
For the Salary of the Assistant Superintendents of Education for 1845.....	1000 0 0	
Contingent Expenses of do .....	750 0 0	
	560 0 0	11824 8 10
<i>Various Public Institutions.</i>		
Aid to the Literary and Historical Society at Quebec, for 1844.....	£50 0 0	
Do do do for 1845.....	50 0 0	
Aid to do to enable them to procure old Historical Documents from Europe.....		100 0 0
Aid to the Natural History Society of Montreal for 1844.....	£50 0 0	200 0 0
Do do do 1845.....	50 0 0	
Aid to the Mechanics Institute at Quebec, for 1844.....	£50 0 0	100 0 0
Do do do for 1845.....	50 0 0	
Do do at Montreal for 1844.....	£50 0 0	100 0 0
Do do do for 1845.....	50 0 0	
Aid for the Support of the Provincial Penitentiary at Kingston.....	100 0 0	13300 0 0
	12700 0 0	
<i>Hospitals and other Charities.</i>		
To the Commissioners for the relief of Insane Persons, relief of Foundlings and Indigent Sick Persons, in the District of Quebec.....		1950 0 0
Do for do do in the District of Montreal, Balance for 1844.....	£ 639 0 0	
Do for do do do do do for the year 1845.....	1281 0 0	
The same in the District of Three Rivers, including £100 for Insane from the District of St. Francis.....		1920 0 0
To the Corporation of the General Hospital at Montreal towards their expense, Balance of 1844.....	£ 750 0 0	860 0 0
Do of do for the year 1845.....	1000 0 0	
To the Managers of the Protestant Female Orphan Asylum at Quebec, Balance of 1844.....	£ 75 0 0	1750 0 0
Do of the do at do for the year 1845.....	100 0 0	
To the Ladies of the Benevolent Society at Montreal, for Widows and Orphans, for 1844.....	£100 0 0	175 0 0
Do do do for 1845.....	100 0 0	
To the Roman Catholic Orphan Asylum at Quebec, for 1844.....	£100 0 0	200 0 0
Do do do do for 1845.....	100 0 0	
To the Montreal Protestant Asylum for 1844.....	£100 0 0	200 0 0
Do do do for 1845.....	100 0 0	
To the Male Orphan Asylum at Quebec, Balance for 1844.....	£ 75 0 0	200 0 0
Do do do for the year 1845.....	100 0 0	
To the Charitable Association of the Ladies of the Roman Catholic Orphan Asylum at Montreal, for 1844.....	£100 0 0	175 0 0
Do do do for 1845.....	100 0 0	
Towards the support of the Temporary Lunatic Asylum, Montreal, for 1845.....		200 0 0
Do do same at Toronto.....		1000 0 0
Do do support of the Toronto General Hospital for 1844.....	£500 0 0	2250 0 0
Do do do do do for 1845.....	500 0 0	
To the Toronto House of Industry for 1844.....	£350 0 0	1000 0 0
Do do do for 1845.....	350 0 0	
Aid for the relief of Indigent Sick at Kingston for 1844.....	£350 0 0	700 0 0
Do do do do for 1845.....	350 0 0	
	700 0 0	13280 0 0
<i>Miscellaneous.</i>		
Salary of French Translator of the Laws at £250, Cy. per annum, from 17th Dec. 1844.	260 5 6	
Salary of the Inspector of Chimnies at Three Rivers.....	27 15 6	
Allowance for three Keepers of Depots of Provisions on the St. Lawrence, with a view to the relief of shipwrecked persons.....	150 0 0	
<i>Carried over</i> .....	£ 438 1 0	72168 1 0

Appendix  
(Q.Q.)

## ESTIMATE of Certain Expenses of the Civil Government, &amp;c.—Continued.

Appendix  
(Q.Q.)

1845.

1845.

SERVICE.	Currency.			Currency.		
	£	s.	d.	£	s.	d.
<i>Brought over</i> .....	438	1	0	72168	1	0
<i>Miscellaneous.—Continued.</i>						
Allowance to Pierre Brochue, for residing on the Kempt Road with a view to assisting Travellers on the Road.....	25	0	0			
Expenses of Quarantine Establishments at Quebec and Grosse Isle.....	1800	0	0			
For Printing Laws, and other Printing for the Public Service.....	4500	0	0			
Expenses of distributing the Laws.....	300	0	0			
Balance for Printing Revised Statutes of Lower Canada.....	1100	0	0			
For the ordinary Repairs, Alterations and Care of Public Buildings.....	2000	0	0			
Unforeseen expenses in the various branches of the Public Service.....	500	0	0			
Expense of Euegistering such Public Documents as may require Euegistration.....	150	0	0			
Contingent Expenses of the Clerk of the Crown in Chancery—						
Balance for 1844.....	£107	18	11			
" " 1845.....	100	0	0			
				237	18	11
Assessments on Public Buildings and Lots within the Cities of Quebec and Montreal, imposed by the Corporations of these Cities instead of the Rates established by the Provincial Act 36 Geo. 3. cap. 9,—						
For 1844.....	£120	11	3			
" " 1845.....	566	17	0			
For 1844.....	987	8	3			
For both in 1845.....	1000	0	0			
				1987	8	3
Expenses of the Feudal Tenure Commission.....	1500	0	0			
Additional Salary to the Interpreters of the Courts at Quebec and Montreal.....	70	0	0			
Proportion of Expenses of keeping Light Houses on the Isles of St. Paul and Seataric, 1844 and 1845.....	1200	0	0			
To pay a Balance of Rent of Apartment for holding the effects belonging to the late Normal School Establishment at Montreal, until transferred to the charge of the College of St. Hyacinthe.....	9	8	8			
Expenses incurred by the Commissioners for the Improvement of Inland Waters of New Castle District, under Provincial Act 3 Will. 4, amount of Debentures issued by the Commissioners.....	£2000	0	0			
Dated 3rd June, 1833, Interest from that date to 2nd June, 1845, 12 years, at 6 per cent.....	1440	0	0			
				3440	0	0
To enable John McDonald, President of the Board of Commissioners for Improving the Navigation of the River St. Lawrence, to liquidate claims for Land damages, Allowances to Commissioners for attendance, Engineers Salary, Labor, &c.....	4328	3	1			
To enable the Trustees of the Longueuil and Chambly Turnpike Road, to meet demands against them, and for other purposes.....	1500	0	0			
Amount of claims of C. R. Ogden, for services as late Attorney General in Lower Canada, previous to 1841.....	271	16	1			
Do of Charles Shiller, for service of Subpoenas for the Criminal Term at Montreal in 1838. Further Expenses for establishing the Boundary Line between the Province and New Brunswick.....	158	2	3			
To reimburse W. Evans, Esq. so much paid by him for Insurance on the French Copies of his Treaties on Agriculture belonging to the Province and intended for distribution in Lower Canada.....	574	5	10			
To enable the Government to pay to James Hollowell, Advocate at Sherbrooke, acting for the Attorney General in conducting certain Causes on the part of the Crown in 1836, 1837 and 1838.....	10	0	0			
To pay the claims of Messrs. Quesnel, Cherrier & Fisher for their services in an enquiry into the charges preferred by Mr. White against Mr. Badgley as Commissioner of Bankrupts.....	78	6	5			
To refund to Henry Smith of Chatham, the amount of duty paid by him to the Collector of Goderich in 1840, under peculiar circumstances, on a quantity of Whiskey manufactured at Goderich in this Province.....	34	5	0			
To enable the Chairman of the Quarter Sessions of the Peace at Three Rivers, to defray the expense of Publishing new Police Regulations for the Town of Three Rivers.....	29	15	10			
And to repair and furnish the Chamber.....	£25	0	0			
	50	0	0			
				75	0	0
To refund to the District of Talbot, so much overpaid to the Provincial Treasury for Members wages for the year 1841.....	63	15	0			
To pay the claims of Messrs. Hall and Thorburn as Commissioners for works on Roads and Bridges in Canada West, under Acts 7 W. IV. cap. 107, and 2 Vic. cap. 56.....	369	9	2			
To liquidate the claim of Jos. Ouellet for taking the Census of the County of Rimouski in 1831.....	71	15	10			
Pension to Jean Brien for having been wounded during the winter of 1838, from 27th February, 1843 at £20 per annum, to 31st December, 1845.....	56	17	7			
Difference of Salary to Geo. Hamilton for the year 1839, as Clerk in the Receiver General's office, between £150 and £170 arising from some inadvertence or error.....	20	0	0			
For compensation to Peter Fleming, for his expenses preparatory to a survey of the South Petite Nation River.....	33	15	0			
Expenses consequent on removal of Seat of Government.						
Balance of expenses, additions and repairs to Monklands the residence of His Excellency the Governor General.....	1005	7	0			
Do of alterations, &c. to Parliament House.....	188	10	9			
Do of do to Old Government House and other Buildings and Government Offices, Furniture, &c.....	1041	1	0			
				2934	8	9
<i>Carried forward</i> .....	£			29529	2	8
				72168	1	0

Appendix (Q.Q.)

ESTIMATE of Certain Expenses of the Civil Government, &c.—Continued.

Appendix (Q.Q.)

1845.

1845.

SERVICE.	Currency.	Currency.
	£ s. d.	£ s. d.
<i>Brought forward</i> .....	29528 2 8	72168 1 0
<i>Miscellaneous.—Continued.</i>		
Freight, Postage, Packing Cases, &c.....	31 12 8	
As an extra allowance in favor of L. C. Clement for having taken the Census of the County of Saguenay.....	8 0 0	
To procure a set of Standard Weights and Measures for the District of Quebec to replace those which were destroyed by fire in 1840.....	185 0 0	
To enable the Commissioners for the House of Correction at Three Rivers, to liquidate certain debts contracted by them and to procure working tools and materials.....	95 0 0	
For travelling allowance for Circuits to the Judges in Lower Canada for 1844 and 1845...	2500 0 0	
For addition to the Salary of the Warden of the Provincial Penitentiary for 1845.....	100 0 0	
Allowance to J. Noble for residing on the Kempt Road with a view to the assistance of Travellers.....	25 0 0	
For the support of the newly established School at Three Rivers, being the amount included in the estimate of 1842 and 1843, as an aid to the Society of Education at that place, but not drawn from the Public Chest, and in addition to the sum for that Institution included in the former part of this estimate, to assist the Inhabitants in paying expenses they have incurred.....	200 0 0	
As an aid for the support of a Female School at the Village of Lorette near Quebec.....	50 0 0	
To the Hon. C. W. Grant for the value of articles of Furniture missing at Alwington House at Kingston, the late residence of the Governor General.....	125 8 1	
For remunerating the Commissioners for the revision of the Statutes of Upper Canada....	600 0 0	
The same in Lower Canada.....	500 0 0	
To pay a balance due to the Contractors for Presqu'Isle and Gull Island Light House....	269 10 3	
To provide for Religious Instruction in the Provincial Penitentiary.....	200 0 0	
To Lieut. Col. Fitzgibbon, in lieu of the grant of land recommended to be made to him by the Legislature of Upper Canada.....	1000 0 0	
To James Louney, to indemnify him for losses incurred in consequence of unavoidable delays in commencing his operations as Contractor on the Cascades Road.....	140 0 0	
		35557 13 8
<i>For Public Works.—Canada East.</i>		
For the Improvement of portions of the Road between the Cascades and Vaudreuil and thence across Isle Perrault to Ste. Anne's.....	1200 0 0	
For building a Bridge over the Champlain, in a dangerous state at present—total £1,000, required for this year.....	500 0 0	
For building Bridge at Jacques Cartier, about 300 yards below the present one, and improving the approaches thereto—total cost £3,500, for this year.....	2500 0 0	
For the improvement of parts of the Kennebec Road.....	3000 0 0	
For works connected with the Gaspé Roads, viz:—Expenses of the Gaspé Road from Percé Point to the settlements on Gaspé Basin; do from Little River Ristigouche to the mouth of the Metapédic. Construction of the Metis and Ristigouche Bridges, repairs of the Kenmore Bridge and of the Road in Percé—total expense £8,564 required this year.....	4000 0 0	
For Improvements to the <i>Chemin des Caps</i> —total £1,500 for this year.....	1000 0 0	
For building the following Bridges on the road south of the St. Lawrence, over the Etchemin, the Nicolet, Becancour, Godfroi and Chateauguay Rivers—total cost £14,000 required this year.....	6700 0 0	
For opening the "Arthabaska Road," from the Gosford Road in Halifax, and terminating in the Melbourne and Kingsey Road, thereby opening the Townships of Warwick, Somerset, Chester, Arthabaska and Tingwick, including a branch therefrom to the St. Lawrence, in Gentilly through Stanbold and Blandford and the building of a Bridge over the St. Francis at Melbourne—total £12,500 required this year.....	5000 0 0	
For the improvement of the Stage Road between St. Johns in the District of Montreal and Stanstead in the District of St. Francis, planking or otherwise improving that portion of it between St. Johns and Stanbridge, Upper Mills, and improving sundry portions including the Sutton and Potton Mountain Road—total cost £15,800 required for this year.....	6000 0 0	
For the Main Eastern Townships Road from Chambly by Granby, Stakeby, Shefford, the Outlet Barford and Hereford to the Province Line, with branches to Stanstead and Sherbrooke for this year, towards the planking of that portion between Chambly and Granby and the improvement of sundry other parts of the line in grading and forming, there is required.....	8000 0 0	
To cover the cost of an examination, preparation of Estimates, &c. of the Montreal and Grenville Road by St. Eustache, St. Andrews, &c., preparatory to the general improvement thereof; also of an examination and preparation of Estimates for the improvement of the Roads from the St. Lawrence at St. Thomas, to the boundary line near the north-west branch of the river St. Johns; also of Survey and Estimate of the construction of Harbours at each of the following places, viz: St. Thomas, Berthier, Kamouraska, St. Michel, L'Islet and Rivière-du-Loup.....	600 0 0	
		38500 0 0
<i>Canada West.</i>		
For present repairs to the Chatham Bridge.....	100 0 0	
For Improving the Grand River Swamp Road—total, £10,000 required this year.....	9000 0 0	
For Improving Rouge Hill and Bridge, also another Bridge and Hill east of the former—total £6,500 required this year.....	5000 0 0	
For Belleville Bridge.....	1500 0 0	
For the completion of the Dover Road over the Mountain to the limits of the Town of Hamilton and erection of Toll Gates.....	5500 0 0	
		21100 0 0
<i>Carried over</i> .....	£ 21100 0 0	146225 14 8



Appendix  
(Q.Q.)

## ESTIMATE of Certain Expenses of the Civil Government, &amp;c.—Continued.

Appendix  
(Q.Q.)

1845.

1845.

SERVICE.	Currency.			Currency.		
	£	s.	d.	£	s.	d.
<i>Brought over.....</i>	21100	0	0	146225	14	8
<i>Public Works.—Canada West.—Continued.</i>						
For the Improvement of the Road from L'Original to Bytown by Hatfield, Gifford, Buckworth and Green's Creeks, as Surveyed and Estimated, together with the building a Bridge across the narrow channel at the mouth of the Rideau, on the line of the road from the Gattineau Ferry to Bytown—total cost £5,939 required this year.....	3000	0	0			
Owens Sound Road, comprehending the line from Dundas by Guelph to Owen's Sound direct (this sum being for the chopping, clearing, drawing and forming of the portion not yet opened, and towards the lowering of Hills or otherwise improving such bad parts of the line between Nicolet and Dundas as most requires it).....	4000	0	0			
For opening the Road throughout from Lake Ontario at Windsor Harbor to Georgina Bay on Lake Huron, this sum being for the opening of the Road from the head of Seungog Road to the Narrows Bridge.....	2000	0	0			
For Improving Queenstown and Grimsby Road, for laying on the Metal already delivered and completing such parts left unfinished as are most advanced, and establishing gates. (To finish the remainder of this communication within the Niagara District will cost £15,000, and that within the Gore District £10,000.)	8000	0	0			
For improving the Trent Navigation, towards the completion of the works now in progress £12,000, for this year.....	6000	0	0			
To cover expense of Surveys, Examination, preparation of Estimates of the cost of improving the Main Province Road across the Ravines of the 12 and 16 mile creeks between Toronto and Hamilton; opening a Road from the Main Road to Port Credit; opening and completing a Road from the Ottawa at Bytown to the St. Lawrence in the most direct line; of opening a Road between Kingston and the Lake des Allumettes on the Ottawa with a branch towards the head of the Bay of Quinté; of opening a Road from the Rideau thence by Perth, Bellamy's Mills, Wabe Lake to fall in with the Road proposed from Bytown to Sydenham; of completing the Desjardins Canal; of constructing the Murray Canal; of overcoming the impediments to the navigation of the River Trent between Heely's Falls and the Bay of Quinté and also for a Survey of the Road from Burrie to Lake Huron through the Townships of Sunnidale and Nottawasaga.....	1000	0	0			
For improving the Amherstburg and Sandwich Road.....	1000	0	0			
For the Cornwall and L'Original Road.....	900	0	0	47000	0	0
<i>Works of a General Character, as connected with the Commerce or Revenue of the Country.</i>						
For forming a Dam across the branch of the Mississippi and forming a Portage Road at the Chats.....	1250	0	0			
For works upon the Ottawa and Roads connected therewith as detailed in the Report of the Board of Works of 3d Feb. 1845, laid before the Legislature—total £21,610 required this year.....	8500	0	0			
For building a Landing Wharf with stairs and approaches at the Quarantine Station, Grosse Isle.....	2750	0	0			
For the extension of Piers and Wharf at the Rondeau Harbour—total £5,500 this year..	1000	0	0			
For the extension of Piers and opening inner Basin at Port Stanley Harbour,—Total £6,000 required this year.....	1200	0	0			
For Dredging at Cobourg Harbour.....	500	0	0			
For Expenses of Piers and Dredging at Windsor Harbour.....	2000	0	0			
For Repairs and erection of Light Houses—total £7900 this year.....	5000	0	0			
For the formation of a deep Water Basin at the entrance of the Lachine Canal in the Harbour of Montreal to admit vessels from sea.....	15000	0	0			
For the erection of a Custom House at Toronto.....	2500	0	0			
				39700	0	0
Total Currency.....	..	..	.. £	232925	14	8

INSPECTOR GENERAL'S OFFICE,  
Montreal, 14th March, 1845.W. B. ROBINSON,  
Inspector General.

Appendix  
(Q.Q.)  
1845.

Appendix  
(Q.Q.)  
1845.

GENERAL ESTIMATE

Of the Probable Amount of the Public Expenditure and Net Revenue of the Consolidated Revenue Fund of the Province of Canada for the Year 1844.

HEADS OF EXPENDITURE.		HEADS OF REVENUE.	
Amount Currency.		Amount Currency.	
£ s. d.		£ s. d.	
Interest on Public Debt.....	140000 0 0	Net Customs.....	400000 0 0
Towards the Sinking Fund for redemption of the New Loan, say 4 per cent on £1,300,000 Sterling.....	63266 13 4	Excise.....	35000 0 0
Amount of Civil List.....	83333 6 8	Territorial.....	35000 0 0
<i>Permanent charges provided for by Legislative Enactments.</i>		Light House Duties, Canada West.....	600 0 0
<i>Lower Canada.</i>		Bank Impost.....	10000 0 0
By Act 55 Geo. 3. ch. 10, Pensions to Wounded Militiamen.....	370 0 0	Fees on Militia Commissions, &c.....	50 0 0
“ Act 6 Geo. 4, ch. 8, Fees to Prothonotaries on Returns of Baptisms, Marriages and Burials.....	75 0 0	Fines, Forfeitures, Seizures, &c.....	3200 0 0
“ Act 1 Will. 4. ch. 16, Ground Rent of the Property of the Bishops Palace at Quebec.....	1111 2 2	Casual.....	5000 0 0
“ Act 1 Will. 4. ch. 6, continued by Ordinance 3 Vic. ch. 15, Rewards for the destruction of Wolves.....	150 0 0	From Public Works.....	30000 0 0
“ Act 4 Will. 4. ch. 7, For the encouragement of Agriculture.....	1000 0 0	Interest on Deposits of Public Monies in the Banks.....	4000 0 0
“ Ordinance 2 Vic. ch. 22, House of Correction at Three Rivers.....	100 0 0		
“ Various Acts, Interest on Turnpike Trusts.....	750 0 0	Balance at Credit of Consolidated Fund on the 31st January, 1845.....	183197 5 5
“ Act 2 Vic. ch. 2, Expenses of Police Magistrates, &c., in the cities of Quebec and Montreal.....	900 0 0	<i>Less,</i>	
“ Act 3 Vic. ch. 15, For distributing the Laws.....	150 0 0	Amount Expended on certain Public Works in previous Years not yet covered by an appropriation, and consequently not charged against the Consolidated Fund.....	23063 2 3
<i>Upper Canada.</i>			
Adjutant and Deputy Adjutant General of Militia and Contingencies.....	885 0 0		160134 3 2
District Schools.....	1800 0 0		
Maintenance of Light Houses.....	3000 0 0		
Militia Pensions.....	3600 0 0		
Agricultural Societies.....	3000 0 0		
<i>Under Acts of the Legislature of the Province of Canada.</i>			
4 & 5 Vic. caps. 20 & 38, Deficiency of the Fee Fund in Upper Canada.....	6000 0 0		
“ “ cap. 18, Common Schools.....	80000 0 0		
“ “ cap. 24, Services of Officers of Criminal Courts in behalf of Prisoners in cases of Felony.....	200 0 0		
	389691 2 2	Carried over.....	682984 3 2

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GENERAL ESTIMATE of the Probable Amount of the Public Expenditure, &c.—Continued.

HEADS OF EXPENDITURE.	Amount Currency.	Amount Currency.	HEADS OF REVENUE.	Amount Currency.
	£ s. d.	£ s. d.		£ s. d.
<i>Brought over</i> .....	389691 2 2		<i>Brought over</i> .....	682984 3 2
<i>Under Acts of the Legislature of the Province of Canada.—Continued.</i>				
4 & 5 Vic. cap. 69, Expenses of transporting Convicts to the Provincial Penitentiary.....	300 0 0			
6 Vic. cap. 1 Fees to Returning Officers.....	300 0 0			
7 Vic. cap. 22, For Services by Registrars under this Act.....	300 0 0			
7 Vic. cap. 16, Salaries of Seven Circuit Judges at £500 per annum.....	3500 0 0			
“ “ 17, Salary of One do District of Gaspé.....	500 0 0			
“ “ 16, Contingent expenses of Circuit Court.....	200 0 0			
Total Expenditure provided for.....£	394791 2 2			
Amount of estimate for the Year 1845, of Services to be provided for.....	232925 14 8			
Total Estimated Expenditure.....£	627716 16 10		Total Estimated Funds.....£	682984 3 2

INSPECTOR GENERAL'S OFFICE,  
Montreal, 14th March, 1845.

W. B. ROBINSON,  
Inspector General.

## SECOND REPORT

Of the SPECIAL COMMITTEE appointed to enquire into all matters and things connected with the management and collection of Dues on the Chambly Canal, with power to report from time to time.

YOUR COMMITTEE, in the course of their investigation upon the management of the Canal, have made enquiry into the following case:—

It appears by the evidence taken before them, that Mr. A. M. F. Macrae was appointed Lock-keeper and Collector by the Commissioners of the Chambly Canal, and all the witnesses examined concur in stating that both from capacity and moral character, he was well fitted for the situation: his salary was £60 a year, and three other Lock-keepers who were not Collectors, received £50. When the Board of Works assumed the management of the Canal, he was summarily dismissed, without any reason being assigned, and a Mr. Phelan set to fill his place, at a salary treble the amount of his, to wit, £180 a year,—though it does not appear from any thing in evidence that Mr. Phelan was in any respect better qualified to fill the situation than Mr. Macrae.—Who dismissed him, Your Committee cannot ascertain; the Board of Works say it must have been the Inspector General's Department, and that Department say they know nothing about it.

As Mr. Macrae was engaged by the year, and had served two months, Your Committee think it hard that he has not been paid the balance of his salary for the whole year.

It appears further, that a Mr. Borne has also been appointed a Collector on the Canal, at a salary of £200 per annum.

There is something inexplicable to Your Committee in the way that salaries are apportioned. As already mentioned, three Lock-keepers do the duty for £50 a year each, while Messrs. Borne and Phelan receive £120 a year each, as Collectors,—and as Lock-keeper, the one receives £60, and the other £80 a year.

It further appears that in the economical management of the Canal, under the Commissioners, the gross amount of dues received, was £352 5s. 2d. and that the expenses of management were £274 0s. 3½d. giving a net amount of revenue to the Province of £78 4s. 10½d. Under the management of the Board of Works, it would appear that the gross revenue was £342 0s. 0½d. and the expense of management and collection £534 1s. 6d. leaving a deficiency of £192 1s. 5½d. to be paid out of the general revenues of the Province, besides the interest of the money expended in the construction of the Canal—now amounting to upwards of £9000 a year.

Under all these circumstances, Your Committee are of opinion that the wisest plan would be to resort to the old system employed under the Commissioners, and to render the Canal patent gratuitously to Her Majesty's lieges for some years to come, and thus the public will get into the habit of using it, at a trifling expense to the revenue, (less than £20 per annum,) and, when the public are habituated to it, a reasonable duty on the transit of goods may advantageously be imposed.

The whole nevertheless humbly submitted.

W. DUNLOP,

Chairman.

11th March, 1845.

### MINUTES OF EVIDENCE.

WILLIAM DUNLOP, Esquire, in the Chair.

Saturday, 8th February, 1845.

Mr. A. M. F. Macrae called in; and examined:—

1. Were you in charge of the Chambly Canal?—I was.

2. When were you appointed to that charge, and by whom?—I was appointed on the 18th of April, 1842, by the Commissioners and Engineers.

3. What was your salary?—£60 per annum.

4. When were you deprived of your office, and by whom?—I was deprived of it by Mr. Phelan on the 18th June, 1843, by order of Mr. Killaly, President of the Board of Works.

5. Was there any imputation on your moral character, or your capabilities to perform the duties of your office?—None were mentioned to me.

6. Who succeeded you, and have you any means of knowing at what salary?—Mr. Phelan succeeded me, at a salary of £180 per annum, as I saw in a letter addressed to him.

Monday, 10th February, 1845.

Mr. A. G. Robinson called in; and examined:—

7. Were you employed on the Chambly Canal?—I was employed, as Civil Engineer.

8. Did you know Mr. Macrae?—Yes.

9. Did you appoint him Lock-tender?—Yes; I did so by order of the Commissioners, at a salary of £60 a year.

10. Was there any thing against his moral character, or capability of performing his duties?—No; quite the reverse.

Mr. Leonard H. Dunlop called in; and examined:—

11. Were you on the Chambly Canal at the same time with Mr. Macrae?—Yes.

12. Was there any complaint or imputation against his moral character or capability?—None whatever; he was rather too particular than otherwise.

13. Do you know any thing respecting his appointment?—Yes; he was employed as Clerk of the Works on

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the Canal, and having received a severe injury in the performance of his duty, he was appointed Lock-master. We tried to have him paid for the time he was confined to his bed, but not succeeding in that, he was appointed Lock-master in lieu of it.

Mr. Gough called in; and examined:—

14. Were you employed on the Chambly Canal?—Yes; as Secretary to the Commissioners.

15. Did you know Mr. Macrae; and was there any imputation against his character?—There was no imputation of the kind against him.

16. Did the Commissioners desire you to write for Macrae?—They did so.

17. Where was he at the time?—At Coleau du Lac.

18. Are you aware that Tolls were collected on the Canal under the Commissioners?—I am.

19. Who collected them?—Mr. Macrae collected them, and handed them to Mr. Macrae, of St. Johns, who acted, latterly, as Chairman of the Commissioners.

20. By what authority were they collected?—By no regular authority, but by a sort of understanding with the persons using the Canal.

21. Was that arrangement sanctioned in any way by Government?—Not that I am aware of; but the Tolls were regularly accounted for to Government.

22. Were the Officers employed on the Canal under the Commissioners, given to understand that they would be continued under the Executive?—They certainly expected that they were to have a preference, and they would necessarily require confirmation by the Board of Works.

23. Did Mr. Macrae collect Tolls under the Board of Works?—He did collect for a short period after the Canal was given up by the Commissioners, but I am not aware that he did so under any authority from the Board of Works.

24. Did you receive from him any monies so collected?—There was upwards of £30 handed to me by Mr. Macrae; but as Mr. Borne had been appointed Collector, and was then acting, I advised him to pay it to him.

Mr. Peter Redpath called in; and examined:—

25. What were your duties on the Chambly Canal?—I was Superintendent of the Works.

26. Did you know Mr. Macrae?—Yes.

27. Was he considered competent for the office he filled?—I never heard any complaint against him, either as to efficiency or moral character.

28. Do you conceive that he did his duty conscientiously, and well?—Yes, he did; and was always willing to assist others in their duty.

29. Do you know what salary he received?—I believe it was £60 a year.

Tuesday, 11th February, 1845.

Joseph Cary, Esquire, Deputy Inspector General, called in; and examined:—

30. Are Collectors of Tolls upon Canals under your Department?—No; the Board of Works appoints them, and gives them instructions, and they account to us.

31. Do you not furnish them with a Tariff of Tolls?—The Tariff is, I believe, framed by the Board of Works, and finally approved of by the Executive Council.

32. Were there not some monies received by the Government before the Canal was placed under the Board of Works?—Yes; there were monies received in 1841.

APPENDIX.

RETURN of the Establishment of the Chambly Canal.

Names of persons employed.	Office or Employment.	Amount of Salary, per annum, Currency.			Remarks—When appointed, &c.
		£	s.	d.	
Michel Borne,...	Collector of Tolls, Harbour and Lock-Master at Chambly,.....	200	0	0	31st May, 1843; Salary, £120 as Collector—£80 as Lock-Master: 31st May, 1843; Salary, £120 as Collector—£60 as Lock-Master. } Employed in 1843. 12th July, 1844.
Daniel Phelan,...	Collector of Tolls and Lock-Master at St. Johns,.....	180	0	0	
Michael Dec,.....	Lock Tender, Lock No. 2,.....	50	0	0	
Antoine Moreau,	Do. do. No. 3,.....	50	0	0	
John Brennan,...	Do. do. No. 4,.....	50	0	0	
		£ 530	0	0	

N.B.—The Salaries of the Collectors at Chambly and St. Johns (Messrs. Borne and Phelan) cover the payment of an assistant Lock Labourer at Chambly and St. Johns, respectively, since January, 1844.

The foregoing Establishment was that fixed on by Report of Chairman of Board of Works, 6th Jan., 1844.

INSPECTOR GENERAL'S OFFICE,  
Montreal, 13th January, 1845.

JOS. CARY,  
D. I. G.

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## R E P O R T.

THE SPECIAL COMMITTEE to which was referred the Petition of the Mayor, Aldermen and Citizens of the City of Montreal, praying for amendments to the Ordinances incorporating the said City, and also various other Petitions on the same subject—have the honor to REPORT:—

THAT having given their attentive consideration to the several Petitions referred to them, having examined witnesses in reference to the facts enunciated, and the prayers set forth in them separately, and having reduced the evidence obtained in writing, Your Committee are of opinion, that it is advisable the Ordinance 4 Vict. c. 36, incorporating the City of Montreal, and the Ordinance 4 Vict. c. 32, amending the same, should be superseded by a new Act embodying the provisions of both Ordinances, with the exceptions, modifications and additions herein mentioned.

Your Committee are of opinion that, as prayed for by the Mayor, Aldermen and Citizens of Montreal, it is desirable to add the payment of a rent of at least Eight pounds currency, per annum, to the existing qualification required by law, of every person voting as a tenant at the election of a Councillor and Assessor in the said City.

Your Committee are of opinion that, as prayed for by the said Petitioners, the Mayor, Aldermen and Citizens of Montreal, it will be important that a provision be introduced into the suggested new Act, to deter persons from hereafter wearing any flag, ribbon or cockade, or any other badge or mark whatsoever to distinguish them as supporting any particular Candidate at any election of a Councillor or Assessor in the said City, and from impeding or disturbing any election by violence, menace, or malicious practice; and from preventing any elector from giving his vote at any such election according to his wish or desire; and that it will be advisable to enforce the observance of such provision, by forfeiture of the penalty of ten pounds, or imprisonment for a period not exceeding three months.

It has been hitherto found impracticable to carry out the provisions supplied by law, for the Registration of voters for Councillors and Assessors in the said City, and the granting certificates of qualification, inasmuch as one of the qualifications prescribed is residence in the City and a particular Ward for a specific term next before the day of election, thus rendering it impossible for the required residence being determined, or the qualification of the voter perfected, till the moment the election commences.

Your Committee are of opinion this difficulty would be obviated by the length of residence being made to terminate (as prayed for by the Petitioners,) at a period antecedent to the day of election, and so as to allow of a sufficient interval for the registration of the names of voters, and the granting of certificates of qualification.

In connexion with this subject, Your Committee are of opinion it would be desirable to introduce into any new law, granted to the Petitioners, a declaratory provision defining the amount of property, or the quantum of annual rental, necessary to qualify co-proprietors and co-partners as voters in this respect.

It is necessary, for the purpose of arriving hereafter at a more correct estimate of the value of property lia-

ble to assessment in the City of Montreal, than it has been hitherto possible to attain, that the number of Assessors in each Ward of the City should be augmented from one to three; and Your Committee concur in opinion with the Petitioners, that two of the said three Assessors should be hereafter annually elected by the Citizens, and that the third should be appointed by the Council. Provision should likewise be made, Your Committee humbly conceive, that the Assessors should not hereafter base their proceedings upon a fancied value or rental as at present; but that they be required to assess on the interest of the actual value or positive rent paid by the tenants; and when houses are occupied by the proprietors, that they should be assessed for the rent which, in the opinion of the Assessors, could be obtained for them at the time, were they offered to be let.

Much inconvenience having been annually experienced from a defect in the existing law, whereby the Mayor's term of office is made to expire before the election of his successor; Your Committee respectfully suggest that it be hereafter provided that the Mayor of the City of Montreal be and remain in office, not only till the election of his successor, but likewise until the latter shall have been sworn in. A qualification, —to be sworn to—by Auditors, should be provided in any new Act to be allowed the Petitioners, similar to that required of Assessors or Councillors.

Your Committee are of opinion with the Petitioners, that the authority to a magistrate, to grant an order on the Treasurer of the City to pay monies provided for in the 33rd section of the Ordinance 4 Vict. cap. 36, is unnecessary, and might be attended by inconvenience; and should consequently be repealed.

Experience having shewn that the periods (May and November) at which the accounts of the Treasurer of the City of Montreal are now required to be made up, were injudiciously chosen, no objection can exist, your Committee humbly conceive, to having the financial year made to terminate hereafter on the fifteenth day of the month of February; or to having the Treasurer's yearly statement of accounts made up to and exhibited at that date.

Your Committee are further of opinion, that it would be highly desirable that all future elections of Councillors be held on the first Monday in the month of March.

The confusion of terms complained of in the 37th Section of the 4th Vic. chap. 36, Your Committee are of opinion, would be removed by the substitution of the word "Holidays" for "Sunday."

Your Committee are of opinion, that the Council of the City of Montreal should be empowered to impose fine or imprisonment, separately, for the violation or disregard of its Bye-laws; and that the doubts existing on this head, which have led to the opinion, that the said Council is obliged to impose both fine and imprisonment in every case, should be forthwith removed.

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In the opinion of your Committee, it is highly desirable to provide that in the absence of owners of property within the City, liable to assessment, the payment of such assessment by the tenant should be legally binding against the proprietor; and in the event of the absence of the latter, and the non-payment of such assessment by an agent or other person on his behalf, provision should be made that an increase of ten per cent should annually accrue upon and be made to all arrears of assessment due on said property; and that after the lapse of five years without payment of the said assessment, the said property, or a sufficient portion thereof, if it be easily susceptible of division, should, after six months' notice in the usual form, be sold by the Sheriff of the District of Montreal in payment and liquidation of the said assessment, and the said per centage due thereon; provided that the monies levied by the said Sheriff be duly returned before the Court of Queen's Bench, for the proper distribution and disposal thereof according to law, and that any balance remaining in the hands of the Sheriff, unappropriated and unclaimed on behalf of the proprietor of the property sold, be paid over to the said Council of the said City of Montreal, to remain in its hands at interest, till legally called for by the party or parties having a right thereto.

Your Committee are not of opinion that the authority asked for by the Petitioners should be granted them, to compel the proprietors of property enhanced in value by any particular improvement made by the Council, and the proprietors of all other property in the neighbourhood augmented in value by the said improvement, to contribute 25 per cent of the increased value of their property towards the cost of the said improvement.

Your Committee are, however, of opinion, that all ambiguities should be removed from the terms of the 32nd Section of the Ordinance, 4th Vic. cap. 32, so that nothing therein contained shall defeat or delay the right of the Corporation to have the value of any property required for public improvements determined by a Jury in the manner provided for in and by the said Section; and that it may appear the mode of having the said value determined by arbitration, adverted to in the first part of the said Section, shall or may only be adopted in the absence of all objection thereto, and by the concurrent desire of both parties,—the Council on the one hand, and the proprietor or proprietors on the other.

Your Committee respectfully recommend that in lieu of the authority now possessed by the Council of the said City, to borrow money on the credit of the City to the extent of the aggregate amount of its revenues for five years, the said Council should be hereafter permitted to borrow or become indebted to the extent of One hundred and fifty thousand pounds currency, and no further, at any one time; provided, however, that the sums owing and to become due on account of the Montreal Water Works, be not included in the said sum of One hundred and fifty thousand pounds currency; and provided also, that no higher rate of interest than six per cent, per annum, be allowed or paid for any monies borrowed or owing by the said Council.

Your Committee are of opinion, that it is advisable, as prayed for by the Petitioners, that the whole City revenues, derived from any source whatever, may be declared specially charged and pledged for the repayment of any monies which the said Council may be hereafter permitted to borrow: provided, however, that no existing mortgage or pledge shall be effected by the provision of this clause; but that all such shall take precedence and have priority of, and be classed in their present order, before any engagements or obligations

to be hereafter entered into, or assumed by the City Council.

Your Committee are impressed with a conviction that a great amount of expense and inconvenience, now pressing heavily upon the citizens of Montreal, and the poorer classes of them in particular, would be avoided, and much public benefit would arise from the establishment of a Municipal Court in the said City, as prayed for by the Petitioners, with powers limited to the recovery of assessments, rates and dues, and the enforcement of the City Regulations and By-Laws. Your Committee, therefore, recommend for the present, the establishment of such a Court, with a right of appeal, however, from its decisions, by the summary means of petition to the Court of Queen's Bench.

Your Committee recommend that, as prayed for by the Petitioners, a pecuniary penalty may be attached to the refusal to act, of any member of the Council, appointed by the Mayor of the City, to preside at any election of a Councillor or Assessor for any Ward in the City, or for the neglect or disregard of duty by any member so appointed; that the Council of the said City should be authorized by law to make provision for the decision of any contested election, should any such occur at the annual election of Councillors in the said City; that in the absence or illness of the Mayor, the Council of the said City should be empowered to elect, from among the persons by whom it is composed, the member who shall, for the time being, be invested with his authority; and that in case of either the absence or illness of the City Clerk, the Mayor of the City be authorized to appoint an Assistant City Clerk, whose acts, for the time being, shall be as valid as if executed by the principal himself.

Your Committee respectfully recommend that as the duty of establishing and maintaining a Police force in the City of Montreal has now devolved upon the Council thereof, the said Council should be provided with more specific and comprehensive powers for that purpose, than those they at present possess.

All power and authority relating to Ferrymen and Ferriage within the City of Montreal heretofore vested in the Justices of the Peace, having been transferred to the Council of the said City, save and except the authority to issue Licenses to Ferrymen, Your Committee respectfully conceive, with the Petitioners, that they should be invested with that authority likewise.

Your Committee are of opinion, that, for the preservation of lives and property, it is desirable that no high-pressure Engine, or Camphine Oil Manufactory, or other manufactory of a like nature, dangerous to the public safety, shall hereafter be permitted to be established in the City, unless the same shall be surrounded on all sides by an open and unoccupied space of at least seventy-five feet in extent.

In the opinion of your Committee, it will be advisable, for the purpose of preventing extensive and destructive conflagrations, that the Council of the City of Montreal be especially authorized by By-Law, as prayed for by them, to prohibit in future the erection of wooden buildings in the main or principal streets of the several Suburbs of the City, viz:—in St. Mary, St. Lewis, St. Lawrence, St. Antoine, St. Joseph, and Wellington streets; and, likewise, that they be especially authorized to prohibit the erection of any wooden out-house in that part of the City heretofore known as the *Town*, and contradistinguished by that appellation from the *Suburbs* of the City; and further, that they be specially empowered to compel the erection, within three years, delay, of stone or brick division walls in the last aforesaid part of the City known as the *Town*,

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in which the erection of wooden buildings is already by law prohibited.

Provision should also be made to enable the Council to regulate the weight and quality of all Bread sold in the City.

It should also be provided that all arrears of assessment and City dues, for a period not exceeding two years, be regarded as privileged debts, and classed as such in all cases of bankruptcy and distribution of monies.

Your Committee do not consider it advisable that the authority vested in the Commissioners for the Improvement of the Harbour of Montreal, should be transferred, as prayed for by the Petitioners, to the Council of the said City; but they are nevertheless of opinion that provision should be made to enable the Council at all times to open and have access to the public sewers running through the wharves, and that part of the City under the jurisdiction of the Commissioners; and also, to authorize the City Police to preserve the peace, and enforce order on the said wharves.

Your Committee are persuaded that it will be highly advantageous for the City Council to be authorized to effect, by By-Law, the modifications prayed for by them in the system of sweeping the City chimnies; also, that they be empowered, if deemed necessary, to impose the special assessment of three-pence in the pound, asked for, on the yearly revenue of all property in the City, to meet the expenses of the City Fire Department; and moreover, that the said Council be permitted, after the occurrence of every fire in the City, to establish a judicial inquiry into the cause and origin of such fire, with a view to the prevention and detection of the crime of arson.

Your Committee respectfully recommend, that it be provided that the Mayor of the City should, for the time being, while such Mayor, be a Justice of the Peace for the City and District of Montreal: that the Aldermen and Councillors of the said City should, for the time being, while such Aldermen and Councillors, be Justices of the Peace for the said City of Montreal; and that it shall be lawful for the said Council to allow the Mayor for the time being, such salary not exceeding five hundred pounds, and not less than three hundred pounds per annum, in lieu of all fees and perquisites, as they may deem fit; also, that the double vote heretofore permitted to the Mayor in Council, be hereafter disallowed, and that in future he have but one vote, viz: a casting vote whensoever the Council, or that portion of it present, shall be equally divided.

Your Committee are likewise of opinion that it would be advisable to empower the Council of the said City, 1st. To regulate the weights as well as the measurement of all firewood, coals, salt and grain brought into the City for consumption; to determine if all or any of the said articles shall be sold either by weight or measurement, and to appoint weighers or measurers of the said articles; and, for these purposes, Your Committee recommend that any law now in force requiring any or all of the said articles to be weighed, measured or sold in any particular manner, be repealed, so that the said Council may be free to determine the manner in which the said articles may hereafter be disposed of, either by weight or measurement.

It would be also advisable that the said Council should be empowered to pull down, demolish or remove any house, wall or building within the City, that may be in a dilapidated or ruinous state, or dangerous to the public safety.

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Your Committee would likewise respectfully advise that the said Council should be empowered to impose a penalty on parties acquiring property and neglecting to enclose it; that all vacant lots, bounding on streets received by the City, shall be valued by Assessors, to the extent of one hundred feet in depth from the line of the street and no further, and that the assessment of such lots shall be made on the interest of such value, and not according to the revenue derived from such vacant lots.

That the said Council be authorized to impose, by By-law, a penalty not exceeding one hundred pounds, on Assessors refusing or neglecting to perform their duty; that the said Council may be enabled, in the event of the destruction or injury of property within the City limits, by any mob, or riotous assemblage, to assess the Citizens to such an extent as will cover the loss sustained by the owner or owners of the property injured or destroyed; and that the said Council may be authorized to levy the assessment of one shilling and six pence in the pound on the owners or occupiers of property, or on both, in any proportion they may deem just and advisable.

With regard to the Petition from the inhabitants of Hochelaga, for the extension of the limits of the City in a northern direction, Your Committee are not of opinion that it would be advisable, at least for the present, to allow the prayer thereof.

Your Committee gave their serious attention to the Petition of Messrs. Connolly and others, praying for a sub-division of the St. Mary's, St. Lawrence and Queen's Wards; but are not of opinion that any such sub-division is desirable or would prove judicious.

In reference to the Petition of Mr. O'Brien and other tavern-keepers, complaining that the duty imposed on them by the City Council is excessive, Your Committee do not think it would be advisable, under existing circumstances, to interfere in the matter, as the Council is empowered to levy the duty referred to, and they ought necessarily to be the most competent to determine the rate at which it should be fixed.

The whole nevertheless respectfully submitted.

SABREVOIS DE BLEURY,  
Chairman.

11th March, 1845.

#### MINUTES OF EVIDENCE.

The Honorable C. C. SABREVOIS DE BLEURY, Esquire,  
in the Chair.

Friday, 17th January, 1845.

James Ferrier, Esquire, called in; and examined:—

1. How long have you been Mayor of Montreal?—Since the 9th December last.

2. Can you produce a Statement of the debts of the Corporation of the City of Montreal?—I can, and now produce the same.—(Appendix No. 1.)

3. Can you produce a Statement of the revenue of the City for the four last years?—I produce the printed Statement for two years, together with the years 1843-4, and a written one for the current year. The



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revenue from 1842 to 1844, is £22039 17s. 7d. The revenue from 1843 to 1844, is £24590 3s. 7d. The revenue from 1844 to 1845, is £28,640 6s. 6d.—(Appendix, Nos. 2, 3 and 4.)

4. Do you consider that the taxes imposed by the Corporation are, or are not, too high?—I do not; and from the prosperous state of the City I think they could be increased. There are many branches of trade which are not taxed at present, such as manufacturers, and the various incorporated and other bodies, carrying on trade as Bankers; Fire Assurance Companies, money brokers, and various manufacturers who could well afford to pay taxes as well as the retail merchants, who are now paying ten per cent. on the rent of the respective houses they occupy.

5. According to what principle do you suggest that the different classes, mentioned in your preceding answer, should be taxed?—I would propose at present, to levy a tax upon the rent of the premises they occupy—I mean an increase of tax on the rent they pay. I will lay before the Committee in a few days, a scale applicable to each branch of commerce.

6. Ought any part of these taxes to be reduced, and in what proportion?—I am not prepared to answer at present, positively, but I think not; the more so as the inhabitants of Montreal appear to be satisfied with the present scale.

7. Do you think that these taxes bear fairly and equitably upon the rich and upon the poor?—I consider the present rates fair and proportionate.

8. Does the annual revenue, after deducting therefrom the annual and necessary expenses of the City, leave a sufficient balance to assist in paying off the capital of the debt, and in what proportion?—I will furnish the Committee an exact Statement of the items of the expense, showing the balance after paying the current expenses of the year, and which would have been applied to the reduction of the debts, if new improvements had not been further undertaken.—(Appendix No. 5.)

9. What is the rate of interest paid on the debt due by the Corporation?—Six per cent.

10. Do you propose to extend the increased taxation on the manufacturers to all the mechanics or tradesmen?—The clause in the petition relating to this question fully embodies my view on the subject.

11. Can you produce a Statement of the population of the different Wards of the City of Montreal?—Yes, I now produce it, and I have added a column shewing the amount of the assessment raised in each Ward.—(Appendix No. 6.)

12. Can you produce a Statement in detail of the revenue raised in each Ward, shewing under what head they are so raised?—I now do so.—(Appendix No. 7.)

13. Had the City Council, before the last Municipal Election, adopted a petition to the Legislature, or resolutions, or proceedings to serve as a basis for such petition, for the purpose of praying for changes in the laws under which the said Council is constituted?—Yes, the Council had considered the alteration required in the Act incorporating the City, and come to certain resolutions thereon, which resolutions were in some degree modified since the last election, in the petition before the Council.

14. Can you produce a copy of the proceedings so

modified, as they stood before such modification?—Yes, I will.

15. When, for the first time, was any resolution adopted in Council, soliciting changes in the Laws incorporating the Council;—when was the first petition to that effect adopted;—and when did the modifications alluded to in your answer to question 13, take place?—I will give my answer to this question within a few days.

Monday, 20th January, 1845.

James Ferrier, Esquire, again called in, and further examined:—

In reference to Q. 5.—I have nothing more to add.

In answer to Q. 6.—I have only to add, that faith must be kept with creditors of the City, the Works already finished must be upheld, the police, fire, and light departments kept on an efficient footing, salary of the officers &c.; to accomplish which objects will preclude the possibility of making any reductions on the present rates of taxation.

In answer to Q. 14.—I will bring the copy to-morrow.

In answer to Q. 15.—The first resolution adopted with a view to obtain amendments to the Ordinance of Incorporation, was so early as the 20th June, 1842—less than two years after the establishment of the Council,

20th June, 1842.—On that day a Committee was appointed on motion of Councillor Bourret, seconded by Councillor Desrivieres, to report the amendments required to the Ordinances incorporating the City.

15th August, 1842.—The Committee reported.

29th August, 1842.—The Report was adopted and the Committee authorized to prepare a petition.

5th September, 1842.—The petition was brought up, considered, adopted, and ordered to be presented to the Legislature.

On the 15th August, 1843,—on motion of Councillor Beaubien, seconded by Councillor Gagnon, another Committee was appointed as above.

10th October, 1843.—Their Report was adopted, and petitions based thereon, authorized to be presented by His Worship the Mayor to the three branches of the Legislature.

8th Nov. 1844.—A third Committee appointed.

22nd Nov. 1844.—Committee reported.

27th Nov. 1844.—Report considered and adopted.

9th December, 1844.—The Report ordered to be reconsidered.

11th Dec. 1844.—Report reconsidered, finally adopted, and Petition ordered to be prepared thereon.

16. Do you think that any of the present Wards of the City ought to be subdivided?—No; I am not of that opinion.

17. According to the Return of the Census which

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you have placed before the Committee, it would appear that the population of St. Mary's, St. Lawrence, and Queen's Wards, is three, and even four times, greater than that of each of the others; is it not just that they should be represented in the City Council, as much as possible in the same proportion?—My reason for answering in the negative is that the representation ought to be based on the amount of the revenue collected from the different Wards, and not exclusively on the population.

18. As you wish to establish the right of Municipal Representation on the principle of revenue, are you of opinion that the right of voting at Municipal Elections should be on the same principle?—No.

19. What are your reasons for not wishing the right of voting at Municipal Elections to be established on the same principle—that of revenue?—I am of opinion the number of Representatives or Councillors in each Ward, should be regulated less by a regard to the population of the Ward than the amount of its revenues,—the principal object of deliberation in the Council being the distribution of the City Funds,—formed of the collective revenues of all the Wards; for, if it were otherwise, a Ward with a larger amount of population, but a lesser amount of revenue than, perhaps, its adjoining one, would be more numerously represented in the Council,—would have a preponderating influence in votes, and might consequently absorb all the revenues of both its own and its neighbouring Ward, and have the monies laid out exclusively within its own limits. To make my meaning still plainer, if any particular number of persons in any separate section or place—say, for instance, 2000 citizens in Ward A. contribute £2000, and 5000 citizens in Ward B. only contribute a like sum of £2000, it is only consistent that the 2000 citizens in Ward A. should have as much voice as the 5000 citizens in Ward B. could claim to have. Now if the representation was governed exclusively by a regard to the population, this would not be the case; for, by the way of example, if the 2000 citizens in section A. were allowed two Representatives to act on their behalf, in the distribution of the monies, that is, one Representative for every 1000 persons, then the 5000 citizens of section B. would be entitled to five Representatives to act on their behalf in the same trust, and they could clearly dispose of the whole £4000 as they might please, without reference either to the wishes or interest of the Representatives of section A. or the constituents of that Ward, by whom a full half of all the money had been subscribed. I would have every householder contributing to the revenue of the Ward, entitled to vote at the election of a Representative for the Ward, and though I can readily understand that the man contributing most largely to that revenue, would feel the largest interest in it, and be most concerned in its distribution, yet the difference in amount of assessments paid by any two particular individuals cannot be sufficient to justify either of them being allowed a second vote, and less than one vote could not be given, even to the smaller contributor or rate payer of the two.

20. Are you of opinion that a person possessing property in several Wards ought to have the right of voting in each Ward wherein his property is situated?—No; the proprietor should only vote for the Ward where he resides, inasmuch as his other property is represented by the tenants occupying the same.

21. Ought not any one holding property in any of the Wards, to have the right of voting at the Municipal Elections of the city, although he might reside beyond the limits of the city?—I think not, as the property is represented by the tenants occupying the same.

22. If that person had no tenant of his property situated in the city, should he not have the right of voting?—I think so, because property paying tax should be represented.

23. If the proprietor and the tenant of his property so situated in the city, reside beyond the limits of the city, which of the two has, at present, the right of voting, or which ought to have the right of voting on that property?—I believe neither can vote now; and in the case supposed, I am of opinion that the tenant ought to have the right to vote.

24. Are you of opinion that persons entitled to vote at the Municipal Elections should be enregistered previous to their voting at any such election?—Yes, I am.

25. What rent should the tenant pay to entitle him to vote?—Ten pounds currency.

26. Are you of opinion that the number of Assessors should be increased; if so, what are your reasons?—Yes, to three—two by the people and one by the City, the majority of whom, in case of division, would rule; and my reason for this suggestion is, that at present only one Assessor being appointed, and he the sole judge in deciding on the assessment of property, the City has suffered serious loss by partiality, in passing over property without assessing it at all.

Wednesday, 22nd January, 1845,

James Ferrier, Esquire, again called in; and further examined:—

In reference to a former question, I hand in a Statement of the probable revenue, terminating the 15th July next, shewing a balance of £8,829 18s. 0d. for liquidation of debt on public improvements. From the two first items may be deducted a considerable amount lost from the want of a Mayor's Court, from death, bankruptcy, or departure of parties from the City, mistakes of Assessors and their Clerks, &c. The same remarks apply, to a limited extent, to the third item.—(Appendix No. 5.)

27. Do you think it material that a pecuniary qualification for the Auditors should be prescribed by law?—I do think so, inconvenience having been felt in consequence of the omission in the Act; the attention of the Legislature is called to it on account of the discrepancy of that clause of the Act.

28. What are the reasons which prompted the Petitioners to pray for a repeal of the last part of the 33rd Section of the Ordinance 4th Victoria, ch. 36?—Because it creates a conflicting authority which might be exercised to the prejudice of the Corporation, in so far as magistrates are concerned.

29. Are you of opinion that the neighbouring proprietors should contribute to the payment of the indemnity granted to the person whose property might be entirely or in part taken possession of for public improvements?—Yes, on account of the augmented value of the property having to be described by a Jury in all cases.

30. Might not this forced contribution be unjust in several cases, for instance, in that of minors, interdicted persons, proprietors who might have nothing else to live upon than the rent of their property so assessed, when perhaps the rent would be barely sufficient for his subsistence and that of his family?—It certainly would bear very hard upon such persons.

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31. Has the Corporation authority, under the present law, to take private property required for the public convenience, at a valuation thereof by a Jury?—Yes.

32. Are you of the same opinion as the Petitioners with reference to the power of borrowing as much as £150,000, and with reference to an unlimited rate of interest?—I agree with the Petitioners as to the amount to be borrowed; but as to the rate of interest, it ought not to exceed six per cent.

33. If the Corporation made a loan, would you be of opinion to make the payment of the interest on that loan the first charge on the revenue?—I am of opinion that the interest should be the first charge after the payment of the salaries of the Officers of the Corporation, and the costs of collection.

34. Ought the loan of £150,000, which the Petitioners pray to be allowed to make, to be over and above the actual debt of the city?—It is intended to include the present debt of the City.

35. At what times would you propose the Capital of the loan to be paid, and are you of opinion that a sinking fund should be established?—I would be of opinion to create a sinking fund of £150,000 Currency, and as the debt would be incurred less for the benefit of the present than of the next and succeeding generations, I would not be of opinion to fully liquidate it in less than seventy-five years; on that account, besides the interest, I would have only two thousand pounds of the Capital paid off annually. It is true that money could not be borrowed for so long a period as seventy-five years, but I would obtain it for lesser ones, say 15, 20 and 25 years, and at their expiration, arrange either to renew the loan, or pay them off by means of new ones.

36. Are the Corporation Bonds negotiable at present, or at par?—I am not aware that any have been sold less than par; on the contrary, the St. Anne's Market Bonds have been sold at a premium.

37. Is it not the case that contracts for public works have been made payable in the Bonds of the Corporation?—The contracts for public works having been tendered for, for cash prices, the Contractors have received City Bonds in payment.

38. Why were not the Contractors paid in cash, and not in the Bonds of the Corporation?—Because the clause in the Act being defective, the Corporation could not borrow money.

39. Before making tenders, had the Contractors any reason to know that they were to receive Bonds in payment?—No intimation was given in the advertisement for tenders, which I am now prepared to exhibit, of the mode in which the work was intended to be paid for. The proper inference, therefore, was that it would be paid for like every other similar work, in cash, as the work was proceeded with; and Messrs. Munro & Co., the Contractors for the stone work, &c. of the building, tendered under that impression, for when it was communicated to them that they would have to take Bonds in payment, they demurred, obtained delay to consider the matter, and make enquiry how they could dispose of the Bonds. After a few days delay they consented to enter into the contract, being for £10,940, which is the largest undertaking connected with the market. I have been told Messrs. Kelly & Co. have got the carpenters' work, tendered under the expectation of being paid in Bonds.

40. Is it not the case that the Corporation, by obliging the Contractors to receive the Bonds of the Cor-

poration in payment for public works, have been obliged to pay a higher rate or price in consequence?—My answer to this question would necessarily be a mere matter of opinion, formed by inference from the facts stated in my answer to the preceding question, an opinion at which the Committee, being in possession of the facts, are as competent to arrive as I am.

41. What is your opinion as to the constitution of that Court?—I am of opinion, that the Mayor should constitute that Court, and that the City Clerk should act as Clerk of that Court, and would thereby save the citizens the heavy expenses they are subject to in the enforcing of the By-Laws.

42. Are you of opinion that there should be an appeal from the decisions of that Court?—In some cases.

43. Have you considered what fees should be allowed in the Mayor's Court, and if so, state them?—Yes; 6d. for the summons and copy; 6d. for the service of the same; 6d. for the warrant and execution of the same;—the whole costs not to exceed 1s. 6d., which fees are to merge in the fund of the Corporation.

44. Is it your opinion that the proposed Court should have the power to reduce the amount of assessment, and to excuse certain persons who are liable to be taxed and not able to pay?—That Court should only enforce the By-Laws, and rates of assessment passed in the Council.

45. What fine do you think ought to be imposed upon an Alderman or Councillor who might refuse to preside at an election?—£25.

46. What plan would you suggest for trying and deciding the elections?—I would propose that a Committee of the Council be ballotted for, and that the proceedings be under the Act commonly called the Grenville Act.

Tuesday, 28th January, 1845.

James Ferrier, Esquire, again called in and further examined:—

47. On what grounds do the Petitioners pray to be invested with authority to give Licences to Ferrymen?—As the Town Council have the power to make regulations for the Ferrymen, it seems natural that they should have the power of granting Licences, the more so, as they must be the best judges as to the fitness or unfitness of the applicants.

48. Are you of opinion that Distilleries, &c. and other establishments, as specified in a certain paragraph of the Petition, should be out of the limits of the City?—No; it ought to be in the power of the Corporation to define and determine by By-Law, the part or section and limits wherein alone they, or any of them, may be hereafter built or used.

49. Would you be of opinion that that power should extend to the removing of such establishments now existing in the City?—No, unless they are found to be dangerous, or injurious to the public health; in those cases it ought to be in the power of the Council to cause their removal.

50. What do you consider to be division walls between properties, which, according to the prayer of the Petitioners, should be, within a certain delay, erected of stone or brick?—It applies to all division walls whether gable walls, or yard fences.

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51. On what grounds do the Petitioners claim the power to regulate the price of all Bread sold in the City?—The intention of the Council is to protect the poor, and prevent monopoly. My private opinion is that in baking, like every other branch of business, there is sufficient competition to regulate that particular branch.

52. Do the Petitioners intend by their prayer to seek authority to regulate the quality of Bread, or to prevent the sale of such as is made of unsound flour, and therefore unwholesome?—Not to allow the sale of Bread that is made of unsound flour, or other materials which are frequently mixed in Bread, that will prove injurious to the health of the inhabitants.

53. If the arrears of assessments were made privileged debts, as prayed for, would you claim such privilege even against debts due to the Crown, and funeral expenses?—No.

54. Will you explain to the Committee in what respect the authority conferred on the Harbour Commissioners conflicts with that of the Corporation?—By the 52nd clause of the Ordinance 4th Vic. cap. 36, it is provided that the jurisdiction and authority of the Council shall not extend "to the wharves and slips erected, and to be erected by the Harbour Commissioners." It has, in consequence, been made a question, if the Civic Police has any authority on the wharves, or can legally interfere to preserve order on them. The Harbour Commissioners claim exclusive authority as far as their works extend; and the right of the Council to establish a carters' stand along the parapet of Commissioners' street was, not long since, so strenuously opposed by them, that, at much inconvenience to the public, the intention of doing so was, at least for the time being, abandoned. All the public drains of the City emptying themselves in the river, necessarily pass through the ground under the jurisdiction of the Harbour Commissioners, and over which it is contended the Council have not any control; and the inconvenience and public injury that may arise from this cause is too obvious to need being commented upon.

55. Are you of opinion that a special assessment or tax should be imposed for sweeping and watering the streets?—By the 45th Section of the new Act, power is asked to levy an assessment not exceeding one shilling and six-pence in the pound, on the yearly value of real estate, to be levied upon the owners or occupiers thereof, or both. I do not think there is a necessity for a special tax to be superadded to the above. An assessment of 1s. 3d. in the pound may be laid upon the proprietor of real estate, and 3d. in the pound upon the occupant, which latter sum may, by resolve of Council, be appropriated in whole or in part, as may be judged requisite, to sweeping and watering the streets.

Thursday, 30th January, 1845.

James Ferrier, Esquire, again called in; and further examined:—

56. What amount of duties or taxes does the Corporation charge the farmers of the country, when they bring their produce to the market of Montreal?—Farmers from the country are charged nothing when they bring their produce to market. As a special privilege in their behalf, when they have other effects or produce to sell, they are allowed to bring calves, sheep, and lambs in their vehicles to the New and St. Anne's markets, instead of being compelled to take them to the cattle market, on payment of the same tax or rate that is exacted on the cattle market.

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57. Where manufactures are situated in the same premises that an assessment is levied on, as a commercial establishment, is it your opinion to add the rate or duty as a manufacture?—Yes.

58. Will you furnish the Committee with a tabular statement of all lands or property purchased by the Corporation, stating where situated, the extent of each, from whom purchased, the price of the same, and for what purpose said properties have been acquired; also, what property or properties have been sold, the price of each, and to whom sold?—I will.—(Appendix, Nos. 8 and 9.)

59. Do you think it advantageous to extend the northern boundary of the City of Montreal, at least one mile beyond its present limits?—I do; and I am of opinion that the revenue that would be derived from the numerous buildings in that location would amply pay for making and keeping the streets in order.

Thursday, 6th February, 1845.

James Ferrier, Esquire, again examined:—

60. Do you conceive that the Corporation is empowered to levy a tax or rate on the proceeds of goods sold by auction, and if so, is it in the contemplation of the Council to exercise the power?—The Corporation have, by the provisions of the 41st Section of the Ordinance, 4 Vic. cap. 36, the right of "imposing a duty or duties on sales by auction, not in any case to exceed one per cent on such sales." The Finance Committee of the Council lately recommended that a half per cent duty should be imposed on all such sales; and the Council, I have no doubt, will adopt the recommendation.

Saturday, 8th February, 1845.

Joseph Bourret, Esquire, examined:—

Answer to Q. 4.—No; I do not consider the taxes at present too high.

Answer to Q. 6.—No; I am not of opinion that the taxes should be reduced.

Answer to Q. 7.—Yes; I think that the taxes bear fairly and equitably as well upon the rich as upon the poor.

Answer to Q. 16.—I think that St. Mary, St. Lawrence, and Queen's Wards, ought to be subdivided, because they are not represented in the City Council according to their population.

Answer to Q. 17.—In my opinion, St. Mary, St. Lawrence, and Queen's Wards, having a population of more than five times the others, ought to be represented in the City Council as much as possible in the same proportion.

Answer to Q. 20.—Yes; I am of opinion that a person possessing property in several Wards ought to have the right of voting in each Ward wherein his property is situated.

Answer to Q. 21.—Yes; because his property is subject to taxation.

Answer to Q. 25.—I am of opinion that all persons paying taxes, (except commutation for statute labour) should be entitled to vote at Municipal Elections, without having any reference to the rent they pay.

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*Answer to Q. 26.*—Yes, I am of opinion that there should be more than one Assessor for each Ward. The Assessor at present, being unassisted, is not always capable of doing justice between the Corporation and the citizens: the responsibility would be less when so divided.

*Answer to Q. 29.*—Yes, certainly.

*Answer to Q. 32.*—Yes, I am of opinion that power should be given to the City Council to borrow a sum not exceeding one hundred and fifty thousand pounds, currency, in order to change the nature of the City debt, but with a limited rate of interest.

*Answer to Q. 33.*—Yes, I would be of opinion to make the payment of the interest of that loan the first charge on the revenue, in order to obtain it upon more favorable terms.

*Answer to Q. 35.*—I would propose that the capital of the loan be paid within thirty years; and I am also of opinion that a sinking fund should be established to meet the payment of the said loan—forming, to a certain extent, its guarantee.

*Answer to Q. 36.*—I cannot say, not being connected with monetary transactions.

*Answer to Q. 37.*—Yes; it is the case.

*Answer to Q. 39.*—No, the Contractors had no reasons to know that they were to receive Bonds in payment.

*Answer to Q. 40.*—Certainly not to my knowledge.

*Answer to Q. 41.*—I am of opinion that it is highly desirable that a Court should be established for the summary disposal of all cases arising from infringements of regulations of police, non-payment of Corporation dues, &c. &c.—the same to be composed of the Mayor, assisted by Aldermen or others.

*Answer to Q. 44.*—Yes.

*Answer to Q. 45.*—Fifty pounds currency.

*Answer to Q. 46.*—The Court of Queen's Bench ought to have the power to try and decide contested Municipal Elections in a summary manner.

*Answer to Q. 48.*—Yes.

*Answer to Q. 49.*—Yes, under certain regulations.

*Answer to Q. 50.*—I consider the division walls between the properties which, according to the prayer of the Petitioners, should be, within a certain delay, erected of stone or brick, to be all wooden fences and division boundaries which now exist within the limits of the town, described in the Petition.

*Answer to Q. 53.*—No.

*Answer to Q. 54.*—The Harbour Commissioners hold property intermixed with the possessions of the City. All public sewers have to be carried through the public wharves—the upholding of pavements, &c. in conjunction with those of the City, &c. &c. There is a doubt if the Police regulations of the Corporation have a legal force on the Harbour property.

*Answer to Q. 55.*—Yes, I am of opinion that a special assessment or tax should be imposed for sweeping and watering streets, when the same may be asked for by at least two thirds of the inhabitants thereof, provi-

ded the annual tax on the citizens do not exceed one shilling and six-pence in the pound, including such special tax.

*Answer to Q. 57.*—No; there should be but one assessment, either on the manufacturer, or commercial establishment.

*Answer to Q. 59.*—I don't think it would be advantageous for the present to extend the northern boundary of the City of Montreal one mile beyond its present limits. The City has already too many streets to keep in repair and to make.

Monday, 10th February, 1845.

William Lunn, Esquire, examined:—

*Answer to Q. 4.*—In consideration of the heavy debt due by the Corporation, incurred on account of the great improvements which have been made in Montreal during the last three years,—that faith *must* be kept with the public creditors, and that all the existing establishments *must* be continued in full operation,—I am of opinion the taxes are not too high.

*Answer to Q. 6.*—I do not think that any part of the taxes should be reduced at present, nor until there is a gradual reduction of the debt; and then, a corresponding reduction of the taxes might be made.

*Answer to Q. 7.*—Yes; the poor, as occupants of houses, and bound only to pay 3d. in the pound on the rental, which is intended to cover the expense of sweeping and watering the streets, levelling carots, snow drifts, and removing the snow. The poor who are not occupants of houses, pay only the commutation tax of 5s. per annum.

*Answer to Q. 16.*—I think not.

*Answer to Q. 17.*—I am of opinion that the number of Representatives of each Ward should be governed much more by the amount of its revenues, than by the population. If the representation be exclusively regulated by a regard to the population, the funds collected from all the Wards might be wholly absorbed by the Representatives of the more populous or suburban Wards, to the entire exclusion of the other Wards. If any Ward has a claim for extra representation, both on the score of revenue and population, it is the Queen's Ward.

*Answer to Q. 21.*—I think not; his property is represented by his tenants.

*Answer to Q. 25.*—Ten pounds currency.

*Answer to Q. 26.*—I am of opinion that there should be three Assessors for each Ward; two to be elected by the inhabitants, and the third to be appointed by the Corporation, inasmuch as three persons are more competent to judge of the value of property than one,—and that a more equitable and just assessment may be levied.

*Answer to Q. 29.*—Yes; because the property in the immediate neighbourhood would be materially increased in value by these improvements.

*Answer to Q. 32.*—I am of the same opinion as the Petitioners, with reference to the sum which they seek permission to borrow; but the Corporation might be restricted to 6 per cent. interest.

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*Answer to Q. 35.*—I am of opinion the loan should be *very gradually* diminished by annual payments on account of the principal debt; my reason for this is, that as the debt would be incurred rather for the benefit of the two next generations than the present one, it is only right they should be permitted to pay off their proportion of the loan. This, in my opinion, will be preferable to a sinking fund.

*Answer to Q. 36.*—In consequence of the Banks in Montreal restraining their discounts and rendering money scarce, capitalists are endeavouring to take advantage of the circumstance, and Corporation Bonds are not, just now, negotiable at par. If the money market were easy, as it no doubt will soon be, they would undoubtedly command par.

*Answer to Q. 37.*—Yes.

*Answer to Q. 39.*—I believe not; the advertizement for tenders for the erection of the New Market Hall, did not express that payment would be made in Bonds.

*Answer to Q. 40.*—I think not. The largest Contractor for the New Market Hall, Mr. Munro, the mason, stated that he had made his calculation on being paid in cash. Before accepting his tender, the question was put to him, if he were willing to receive payment in Bonds of the Corporation; he made inquiry of their value, and returned, stating to the Committee that he would accept Bonds in payment for the work to be performed according to his tender.

*Answer to Q. 41.*—I think such a Court is very necessary for the benefit of the public generally, but especially of the poorer classes, who are frequently proceeded against for arrears of assessment, and for violations of the City regulations: the costs, at present, are ruinously high to them. If a Mayor's Court were established, the proceedings would, I believe, occasion less loss of time, and be much less expensive.

*Answer to Q. 42.*—I am of opinion that there should be no appeal.

*Answer to Q. 44.*—Yes.*Answer to Q. 45.*—One hundred pounds.

*Answer to Q. 46.*—The Returning Officer should be bound to discharge his duty faithfully, under heavy penalties.

*Answer to Q. 48.*—I am not of opinion that Distilleries and other establishments specified in a certain paragraph of the Petition, should be altogether out of the limits of the City; but I think that authority may be given to the Corporation to define the particular sections wherein alone, they, or any of them, may be built.

*Answer to Q. 49.*—Certainly not.

*Answer to Q. 50.*—Division walls referred to in the Petition, are those between properties separating houses, stables, &c. These division walls, I think, should be of brick or stone.

*Answer to Q. 53.*—Certainly not.*Answer to Q. 54.*—I am not aware of any.

*Answer to Q. 55.*—I am of opinion that a special assessment should be imposed for sweeping, watering streets, and removing snow, when two-thirds of the inhabitants of a street pray for it.

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*Answer to Q. 57.*—Yes; I am of that opinion, with a discretionary power to the Corporation to exempt certain manufactories.

*Answer to Q. 59.*—I think it would be advantageous so to extend the limits of the City, and that the City would be benefitted by the additional revenue it would thus obtain. I also think it would be advisable to extend the limits of the City, westwardly, so as to include the whole of the mountain within its boundaries.

Thursday, 20th February, 1845.

Mr. Griffith called in; and examined:—

61. Do you believe it advisable to extend the northern limits of the City;—please give your reasons. If you are of opinion to extend, what extent would you suggest?—In consequence of the difficulty of rafts being rowed into Montreal by reason of the rapidity of the current opposite the Town, and the limited accommodation when there, has heretofore caused them to fall down to the foot of the current, and into the Port of Hochelaga, where ships of any burden that could ascend the river from Quebec would load for foreign ports. That which was intended for the supply of the City was carted from thence; but since the Toll-bar was placed between the Port and Montreal, the expense of the Toll greatly limited the quantity sent up by carts, to the manifest injury of the citizens of Montreal. Previous to the erection of the Toll-bar, lumber could be delivered at Montreal from Hochelaga much cheaper than it could be obtained in the Harbour of Montreal, as the expense of getting it was heavy, besides the risk of being carried away by the current, and not being allowed sufficient time to load it and carry it away from the wharf or beach. While the river is open, large quantities of firewood are brought in barges; and if the wind be fair and strong enough to propel their barges up the current,—which must be strong enough to propel vessels at the rate of  $7\frac{1}{2}$  knots an hour,—they can ascend the current; but if less, they are obliged to fall into the Port of Hochelaga, to wait a strong and fair wind, (which may not occur for many days,) or be towed up by steamers, at an expense they can ill afford to pay. As a proof of it, wood can always be purchased from 1s. to 3s. lower than in the Harbour of Montreal; but independent of this inconvenience and expense, the barges, when they arrive in the Harbour of Montreal, often cannot unload for many days, which is a great loss to the owners, not only in actual expenses but in time, which is all-important where the seasons are so short. They, however, are not the only sufferers, but the poor of Montreal; for if the quantity of wood required don't come in due season, advances will take place. Forty vessels may be seen at the foot of the current at one time when the wind is adverse, many of which would discharge at Hochelaga, and that part of the City from Panet Street could be supplied at about the same rate of cartage as from the Port of Montreal; and there is now a dense population, and generally of the labouring classes; but few vessels discharge there on account of the expense of the Toll. Stone and sand are precluded from being brought into the City: the cost of the latter is 6d. per load, and the turnpike 4d. The Toll for stone which costs ten shillings at the quarry, per toise, is four to five shillings per toise; and the lower part of the City cannot be supplied with these two articles but at a much greater distance from them. There is also clay of the best quality, and sand, for making bricks, but in consequence of the Toll no bricks are made. As regards the traffic across the river,

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the sleighs loaded with hay find it much more convenient to land at the Horse-boat Wharf than to come up the ice to the Tea Store, which many now do to avoid the Toll, but, in the spring and fall, at great risk of life and property. Even in the summer, were the boats to land at the Horse-boat Wharf as formerly, one trip in three could be saved, and the great population of travellers which cross the ferry in their own or public carriages. The citizens of Montreal are deeply interested in getting the Gates removed farther from the City, as daily may be seen the most respectable families taking exercise in carriages; they drive to the Toll-bar and then return. If the Bar was removed 1½ mile from its present position, it would enable them to extend their drive, and being on the banks of the river part of the way would be more pleasant. The citizens of Hochelaga are fully aware that, by petitioning to be included in the charter of Montreal, their taxes will be much greater than what they now pay in tollage, but they prefer this to the daily inconvenience of the Toll-bar.

62. Since you are of opinion that the City limits should be extended, are you not of opinion that they should be extended as far as the limits of the Parish of Longue Pointe?—I cannot conceive that any advantage would be derived by extending the northern limits of the City farther than prayed for.

Mr. Ross called in; and examined:—

*Answer to Q. 61.*—I am in favor of extending the northern limits of the City of Montreal one mile, for the same reasons assigned by Mr. Griffith.

*Answer to Q. 62.*—My opinion is that it would not at present.

63.—Is not your principal object in asking for an extension of the City limits, to have the Toll-gate removed for the future, further off than the place where you reside?—No; my reasons are that a mile comprises the whole of Hochelaga Harbour.

Mr. Bronjgest called in; and examined:—

*Answer to Q. 61.*—I would suggest the extension to Hochelaga, so as to comprehend the natural Harbour of Hochelaga. My reasons are, that I am of opinion the Trade of the City must increase in that direction;—that in a few years the Harbour will be required for the use of the shipping to a much more considerable extent than at present—the whole of the lumber trade of Montreal is carried on there. Were that portion in the limits of the City, large quantities of firewood would be landed there instead of occupying those wharves in the present limits of the City, which will shortly be required for Steamboats. The population is also so considerable as to require that the usual regulations of Cities should be extended to that quarter.

64.—Would the extension of the Police regulations to Hochelaga be beneficial to the inhabitants of that quarter?—Yes.

Mr. Gilbert called in; and examined:—

*Answer to Q. 61.*—I am opposed to the extension of the northern limits of the city. My reasons are that the present large debt of the City would be shouldered on us, and that we would be in the outskirts of the City, and without the benefits of the Municipal Law. About twenty-five years ago, a law existed forbidding slaughter-houses within the limits of the City, and if the present limits are extended another such law might be passed, which would oblige me to move further, thereby causing me great loss and inconvenience.

*Simon Valois, Esquire, of Hochelaga, called in; and examined:—*

*Answer to Q. 61.*—I do not see that there is any necessity for extending the northern limits of the City of Montreal so as to comprize, whether entirely or in part, the space which lies between the said limits, and those of the Parish of Longue Pointe. If they are to be extended on that side, they ought to be extended equally in every other direction. My reasons for objecting, are,—1st. That there are yet within the present northern limits of the City a great many vacant lots on which there are not yet any buildings.—2nd. That we will be obliged to pay the City taxes, without reaping any benefit therefrom for a number of years.

65.—Is the Landing place of the Longueuil Ferry, outside or inside the limits of the City at present?—It is now within the limits of the City.

66.—Does not Mr. Griffith, a witness examined before this Committee, keep a public house in the Village of Hochelaga?—Yes.

67.—Have not the tavern-keepers an interest in wishing that the Toll gate should be beyond their taverns?—Certainly.

Monday, 24th February, 1845.

Benjamin Holmes, Esquire, examined:—

*Answer to Q. 4.*—No; until the whole system is revised.

*Answer to Q. 6.* No reduction can be at present contemplated. The works already executed must be upheld, and faith must be kept with the public creditors, when capital has been advanced to carry on the works.

*Answer to Q. 7.*—The present system does not, in my opinion, bear fairly and equitably upon the rich and poor. The above three questions, however, bear upon or towards the same point, consequently I would be allowed to reply further, that the taxes now imposed, or sought to be imposed, under the authority petitioned for by the Corporation, are not higher than it is necessary they should be to ensure the realization of a revenue commensurate to the wants of the Corporation, and the ensuring to the Council the ability honorably to discharge its engagements; but I more than doubt the correctness of the principle, or the justice even, of throwing so large a share of the burthen upon the industrial or manufacturing portion of the community. The improvements of the City, however desirable, or even necessary, add more to the wealth of the wealthy, and to their convenience, than to that of the poorer classes; property being augmented in value by every improvement or embellishment in a city, to an extent far beyond the proportionate contribution levied upon real estate: in short, I consider that property, real and personal, should be the source from which the revenues of the City should be chiefly drawn; and the exceptions:

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I should say, would be taxes levied on Tavern-keepers and Venders of Spirituous liquors, Hacks, Cabmen, Carters, &c. Moderate Licences to those whose business is, though necessary, offensive in a City.

*Answer to Q. 9.*—The rate of interest paid by the Corporation is six per cent.

*Answer to Q. 10.*—The petition from the Corporation before Your Honorable Committee, sets forth fully my object, as one of the City Council, which is to extend the power of the Corporation, and to tax several that cannot under the existing law be reached, such as Money Brokers, Insurance Companies, Banks and Bankers, Auction Sales, Professional men's Offices, and various Manufactures; but I advocate the seeking of authority to tax those, because others are taxed, and to raise revenue—not because I consider the taxing of those trades or professions the best sources from whence to derive the necessary revenue, but because I have found those who frame the taxes and laws generally unfavorable to laying the burthen upon property, though constrained to admit the necessity of increasing the revenue of the city, and consequently, as revenue must be had, I am willing, if I cannot increase it by taxes on property, to take it from whence the majority of the Council will give it; and it is here to be borne in mind, that if the citizens think proper to elect Representatives of different opinions to those which I have expressed, they have no right to complain of the result of their own acts.

*Answer to Q. 13.*—Yes; the Council had considered, matured and addressed a petition praying for certain modifications and changes in the Ordinances incorporating the City, which Resolutions were, subsequent to the last Municipal Elections, again called up, and certain clauses praying for the adoption of a subdivision of Wards, and the establishment of additional polling booths in all Wards having over a certain number of votes, expunged from the petition previously determined upon.

*Answer to Q. 16.*—Yes; because the outer Wards of the City are rapidly increasing in wealth and population, and will continue so to increase, while the East Ward and Centre Ward are not susceptible of any material increase, their limits being already filled.

*Answer to Q. 17.*—I admit to the fullest extent, that representation should be based upon property, and consequently, as respects Municipal Representation, upon revenue, and not exclusively upon population; but, nevertheless, population and property jointly should be considered, and the capabilities of increase and improvement in the several Wards; and, as the Act of the Legislature now prayed for by the Council is to govern the City for years to come, I am of opinion that it would be advisable to subdivide the Queen's, St. Lawrence, and St. Mary's Wards,—those three Wards containing more than five times as many inhabitants as the other three; and the revenue derived from one of them, (the Queen's,) exceeding by about a third, the revenue derived from the most productive of the smaller Wards (the West,) and nearly doubling the East Ward.

*Answer to Q. 20.*—Yes; upon the same principle that persons holding landed estates in various Counties, are, by the Election Laws, allowed to vote for Members of Parliament in each County where he possesses a qualification.

*Answer to Q. 21.*—Certainly such is my opinion. The owner of property subject to taxation should have a right to vote, no matter where residing.

*Answer to Q. 22.*—Unquestionably, I think he should have that right.

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*Answer to Q. 23.*—My belief is that at present neither possess the right of voting. That right in such cases ought to exist, I think, and be vested in the proprietor.

*Answer to Q. 24.*—I am of opinion that, for Cities, the introduction of a system of enregistration of votes would be most desirable. Enregistration, combined with arrangements for additional polling places in the Wards,—that is, a polling booth for every three hundred votes, would enable the elections to be decided in one day, and would, by instilling into the minds of the electors a conviction that they could deposit their votes in safety, and without fear, save the City from the election riots which have long disgraced it.

*Answer to Q. 25.*—I think not less than Ten pounds.

*Answer to Q. 26.*—My opinion is, there should be three Assessors,—two appointed by the Ward, the other by the Corporation. Under the existing law, one only can be appointed; and I am of opinion that the City may seriously suffer by a combination to appoint an Assessor who has an interest in underrating the assessments, and moreover, the duty may be partially executed, and the Assessor may pass over property. I have heard that instances of this kind have occurred, therefore I consider it unwise to confide to one man the execution of duties of so important a character.

*Answer to Q. 27.*—Upon reflection, I am inclined to think not, as, if paid, the Assessorships might be canvassed for; and as men of superior station would be rather anxious to avoid the duty, the nominations would be more apt to fall on those whose opinion could be less relied upon as a just decision between the citizen and the Corporation.

*Answer to Q. 28.*—The Section in question would appear to authorize Magistrates to direct the Clerk to make payments, which creates a conflicting authority.

*Answer to Q. 29.*—When the neighbour's property is materially augmented in value, by the payment of an indemnity for property, entirely or in part, taken possession of for public improvement, I am of opinion that the neighbour or neighbourhood should be assessed for such improvement, to such extent only, however, as by a jury may be determined.

*Answer to Q. 32.*—Yes, I am of opinion that the Council should have authority to borrow to the extent of £150,000, and that the rate of interest should not be limited, but left to the Corporation to decide; and for this reason—money may be scarce, and, in the case of a certain improvement or the execution of some important work absolutely necessary, delay might be detrimental to the public interests. If the Corporation was not in funds, the work would have to be delayed, however important, if money could not be had at the limited rate of interest; whereas, if the Corporation was allowed to borrow at such rates as money could be obtained at, it would rest with the Representatives of the City to determine what was the best course to be adopted, and most for the interest of their constituents. I would wish to elucidate the advantage of leaving the rate of interest to be paid by the Corporation unshackled, by referring to the proceedings of the Road Commissioners, and the Commissioners of the Harbour, both of which bodies were allowed, under the Ordinances of the Special Council, to borrow at rates of interest unlimited. Money was scarce, and the credit of those bodies not, at the time, over favorably considered. They borrowed at rates as high as eight per cent.; the works were completed;



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confidence established; they called in their bonds, and enacted new loans at six and five per cent.; and prior to the Ordinance allowing the Harbour Commissioners to pay a higher than the legal rate of interest, that Commission felt itself constrained to complete a part of the Works, and the Contracts were paid for in bonds bearing six per cent. interest. The consequence was, the contracts were made at full twenty per cent. higher prices than if, by borrowing at eight per cent., the money had been forthcoming, which it would have been, and therefore the work was executed at a greater cost to the public.

*Answer to Q. 33.*—Certainly, I would always adopt that course, as tending to inspire greater confidence in the lender.

*Answer to Q. 34.*—Certainly not. The object of asking authority to create a loan of £150,000, is to borrow to that extent, if deemed necessary, and it is believed it can be got at a lower rate than that at present paid—and first, to pay off all the outstanding bonds, and the residue (if the full amount is borrowed,) would be applicable to further improvements.

*Answer to Q. 35.*—I would not fix any particular period in which the whole loan should be paid off. If it is absolutely requisite to do so, in the opinion of Your honorable Committee, I should recommend a distant day, say, not less sixty years. If power be given to the Council to hypothecate the revenues of the City as security for the loan, there can be little doubt but the money can be borrowed at a low figure, say, not over four per cent. And if it is enacted that the taxes shall not be repealed until the debt shall be liquidated, the capitalist will have confidence, and the citizens at the same time will be alive to the question whether to seek, by an early liquidation of the debt, a diminished taxation,—or by the continued expenditure of all the surplus revenue, to seek a procrastination of the period for the final payment of the debt. A sinking fund, however, I would recommend should be established.

*Answer to Q. 36.*—At this moment, money is comparatively scarce, and Corporation bonds, like all other securities, fluctuate in their actual market value. Three months ago, a premium was offered for the bonds issued by the Corporation for the building of the market now in progress, and the ordinary bonds of the Corporation were transferred at par, within a few days past; for the reason assigned, sales of such bonds have been effected at two and a half and five per cent. discount.

*Answer to Q. 37.*—Yes.

*Answer to Q. 38.*—The Corporation having, under the existing Ordinances, no authority, in the opinion of Capitalists, to hypothecate the revenues of the city as security for loans, the Council found difficulties in borrowing, and therefore determined to undertake the improvements upon contracts payable in bonds.

*Answer to Q. 39.*—I believe the contractors, when they tendered, had no reason to know that it was not the intention of the Council to pay in cash, as it became matter of consideration subsequently with the Contractors whether they would hold to their tenders on being informed that bonds, and not cash, was the mode of payment. They did agree, and consequently the contracts were decidedly entered into upon cash terms.

*Answer to Q. 40.*—My answer to this question will be a mere matter of opinion based upon my reply to the preceding question, but to any knowledge I possess, I should say no.

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*Answer to Q. 41.*—I am of opinion that for the better government of the City, it is most desirable. A Court should be organized having cognizance over all cases arising out of the infringement of the City By-Laws, and for the prosecution of Suits for non-payment of City dues and the regulations of the Police. Whether that Court should be presided over by the Mayor, assisted by Aldermen, or that a Recorder's Court should be established, I do not feel myself qualified to determine; the great object desirable, in my opinion, being the more summary conviction of offenders, and lessening the costs of prosecutions, thereby relieving the parties prosecuted, as well as the poor and petty delinquents; from the very extravagant fees attending at present the most paltry, however necessary, prosecutions for the infractions of the Police regulations.

*Answer to Q. 42.*—Yes, in all cases instituted, where the recovery of the dues sued for by the Corporation are delegated. No, as respects prosecutions for infringement of the By-Laws of the City or the regulations of the Police.

*Answer to Q. 43.*—As before stated, I consider the establishment of a Mayor's Court desirable, in part, to lessen the costs of prosecuting for small offences; I would therefore say that the fee for summons, the service, the warrant, &c. should not exceed sixpence each.

*Answer to Q. 44.*—No; the parties assessed having an appeal to the City Council, it would be injudicious to confer upon a Court composed of the Mayor, assisted by Aldermen, the reversing of what possibly might have been considered by a full Board of the City Council.

*Answer to Q. 45.*—Twenty-five pounds.

*Answer to Q. 46.*—The Court of Queen's Bench should, in my opinion, be the authority which ought to determine and decide on the validity of all contested Municipal Elections, but in a summary manner.

*Answer to Q. 47.*—The Ferry-men being subject to regulations made by the Town Council, and in my opinion very properly,—it is but reasonable that Licenses should be issued to them as well as to Carters and other carriers plying for hire.

*Answer to Q. 48.*—As some of these establishments may be, and are, considered great nuisances in the neighbourhood, it ought to be within the power of the Corporation to determine in what sections of the City they may hereafter be erected or continue to exist.

*Answer to Q. 49.*—Yes; under certain regulations, if considered either dangerous or injurious to the community near about where they are located, or injurious to the public health.

*Answer to Q. 50.*—I consider the object of the petition to be that, within a reasonable period to be determined by the City Council, brick or stone division walls, instead of wooden fences, should be erected to divide properties within the limits of the Town described in the petition.

*Answer to Q. 52.*—It is notorious that bakers are in the habit of purchasing unsound, damaged and unwholesome flour, therewith to make and supply their customers with bread; and it is believed that other materials are mixed by bakers with the flour they use in baking. For these reasons it is deemed desirable that the City Council should have the authority sought for.

*Answer to Q. 53.*—No.

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*Answer to Q. 54.*—The Harbour Commissioners claiming exclusive jurisdiction over the wharves and works by them erected, it has become questionable whether the City Council could ever establish a carters' stand along the parapet in Commissioners' Street, or whether the City Police had authority on those works. All the public sewers have to be carried through those works. In the winter season especially, the filth, as well as the ice and snow from the streets, has been thrown over the Revetment Walls and accumulated there to the annoyance and detriment of the citizens. There is even a doubt whether the Police regulations, framed by the Corporation, have legal effect on the Harbour property. These are all causes of conflict between the Commissioners of the Harbour and the City Council.

*Answer to Q. 55.*—I am of opinion that whenever two thirds of the inhabitants, resident in any one street, shall call upon the Corporation to water and sweep the said street, that then the City Council should be empowered to cause the work to be effectually done, and to assess the inhabitants in said street therefor, by special tax.

*Answer to Q. 57.*—The commercial establishment being taxed, and a manufactory being established in or upon the same premises, which by a By-Law would be subject to a tax elsewhere, I should say, yes.

*Answer to Q. 59.*—I do not; it would be beneficial, no doubt, to the holders of property without the present boundaries, but to extend the present limits, would, in my opinion, be to throw upon the Corporation a burthen for the making of and keeping in repair, streets and lanes (of which there are already too many) injurious to the interests of the citizens generally, however much advocated by interested individuals.

The effect of the extension of the City limits, one mile east, would be the cutting off from the revenues of the Trust, a very considerable amount of Toll, and if those who reside one mile east were exempted from the payment of Toll, the same privileges would naturally be expected by those who reside a mile west, and north and north-west of the present Toll-bars.

If the limits of the City were made co-extensive with the limits of the Parish, I would say that the revenues of the Road Trusts would be so reduced as to render it totally impossible for the Trustees to pay the interest upon the monies borrowed, as a very considerable portion of the Tolls collected are levied upon citizens within the Banlieu riding for pleasure beyond the City Gates.

Tuesday, 25th February, 1845.

Mr. Drake called in; and examined:—

68. Are you in the habit of contracting for Public Work?—I am.

69. In tendering for Public Work, would you offer to do the work for the same amount payable in Corporation Debentures, as you would do if you were to be paid in cash?—No; I would not.

70. What difference or per centage would you make between the Debentures and cash?—It would depend a great deal upon circumstances; but, as a hazard, I would say, at least five per cent.

71. If the attempt were made to confine all the manufactories to any one locality, would it not tend to

depopulate the City, and therefore diminish very much the value of the property of the citizens?—I think so.

Mr. Adams called in; and examined:—

72. Are you in the habit of contracting for Public Work?—No; but I am in the habit of furnishing materials for Public Works.

73. Do you think it would be advantageous to the City to increase the taxation on the manufacturers?—As I am a manufacturer myself, I think it scarcely fair to put the question; but, as my opinion is asked, I doubt the expediency of taxing manufacturers generally, without discrimination,—lime burners, stone quarries, brick-makers, manufacturers immediately connected with the improvement of the City.

74. Do you think it would be advisable to confine all the different manufacturers to any one locality of the City?—It would be impossible to do so.

75. If the attempt were made to confine all the manufacturers to any one locality, would it not tend to depopulate the City, and therefore diminish very much the value of the property of the citizens?—I should think it would.

76. Are you in favor of extending the limits of the City northerly?—I am.

Joseph Bourret, Esquire, being again interrogated, answered:—

The total annual current expenses of the City, exclusive of the repairs of the streets, are, to the best of my knowledge, as follows, to-wit:

Salaries of the different Officers and Clerks,	£2,670	0	0
Police,	3,337	16	6
Gas and Light,	2,750	0	0
Fire Department, about,	2,000	0	0
Rent, fuel, &c.	285	0	0
Retired allowances,	335	0	0
Stationery, Printing, &c.	200	0	0
Interest on debt established,	6,327	0	0
Sweeping and watering, and clearing away snow,	2,500	0	0
	£20,404	16	6

The probable or average annual expense of the repairs of the streets, are, as nearly as they can be ascertained, £3,000 currency; the annual expense of lighting the City is £2,750 currency; and the annual expense of the Police is £3,337 16s. 6d. currency.

The total amount of the debt of the City, as now established by the books of the Corporation, is One hundred and five thousand, four hundred and fifty pounds, nineteen shillings and eleven-pence currency (£105,450 19s. 11d.) exclusive of the following sums, to-wit:—a sum of Fifty thousand pounds currency, for the purchase of the Montreal Water Works; of a sum of about Two thousand pounds currency, due to the heirs Phillips, for certain improvements made in certain streets made on their farm, and a sum of about Five hundred pounds currency, due to Messrs. Cartwright & Forsyth, also, for certain improvements made on their farm, which two sums of money bear interest; of a sum of Two thousand five hundred pounds currency, for opening M'Gill street as far as the River St. Lawrence;

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of the sum of Two hundred and fifty pounds currency, due to John Donegani, Esq. for the purchase of a lot of ground for opening Dutch Street, (Rue des Allemands;) and, also, of the sum of Seven hundred and forty pounds currency, for the purchase of a certain lot of ground for opening and continuing Juré street, on a certain lot of ground belonging to the heirs Latour; and of divers other sums of money which are due by the Corporation upon divers contracts, of which I cannot now tell the amount.

Wednesday, 26th February, 1845.

Mr. Perrin, of Montreal, examined:—

*Answer to Q. 4.*—I am of opinion that the rate of Tolls is too high.

*Answer to Q. 6.*—I am of opinion that the Toll of 3d. in the pound, currency, imposed for the sweeping of the streets, ought to be done away with, as I think that tax unjust, and can only be useful to a portion of the persons who pay and profit by it.

*Answer to Q. 7.*—I think so.

*Answer to Q. 9.*—Six per cent.

*Answer to Q. 10.*—No.

*Answer to Q. 13.*—Yes.

*Answer to Q. 16.*—Yes; the St. Mary's, St. Lawrence, and Queen's Wards, ought to be divided into two Wards each, with a Poll in each subdivision. I frame this opinion from the great population and the large extent of these Wards.

*Answer to Q. 17.*—I think it reasonable that the Wards above mentioned should be represented by six members, instead of three as at present.

*Answer to Q. 20.*—No; I am not of that opinion.

*Answer to Q. 21.*—Yes; I am of opinion that a person possessing property in different Wards ought to have a right to vote in each Ward where his property is situate.

*Answer to Q. 22.*—Yes.

*Answer to Q. 23.*—The proprietor.

*Answer to Q. 24.*—Yes.

*Answer to Q. 25.*—Six pounds currency.

*Answer to Q. 26.*—Yes; because I consider that one Assessor cannot so well assess the value of property as two or three could do.

*Answer to Q. 27.*—Yes.

*Answer to Q. 28.*—The reasons which lead me to believe that the latter part of this Section of the Ordinance ought to be repealed, are, that a Court of Justice or a Magistrate might perhaps not know whether such Order should be signed, as they might not have been concerned in the affairs which necessitated such Order.

*Answer to Q. 29.*—Yes.

*Answer to Q. 32.*—Yes; but not more than six per cent.

*Answer to Q. 33.*—Yes.

*Answer to Q. 34.*—No; I would have it include the actual debt of the City.

*Answer to Q. 35.*—Fifteen years; and I am not of opinion to create a sinking fund.

*Answer to Q. 36.*—I think not.

*Answer to Q. 37.*—No; two only.

*Answer to Q. 38.*—Because I think that there was no money at the disposal of the Corporation.

*Answer to Q. 39.*—Yes.

*Answer to Q. 40.*—Yes.

*Answer to Q. 41.*—I am of opinion, that it would not be desirable to establish such a Court.

*Answer to Q. 42.*—Yes.

*Answer to Q. 44.*—No.

*Answer to Q. 45.*—Fifty pounds currency.

*Answer to Q. 46.*—By the judgment of two or more Judges of the Court of Queen's Bench, after hearing the testimony, which should be oral, in order to render the decision more expeditious, and which should be final and without appeal.

*Answer to Q. 47.*—I have not seen this Petition.

*Answer to Q. 48.*—I am of opinion, that it ought not to be allowed for the future to build others within the City limits; but that should be only for the future.

*Answer to Q. 49.*—No.

*Answer to Q. 50.*—I have not seen the Petition.

*Answer to Q. 52.*—I have not seen the Petition.

*Answer to Q. 53.*—No.

*Answer to Q. 55.*—No.

*Answer to Q. 57.*—No.

*Answer to Q. 59.*—Yes.

Mr. Francois Trudcau, of Montreal, examined:—

*Answer to Q. 4.*—In my opinion they are not too high; the City expenses being very great, and the want of improvements becoming every day more evident, and being called for by a number of Petitions signed by the citizens themselves.

*Answer to Q. 6.*—I think that the preceding answer will also answer this question; but it may be well to remark here, that I merely speak of the taxes at present existing, and not of those which the Ordinance, &c., constituting the City Council, authorizes them to impose in addition. I think it the duty of the Legislature to limit the powers now enjoyed by the City Council. My reason for this opinion is that, at each Election, the new Councillors finding the chest empty, and the resources exhausted, have no alternative in order to make any new improvements but to increase the taxes or raise further loans, which will soon weigh heavy on the citizens.

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*Answer to Q. 7.*—I think that the taxes are pretty fairly proportioned, except in some cases which will appear in the answers to some of the other questions.

*Answer to Q. 9.*—The interest paid by the Corporation is six per cent, per annum.

*Answer to Q. 10.*—Not at all, but to the greater portion, such as soap, candle, and potash manufactories, machines for preparing joiners' wood, and for sawing, —to tanneries, iron foundries, &c.

*Answer to Q. 13.*—Yes, a Petition was ready before the last election of Councillors; this Petition had been finished and examined during, at least, one year, and adopted by the Council; but after the new elections, several amendments were made to it, which had been refused by the former Council.

*Answer to Q. 16.*—Yes, I think that the St. Mary, St. Lawrence, and Queen's Wards, ought each to be subdivided into at least two Wards.

*Answer to Q. 17.*—I think that the St. Mary, St. Lawrence, and Queen's Wards are not sufficiently represented, although I am not of opinion that they ought to be represented according to the number of voters, (because property should be represented,) and I believe that the Centre, East and West Wards contain, in proportion to the population, more property than the others.

*Answer to Q. 20.*—I am of opinion that persons who hold property in different Wards ought to have the right of voting in each Ward wherein such property is situate, for the same reason that property should be represented.

*Answer to Q. 21.*—Yes; for the same reason as given in the last above answer.

*Answer to Q. 22.*—Yes; because his property is just as subject to taxation as if he had a tenant.

*Answer to Q. 23.*—I think that the proprietor should vote in preference to the tenant. I am not certain whether at present such is the case, or not.

*Answer to Q. 24.*—I think it would be good to enregister the voters before the election; it would save a great deal of time, and a larger number of votes could be polled in the course of the day.

*Answer to Q. 25.*—I think that the sum of £10 per annum, for house rent, is sufficiently low to entitle him to vote.

*Answer to Q. 26.*—Yes; I think it better that two or three Assessors should act together, than one alone, as generally when there is only one Assessor, the rate of assessment is as often decided by the influence of the Clerk who accompanies or precedes him, as by the judgment of the Assessor himself.

*Answer to Q. 27.*—I think that the Auditors ought to qualify themselves at least as much as a Councillor, or even as an Alderman, so that they may be interested in the correctness of the accounts submitted to them for examination.

*Answer to Q. 28.*—I beg leave to be excused from giving my opinion on this clause to-day.

*Answer to Q. 29.*—This is a very important question. I think that when it becomes necessary to widen a street, whereby the property situated in that

street becomes valuable, all the proprietors ought to be obliged to contribute (in part;) but I am also of opinion that the Corporation should be authorized to make a By-Law imposing such special Tax, only when such improvement shall have been asked for by a Petition signed by two thirds, or at least by a majority, of the parties having to contribute to the improvements.

*Answer to Q. 32.*—I think it would perhaps be advantageous to the City if the present loan were increased to the sum of £150,000; but at the legal interest of six per cent. and no more.

*Answer to Q. 33.*—Yes; I think the interest due by the City ought to be paid in preference to all other debts; it is the only means of keeping up its credit.

*Answer to Q. 34.*—No; the £150,000 prayed for in the Petition (without reference however to the purchase of the Water Works,) would include the actual debt, but no more.

*Answer to Q. 35.*—I think the Corporation should be authorized to continue their loan for as long a time as they may require it, and that they ought to be authorized to borrow as fast as the old debt is paid off, but provided they do not exceed the sum of £150,000. I also think that it would be advantageous to create a sinking fund.

*Answer to Q. 36.*—I think the Bonds of the Corporation have been generally negotiated at par.

*Answer to Q. 37.*—Yes; several of them contracted with the Corporation on the condition that they would receive Corporation Bonds in payment.

*Answer to Q. 38.*—Because the Corporation had not them, at their disposal, funds necessary for making cash payments.

*Answer to Q. 39.*—The Tenders for building for the Corporation were not, to my knowledge, made on the condition that the Contractors would receive bonds in payment; but I think that the workmen generally were aware that such would be the case, from conversations which they had with different Members of the Council.

*Answer to Q. 40.*—I do not know positively if the Corporation were obliged to pay a higher rate, in consequence of their paying in bonds, but I think it very probable.

*Answer to Q. 41.*—I think that a Court held by the Mayor would be a great advantage, inasmuch as it would diminish the costs of process, especially in favor of the poor; provided a law were passed to that effect.

*Answer to Q. 42.*—I think the right of appeal just and equitable, provided the costs be defrayed by the Appellant, should he lose his case.

*Answer to Q. 43.*—I am not very competent to answer this question; but, in my opinion, the fees should be very low, otherwise the object, which is to diminish the costs in favor of the poor, would be lost; I think that from 1s. 3d. to 2s. on each simple action, would be sufficient.

*Answer to Q. 44.*—I think that such power ought to be granted to the Court, in matters not exceeding the sum of £25.

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*Answer to Q. 45.*—I think he ought not to be obliged to act as Returning Officer, as he is not more paid for that purpose than for his attendance at the Council.

*Answer to Q. 46.*—I think the best plan of election would be to open several polling places in each Ward, say one polling place for each 500 persons or Electors, and that the law would provide for the opening of another polling place whenever the population or the number of voters shall be increased 500 more, and their names shall have been registered: this would, in my opinion, be better than the plan of voting by ballot.

*Answer to Q. 47.*—I think that one of the reasons is to increase the revenues of the City, and to have a more immediate control over the Ferrymen.

*Answer to Q. 48.*—Yes; I am of opinion that all distilleries, steam engines, foundries, and other establishments, being hazardous on account of fire, ought to be without the limits of the City, as they expose the houses in their vicinity to accidents by fire, and in consequence oblige the proprietors of those houses to pay a higher premium of insurance.

*Answer to Q. 49.*—No; I think it would cause considerable damage to the proprietors of the establishments in question, if they were compelled to remove them; but they should not be allowed to rebuild in case of their establishments being burnt down, nor even to enlarge the buildings already existing.

*Answer to Q. 50.*—I think that the division walls of the yards in certain localities of the City, such as prayed for by the Petitioners, would do when connected with buildings, stables, or outhouses; but in every other case I think that board fences are just as good, and even preferable in some cases, for I have never seen fire communicated by means of a fence, but I have often seen board fences knocked down by a few strokes of an axe, and by that means fire engines admitted, when it would have been impossible to penetrate if the fences had been of stone. However, the fences and buildings already existing ought to be left as they are, as long as they will last.

*Answer to Q. 52.*—I think that the prayer of the Petitioners is to prevent the sale of unwholesome Bread, and that it be not under weight; this seems to me to be just; but I would not consider it just to determine the price of the Bread, as proposed by some.

*Answer to Q. 53.*—No; the privilege asked for ought, in my opinion, to be considered equal to the privileges of the Crown, and funeral expenses, that is, without prejudice to any other privilege.

*Answer to Q. 54.*—I pray you will excuse me from answering this question; what I know on this subject is of too little consequence.

*Answer to Q. 55.*—I am. I think the Corporation should have the right to impose special Taxes for sweeping and watering the streets; it is not fair that all the public should be taxed in equal proportions, which the Council has been obliged to do, not being empowered to impose partial taxes, although in some localities where the streets are not yet formed, it is useless to water or sweep them, and it is not fair that the inhabitants of those localities should be obliged to pay for the keeping up of their roads.

*Answer to Q. 57.*—I think they ought to pay as manufactures and commercial establishments; it is a means of protection for persons who carry on only one of these branches of industry.

*Answer to Q. 59.*—Yes; I think it is the interest of the public in general that the limits of the City should be extended on the north-east side at least one mile,—that part called the "Ferry," or the "Foot of the Current," being a very good port, where a number of rafts land, and where they soon will all be forced to land, in order to furnish the City as well with wood for building as with firewood:—It is not fair that each inhabitant of the City should be obliged to pay Toll at the Turnpike Gate for each load they take through, although they only go over a few arpents of the turnpike road, and almost the whole distance is through the streets of the City of Montreal.

Thursday, 27th February, 1845.

*D. Salmon, Esquire, called in; and examined:—*

77. Do you represent the Tavern-keepers of Montreal who, some time ago, submitted a Petition to the Legislature, complaining of the taxes imposed upon them by the City Council?—Yes.

78. Do you think the taxes imposed by the City Council on the Tavern-keepers of the City just and reasonable; if not, please explain in what way you think them unjust?—I think them unjust, and at the same time illegal, this tax being now imposed upon the Tavern-keepers under a By-Law of the Corporation; and I do not see by the Act which establishes the Corporation, that any power has been given them to impose taxes on any kind of industry whatever. I think it unjust for this reason: whether the Tavern-keepers be proprietors or whether they be tenants, they are, like all other members of society, subject to all the contributions which are necessary to be made or levied for the improvement of the City, and paying as they do for their Licences, and all the other taxes which I have just mentioned, this additional tax is unjust and vexatious.

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APPENDIX.

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- No. 1.—Statement of the Debts of the Corporation of the City of Montreal.
- No. 2.—Account Current of the Treasurer of the City of Montreal, from 1st Nov., 1842 to 29th April, 1843.
- No. 3.—Account Current of the ditto, from 1st May, 1843 to 30th April, 1844.
- No. 4.—Probable Revenue of the City of Montreal, from 15th July, 1844, to 15th July, 1845.
- No. 5.—Liabilities of the Corporation of Montreal.
- No. 6.—Return of the Population of the City of Montreal, according to the Census taken in 1844, and of the Revenue by Wards.
- No. 7.—Detailed Statement of the Revenues raised in each Ward of the City of Montreal.
- No. 8.—Schedule of Properties purchased by the Corporation of Montreal.
- No. 9.—Schedule of Properties sold by the Corporation of Montreal.
- No. 10.—Return of the Officers, Clerks, and Servants of the Corporation of Montreal; amount of their Salaries, and dates of their respective appointments.

No. 1.—Statement of the Debts of the Corporation of the City of Montreal.

WHEN PASSED.	CREDITORS.	PURPOSE FOR WHICH LOANED.	NATURE OF OBLIGATION.	CAPITAL SUM DUE.			TOTAL AMOUNT.			
				£	s.	d.	£	s.	d.	
1834										
August	4 John Bower, ...	General purposes, ...	Bond.	500	0	0				
1841										
May	3 John Ryan, ...	Do. ...	do.	125	0	0				
June	11 Rev. M. Leeds, ...	Do. ...	do.	500	0	0				
Dec.	6 Bridget Sheridan, ...	Do. ...	do.	50	0	0				
	13 William Ludlam, ...	Do. ...	do.	300	0	0				
1842										
January	19 Prov. & Savings Bank,	Do. ...	do.	3000	0	0				
February	19 City Bank, ...	Do. ...	do.	2000	0	0				
March	17 Richard Corcoran, ...	Do. ...	do.	100	0	0				
June	30 Bank of Montreal, ...	Do. ...	do.	5000	0	0				
Nov.	14 Mrs. Carter, ...	Do. ...	do.	350	0	0				
1843										
January	1 Bank of Montreal, ...	Do. ...	do.	10000	0	0				
February	18 City Bank, ...	Do. ...	do.	2000	0	0				
March	11 Banque du Peuple, ...	Do. ...	do.	3000	0	0				
April	6 Mrs. Dorion, ...	Do. ...	do.	1875	0	0				
June	6 Mrs. Dorion, ...	Do. ...	do.	1500	0	0				
October	21 Mrs. Wallace, ...	Do. ...	do.	200	0	0				
	" Mrs. Brock, ...	Do. ...	do.	200	0	0				
February	23 John Bower, ...	Do. ...	do.	400	0	0				
Dec.	22 Mrs. Pattingale, ...	Do. ...	do.	200	0	0				
	23 Mrs. Carter, ...	Do. ...	do.	300	0	0				
1844										
January	26 Mrs. Carter, ...	Do. ...	do.	125	0	0				
February	19 Mrs. Brock, ...	Do. ...	do.	125	0	0				
March	6 J. D. Gibb, ...	Do. ...	do.	700	0	0				
May	" J. G. Heath, ...	Do. ...	do.	3000	0	0				
	29 John Bower, ...	Do. ...	do.	300	0	0				
Sept.	10 Eliza Brady, ...	Do. ...	do.	450	0	0				
At different times.	} John and M. Kelly, ...	Contract for New Market, St. Paul Street,	do.	2000	0	0				
October	2 John Mathewson, ...	Improving William Street, ...	do.	250	0	0				
At different times.	} Hector Munro & Co.	Contract for New Market, St. Paul Street,	do.	3000	0	0				
October	18 William Laurie, ...	Pavement, Mountain Street, ...	do.	40	11	3				
Nov.	2 R. Unwin and wife, ...	Opening Craig Street, ...	Debt.	700	0	0				
	" S. Pominville, ...	Opening German Street, ...	do.	125	0	0				
	13 Seminary of Montreal,	Seigniorial Dues owing by the City, ...	do.	1207	12	6				
	29 Seminary of Montreal,	Do. do. ...	do.	1800	0	0				
	30 Daniel Gorrie, ...	Opening Craig Street, ...	Bond.	100	0	0				
	" E. A. Dubois, ...	Do. do. ...	do.	78	12	0				
1845										
January	8 Charles Phillips, ...	Drain, Dorchester Street, ...	do.	83	16	3				
1841							45685	12	0	
Sept.	10 Ladies of the Grey } Nunnery, ... }	Opening M'Gill Street, ...	Notarial Debt.	3000	0	0				
	13 Manna Buck, ... }	Improving Queen Street, ...	Bond.	50	0	0				
	21 Lunn, Molson & Phillips }	Woodblocking Great St. James Street,	do.	600	0	0				
1842										
June	28 Jacques Viger, ...	Widening Notre Dame Street, ...	do.	137	10	0				
Carried over, ...				£	3787	10	0	45685	12	0

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Statement of the Debts of the Corporation of the City of Montreal.—(Continued.)

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11th March.		WHEN PASSED.	CREDITORS.	PURPOSE FOR WHICH LOANED.	NATURE OF OBLIGATION.	CAPITAL SUM DUE.			TOTAL AMOUNT.			11th March.	
						£	s.	d.	£	s.	d.		
1842													
July	15	Hon. D. B. Viger, ...	Blocking St. Paul Street,	Brought over,	Bond.	£ 5787	10	0	46685	12	0		
	"	Pierre Jodbaun, ...	Do. do.		do.	30	0	0					
	"	Am. Prevost, ...	Do. do.		do.	25	0	0					
	"	Hugh Allan, ...	Do. do.		do.	20	0	0					
	"	Norbert Dumas, ...	Do. do.		do.	25	0	0					
	"	Rod. McKenzie, ...	Do. do.		do.	10	0	0					
August	3	Mrs. Normandean, ...	Do. do.		do.	10	0	0					
	5	Simon Valois, ...	Do. do.		do.	10	0	0					
	10	James Crawford, ...	Do. do.		do.	20	0	0					
	"	William Cormack, ...	Do. do.		do.	25	0	0					
	"	Charles Geddes, ...	Do. do.		do.	50	0	0					
	"	John Frothingham, ...	Do. do.		do.	25	0	0					
	13	John Nisher, ...	Do. do.		do.	50	0	0					
	16	H. B. Smith, ...	Do. do.		do.	25	0	0					
	"	J. Torrance & Co. ...	Do. do.		do.	25	0	0					
Nov.	26	John Shuter, ...	Do. do.		do.	100	0	0					
	"	Hon. P. M'Gill, ...	Do. do.		do.	100	0	0					
1843													
January	2	Tancrède Boutillier,	Do. do.		do.	25	0	0					
1842													
August	18	J. D. Gibb, ...	Blocking Notre Dame Street,		do.	100	0	0					
	"	Ed. Muir, ...	Do. do.		do.	100	0	0					
	22	Les Dames de la Con- grégation, ...	Do. do.		do.	100	0	0					
	23	Hon. S. Gale, ...	Do. do.		do.	100	0	0					
	"	John Tiffin, ...	Do. do.		do.	100	0	0					
	25	Henry Mussen, ...	Do. do.		do.	100	0	0					
	29	J. J. Day, ...	Do. do.		do.	100	0	0					
Sept.	"	Hon. D. B. Viger, ...	Do. do.		do.	100	0	0					
	5	Robt. Campbell, ...	Do. do.		do.	100	0	0					
	9	Seminary of Montreal,	Do. do.		do.	100	0	0					
	"	Lawrence Kidd, ...	Do. do.		do.	500	0	0					
	"	Robertson, Masson & Co. ....	Do. do.		do.	100	0	0					
October	10	James Ferrier, ...	Do. do.		do.	100	0	0					
	17	Wm. Forsyth, ...	Do. do.		do.	100	0	0					
	"	J. B. Forsyth, ...	Do. do.		do.	100	0	0					
	22	William Lunn, ...	Blocking St. Paul Street,		do.	100	0	0					
Nov.	22	J. M. Tobin, ...	Blocking Notre Dame Street,		do.	100	0	0					
	30	M. J. Hays, ...	Do. do.		do.	100	0	0					
Dec.	5	Wm. Bleakley, ...	Do. do.		do.	100	0	0					
1843													
May	31	Jean Bruncau, ...	Do. do.		do.	100	0	0					
June	2	Thomas Mussen, ...	Do. do.		do.	100	0	0					
1841													
Sept.	30	Pilette, Gaucher, and Berthelet, ...	Opening St. Jean Baptiste Street, ...		Notarial Deed.	1600	0	0					
Nov.	18	The Heirs Legrand, ...	Do. New Hay Market, ...		do.	2950	0	0					
1842													
July	16	John Birss, Tutor, ...	Do. St. Claude Street, ...		do.	1100	0	0					
August	31	Seminary of Montreal,	Do. Mountain and McCord Streets,		Bond.	150	0	0					
Nov.	26	Archibald Hume, ...	Widening St. Nicolas Tolentin Street,		do.	87	15	0	12850	5	0		
1842													
Nov.	30	René Kimber, junr. ...	Widening St. François Xavier Street, ...		Bonds.	112	10	0					
1843													
July	11	William Watson, ...	Improving Common Street,		do.	410	0	0					
Sept.	28	Ed. Muir, ...	Drain, St. Monique Street,		do.	30	0	0					
	29	Seminary of Montreal,	Do. Coté Street,		do.	37	10	0					
	"	Alfred Larocque, ...	Do. do.		do.	25	0	0					
	"	Louis Comte, ...	Do. do.		do.	12	10	0					
	"	The Bond-holders of the Ste. Anne Market	Purchase of the rights of all the indi- vidual Stockholders,		do.	15584	18	6					
Sept.	7	J. E. Mills, ...	Drain, St. Geneviève Street,		do.	25	0	0					
	8	Thos. Jenkins, ...	Do. do.		do.	50	0	0					
October	19	And. Watson, ...	Do. do.		do.	25	0	0					
Nov.	29	John Redpath, ...	Improving Mountain Street,		do.	386	7	4					
	24	Seminary of Montreal,	Do. Prevost Street,		do.	200	0	0					
1843													
January	31	J. H. Lambe, ...	Do. Queen Street,		do.	94	0	0					
February	3	Wm. Dow, ...	Do. Colborne Street,		do.	20	0	0					
October	20	N. Desmarcau, ...	Improving Elizabeth & German Streets,		Notarial Deed.	260	0	0					
1844													
January	18	Hon. J. Molson,	New Market, St. Paul Street,		Bonds.	8000	0	0					

Carried forward, ... £25272 15 10 58335 17 0

Appendix (S. S.)

Statement of the Debts of the Corporation of the City of Montreal—Continued.

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11th March.		WHEN PASSED.	CREDITORS.	PURPOSES FOR WHICH LOANED.	NATURE OF OBLIGATION.	CAPITAL SUM DUE.			TOTAL AMOUNT.		
						£	s.	d.	£	s.	d.
February	29	F. Trudeau, ...	Brought forward, ...	New Market, St. Paul Street, ...	Bonds.	25272	15	0	58535	17	0
February	24	Hon. D. B. Viger, ...	Opening Place Viger Square, ...	New Market, St. Paul Street, ...	Notarial Deed.	1900	0	0			
March	2	G. Paulet Scrope, ...	New Market, St. Paul Street, ...	Do. do.	Bond.	1000	0	0			
	4	Pilette, Gaucher, and Berthelet, ...	Do. do.	Do. do.	Deed.	2000	0	0			
	6	G. Paulet Scrope, ...	Do. do.	Do. do.	do.	1500	0	0			
	20	Mrs. O'Sullivan, ...	Do. do.	Do. do.	do.	1800	0	0			
	23	E. A. Dubois, ...	Opening Craig Street, East, ...	New Market, St. Paul Street, ...	Bonds.	500	0	0			
February	23	A. W. Busby, ...	New Market, St. Paul Street, ...	Do. do.	Deed.	400	0	0			
March	1	Wm. Walker, ...	Do. do.	Do. do.	do.	1300	0	0			
	"	Isaac Ogden, ...	Do. do.	Do. do.	do.	346	12	7			
	23	Jos. Brassard, ...	Opening Craig Street, ...	Do. do.	do.	350	0	0			
April	21	Louis Guy, ...	Do. do. and Place Viger, ...	Do. do.	do.	800	0	0			
February	24	John Tiffin, ...	Do. St. Gabriel Street, ...	Do. do.	do.	1275	0	0			
May	8	James Ferrier, ...	Do. Dorchester Street, ...	Do. do.	Bond.	1125	0	0			
Sept.	15	E. Atwater, ...	Do. Catherine Street, ...	Do. do.	do.	150	0	0			
May	17	J. H. Anderson, ...	Widening Bleury Street, ...	Do. do.	do.	200	0	0			
	27	John Ostell, ...	Opening Craig Street, ...	Do. do.	do.	90	0	0			
June	13	Mrs. Gauvin, ...	Do. do.	Do. do.	do.	150	0	0			
April	30	G. Paulet Scrope, ...	New Market, St. Paul Street, ...	Do. do.	do.	200	0	0			
August	2	Louis Russel, ...	Widening Bleury Street, ...	Do. do.	do.	1550	0	0			
	7	Frs. Trudeau, ...	Opening Craig Street, ...	Do. do.	do.	70	14	6			
	15	David Rac, ...	Do. do.	Do. do.	do.	550	0	0			
At differ-		Drake & Gibbon, ...	Drain, do.	Do. do.	do.	400	0	0			
ent times.						1350	0	0			
Sept.	11	Léon St. Germain, ...	Opening Mountain Street, ...	Do. do.	do.	60	0	0			
August	28	C. S. Rodier, ...	Planking Richmond Street, ...	Do. do.	do.	75	0	0			
		S. Gerard et al, ...	Blocking St. Gabriel Street, ...	Do. do.	do.	500	0	0			
Sept.	6	Rev. W. Primeau, ...	Opening Craig Street, ...	Do. do.	do.	200	0	0			
	5	Aug. Demers, ...	Widening German Street, ...	Do. do.	do.	100	0	0			
									45515	2	11
Total Debt of the Corporation of Montreal, so far as it has come to the knowledge of									£104050	19	11

ARTHUR ROSS.

TREASURER'S OFFICE, CITY HALL, Montreal, January 16th, 1845.

No. 2.—The City of Montreal in Account Current with Arthur Ross, City Treasurer, from 1st November, 1842, to the 29th April, 1843.

		SALARIES.					
		£	s.	d.	£	s.	d.
1843	April 29.	Hon. P. McGill, Mayor, salary to 30th November, ...	85	13	8		
		Joseph Bourret, Esq., Mayor, 3 months' salary, ...	75	0	0		
		J. P. Sexton, Esq., City Clerk, 6 months' salary to date, ...	200	0	0		
		John Ostell, Esq., City Surveyor, do. ...	250	0	0		
		Arthur Ross, Esq., City Treasurer, do. ...	150	0	0		
		Mr. J. R. Bronsdon, Sup. Fire Department, do. ...	150	0	0		
		Capt. Comeau, Inspector of Police, 3 do. to 31st March, ...	18	15	0		
		Mr. Harding, Asst. in Treasurer's Office, 6 do. to date, ...	75	0	0		
		Mr. Bodley, do. Clerk's Office, do. ...	75	0	0		
		Mr. Bourdon, Clerk of New Market, do. ...	100	0	0		
		Mr. Eardly, Clerk of Hay Market, do. ...	62	10	0		
		Mr. A. Schwartz, do. ...	37	10	0		
		Mr. Robillard, Clerk of Place Viger Market, do. ...	43	6	8		
		Mr. M'Kercher, Overseer of Works, do. ...	50	0	0		
		Mr. Donoghue, Messenger, do. ...	42	10	0		
					1415	5	4
		ROADS AND IMPROVEMENTS.					
		WAGES OF CARTERS AND LABOURERS.					
1842.	Nov.	City Surveyor, for Wages of Carters and Labourers, ...	895	16	7		
	Dec.	do. ...	102	18	2		
	Jan. 1843.	do. ...	98	14	3		
	Feb.	do. and Stone Breaking, ...	237	18	6		
	March.	do. do. ...	381	14	3		
	April.	do. do. ...	337	5	2		
					2054	6	10
		Carried over, ...	£	3460	12	2	



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## Statement of the Accounts of the City of Montreal.—(Continued.)

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11th March.

11th March.

1843.

	£	s.	d.	£	s.	d.
Brought over, ...				3469	12	2
STONE FOR BREAKING.						
Various Contractors during the winter months, ...				1630	13	3
BROKEN STONE (employed last fall.)						
Various Contractors, ...				337	19	2
CARPENTERS' WORK.						
D. Grant, balance for Ramp, Voltigeurs street, ...	265	0	0			
J. Hogue, — ...	5	19	1			
E. Maxwell, — ...	1	15	7			
Trudeau, for Shingling Station House, ...	11	5	0			
E. Bellinge, Cartwright, — ...	2	5	0			
Goodwillie & Wark, — ...	6	14	4			
Goodwillie & Wark, Place Viger Market, ...	24	14	11			
				317	13	11
TOOLS AND BLACKSMITHS' WORK.						
J. Keller, Shovels, ...	20	11	4			
B. Brewster & Co., Tools, ...	12	12	10			
Forsyth, Richardson & Co., Picks, ...	1	4	9			
J. Hogarth, Repairs, ...	1	0	5			
Sutherland and Burnett, New Tools and Repairs, ...	125	0	0			
Scott & Shaw, Nails and Tools, ...	28	13	6			
Hedge & Co., Repairs to Scales, Place Viger, ...	0	15	0			
				189	17	10
PAVEMENTS, SIDE-PATHS, CHAIN STONES, AND COMMON SEWERS.						
Drake & Gibbon, on account, ...	1825	0	0			
R. Otey, in full for Cleaning the Tunnel under Craig street, ...	45	18	6			
Cannon, Son & Co., Bricks for Side Walks, ...	206	0	11			
Freight of part of those Bricks, ...	126	0	0			
Mr. C. Campbell, allowance for relaying Cut Stone Foot Walk, Wellington street, ...	8	13	3			
Mr. H. Jackson, cost of Cut Stone Foot Walk, Durham Place, ...	17	1	0			
Mr. A. Hume, Leeched Ashes, ...	50	8	4			
Mr. J. Mathewson, do. ...	2	2	6			
Mrs. Coward, do. ...	1	13	0			
Mr. Brennan, ...	4	6	0			
Wm. Lunn, Esq., Drain, Fortification Lane, adopted by the City, ...	38	7	0			
Trustees of St. Paul's Church, Drain, Recollet street, adopted by the City, ...	17	0	0			
T. Nelson, in full on his Contract for a Culvert, Victoria Road, ...	16	13	4			
				2378	5	6
WOOD BLOCK PAVEMENTS AND PLANK SIDE WALKS.						
Maxwell & Watson, final balance on their Contracts for Wood-blocking streets	736	6	3			
John Crooks, for Wood-blocking streets, ...	204	12	2			
Bigelow & Son, Deals, ...	48	11	9			
F. St. Jean, do. ...	181	4	0			
A. & J. M'Bean, Squared Timber for Blocking, ...	281	0	10			
Tobin & Murison, Deals, ...	26	10	5			
Atkinson & Co., do. ...	24	8	9			
J. Houtson, Scantling for Sleepers, ...	61	0	11			
T. Peck, Spikes, ...	229	4	2			
M. Gagnon, Tamarack Timber for Sleepers, ...	67	16	3			
Forsyth, M'Gill & Co., ditto, ...	109	19	7			
Mr. M'Cord, a Two-horse Roller, ...	10	0	0			
Lafontaine, Cartage, ...	26	16	0			
				1997	11	1
NEW WEIGH HOUSE, OFF CRAIG STREET.						
Bulmer & Sons, and Pullan & Co., Builders, on account of their Contract for erecting a New Weigh House, ...	275	15	0			
Bulmer & Sons, on account of their second Contract for Carpenters' and Plasterers' Work to complete the Weigh House, ...	40	0	0			
				315	15	0
PLANS FOR PUBLIC WORKS.						
Mr. Footner, Plan and Specification for Ramp, Voltigeurs Street, ...	5	0	0			
Mr. Footner, ditto for Weigh House, off Craig Street, ...	9	10	0			
Mr. Footner, ditto, with a view to forming City Hall and Offices over St. Ann's Market, ...	6	17	0			
				21	7	0
Carried forward, ...				£10658	14	11

Appendix  
(S. S.)

## Statement of the Accounts of the City of Montreal.—(Continued.)

Appendix  
(S. S.)

11th March.

11th March.

1843.

		£	s.	d.	£	s.	d.
Brought forward, ...					10658	14	11
RENT OF DEPOTS.							
Mrs. Quesnel, to 1st December last, ...		30	0	0			
Hon. Judge Rolland, to 16th April, inst., ...		7	10	0			
					37	10	0
FIRE DEPARTMENT.							
Pay Lists of Fires of 22d Oct., 4th and 6th Nov., St. Elizabeth, St. François Xavier, and William Streets, ...		133	15	6			
Water Works Co., balance of account for Fire Plugs, ...		202	11	1			
R. Miller, Numbering and Stitching P. P. C. Collars, ...		9	1	3			
A. Samuels, keeping in order 1700 feet of Hose for the years 1839, '40, '41, and to 30th Nov. 1842, ...		211	0	0			
R. Morris, Smoke-Cap, covering Suction Hose, &c. ...		10	15	6			
J. Spears, Blacksmiths' Work, ...		12	18	3			
L. Haldimand, Rope, ...		0	13	8			
J. B. Bronsdon, Carpenters' Work, ...		2	15	6			
J. Fleming, Red Leather, ...		4	4	0			
Rent of Engine House, Great St. James Street, to 1st Nov. ...		12	10	0			
Pay Lists of Fires of 1st and 12th Dec., Wolfe and St. Ann Streets, ...		94	4	0			
Allowance to Firemen, 6s. each, towards purchasing new Fire Coats, ...		46	0	0			
Compensation to Jos. Marceau & J. B. Neau, injured at the fire of 1st Dec. last, ...		5	6	0			
Scott & Shaw, Padlocks, ...		0	11	10			
Pay Lists of Fires of 1st and 15th Jan., St. Dominique and McGill Streets, ...		94	8	9			
S. Gibson, Repairs to Buckets, ...		4	17	0			
J. Spears, do. to Engines, ...		6	17	3			
J. McNider, Branch Pipe, ...		1	10	0			
J. Jones, Stove, ...		1	15	0			
Dr. Arnoldi, Jr., attendance on Firemen hurt at fires, ...		5	2	6			
R. Graham, Stationer, ...		5	17	8			
A. Samuels, Repairs to 1450 feet of Hose, &c., ...		22	11	9			
Pay Lists at Fires of 29th and 31st Jan., and 1st and 4th Feb., Notre Dame, and St. Joseph Streets, and Placo d'Armes, ...		97	3	0			
G. Ashton & Co., Caps, ...		4	10	0			
Freight of Engine from Quebec, ...		1	10	0			
J. Surtees, Repairs to Chimney, Engine House, No. 3, ...		1	2	8			
Pay Lists of Fires of 13th and 16th Feb., Craig Street, ...		92	16	3			
J. Poulson, sundry work, and care of Engine House, ...		4	0	0			
Pay Lists at Fires of 14th and 18th March, Lagauchetière street, and payment of sundry accounts, ...		114	0	9			
					1204	3	2
GAS LIGHT.							
Gas Light Co., for Lighting the City, quarter ending 1st Nov. last, ...		453	0	0			
Ward, Brush & Co., Cast-iron Lamp Posts, ...		246	17	8			
Middlemiss & McIntosh, Cedar for Gas Posts, ...		26	8	9			
Jos. Ross, a Stick of Oak for do., ...		5	0	0			
G. Garth, Repairs to Public Lamps, from Sept. 1840, to Dec. '41, and account for Gas Fittings for 1842, ...		92	0	4			
Gas Light Co., quarter ending 1st Feb. last, ...		487	10	0			
Rogers & Wright, Painting Lamp Posts, ...		12	2	8			
Gas Light Co., Fixtures, ...		145	16	7			
					1468	16	0
POLICE.							
Commissioner of Police, quarter ending 30th Sept., ...		800	0	0			
Commissioner of Police, quarter ending 31st Dec. ...		1100	0	0			
A. Comeau, Rent of Office, as Inspector of Bread, to 1st Feb. ...		6	5	0			
The Constabulary Force, Pay List, from 23d to 31st Jan., ...		61	19	9			
The Municipal Police Force, Pay List for Feb. ...		202	11	4			
Do. for March, ...		250	8	7			
Do. for April, ...		398	18	1			
					2820	2	9
PURCHASE OF PROPERTY.							
Andrew Dickson, award of Jury for a slip of Land to widen Lagauchetière st. ...		38	17	11			
Dominic Dempsey, do, to widen St. Nicholas Tolentin, ...		85	0	0			
The Fabrique, balance due on the purchase of that part of Notre Dame Street opposite the Parish Church, ...		167	0	0			
					280	17	11
INTEREST ON MONIES DUE FOR PURCHASE OF PROPERTY.							
O. Berthelot, Esq., and others, six months Interest on £2500 to 1st Nov., (continuation of St. Jean Baptiste Street,) ...		75	0	0			
The Ladies of the Grey Nunnery, six months Interest on £3000, (continuation of McGill and Wellington Streets,) ...		90	0	0			
J. Birss, Tutor, Interest on £1100, to 18th Nov. (continuation of St. Claude Street,) ...		33	0	0			
Part of the Heirs Legrand, 12 months Interest on £2950, to the 18th Nov. (property on both sides of Craig Street, to increase the size of the Hay Market,) ...		159	6	0			
					357	6	0
Carried over, ...					£16827	10	9

Appendix  
(S. S.)

## Statement of Accounts of the City of Montreal.—(Continued.)

Appendix  
(S. S.)

11th March.

11th March.

1843.

	£	s.	d.	£	s.	d.
Brought over, ...				16827	10	9
INTEREST ON MONIES BORROWED.						
City Bank, Interest on the first loan of £2000 to 19th August next, ...	120	0	0			
Montreal Bank, Interest on the 1st loan of £5000 to 30th April, ...	150	0	0			
B. Sheridan, Interest to 4th Dec. ...	3	0	0			
Hon. Jno. Molson, Interest on £6800 to 20th March, ...	204	0	0			
Wm. Ludlam, Interest to 21st Feb. ...	24	0	0			
Prov. and Savings Bank, Interest on £3000 to 19th Jan. ...	90	0	0			
R. Corcoran, Interest to 17th March, ...	6	0	0			
Bank du Peuple, Interest to 31st March, ...	45	0	0			
City Bank, Interest on second loan of £2000 to 30th June next, ...	60	0	0	702	0	0
LEGAL EXPENSES AND NOTARIAL DEEDS.						
The Clerk of the Peace, Summoning Juries, ...	16	15	0			
Mr. O'Meara, half the expenses in arbitration in the case of the Council vs. O'Meara & Dwyer, ...	4	10	0			
Mr. Bibaud, Translating, ...	1	17	3			
Mr. Meredith, documents touching loan of £10,000, ...	15	11	8			
Corporation Notaries, ...	59	4	4			
Mr. A. R. Cherrier, Costs, ...	0	16	8			
Messrs. Fisher & Smith, retaining fee in suit Gas Company vs. Mayor, ...	10	0	0			
Mr. E. Guy, N. P., ...	2	0	0	110	14	11
BONDS CANCELLED BY PAYMENT.						
Mrs. D. Ross, (with interest), ...	530	0	0			
Jane Kennedy, do, ...	106	15	0	636	15	0
RETIRED ALLOWANCES.						
Jacques Viger, Esq., to 31st March, ...	50	0	0			
P. DeBoucherville, Esq., to 30th April, ...	100	0	0	150	0	0
CITY HALL.						
Watson, Black & Co., Sperm Candles, ...	11	5	0			
W. Footner, Oil, ...	1	14	2			
H. O'Donoghue, petty disbursements, ...	7	0	7			
Savage & Son, Lamps, ...	2	15	9			
J. B. Bronsdon, Repairs, ...	4	17	1			
M. Cullen, do, ...	0	18	3			
Rent of City Hall to 1st February last, ...	75	0	0			
Scott & Shaw, Fire-irons, ...	2	14	4			
Harrison, Tinsmith, ...	6	16	2	113	1	4
ADVERTISING, PRINTING AND STATIONERY.						
E. C. Tuttle, Stationer, ...	22	0	3			
Lovell & Gibson, Advertising and Printing, ...	20	4	5			
R. Graham, Stationer, ...	89	10	1			
Starke & Co., Printing By-Laws, ...	49	8	0			
Armour & Ramsay, Advertising, Printing, &c., ...	32	13	6			
Canadien, Subscription, ...	1	5	0			
Gazette by Authority, do, ...	1	4	0			
Mercury, do, ...	1	5	0			
Canada Gazette, do, ...	0	15	0			
Quebec Gazette, do, ...	1	19	0			
Aurore des Canadas, Subscription and Advertising, ...	17	4	7			
Morning Courier, ...	3	6	11			
Times, ...	7	0	1			
H. H. Cunningham, ...	0	15	6			
G. Matthews, Lithographer, ...	5	6	0	253	17	4
DAMAGES FOR COMPENSATION.						
D. P. Ross, Esq., expense incurred by him on the raising the levels in St. Paul and McGill Streets, ...	25	0	0			
Mr. Teller, allowed him for losses sustained on his Contract for Wood Blocking the west end of Notre Dame Street, ...	100	0	0			
Mr. N. Phillips, damages to his premises, lent to the City for the St. Lawrence Ward Election, ...	1	5	6			
Mr. P. Thompson, lessee of Logan's Farm, damages caused to his field by the continuation of Lagachetière Street, ...	4	0	0			
Mr. P. Pominville, expenses incurred by him on the raising the level of St. Joseph Street by the City, ...	7	10	0	197	15	6
Carried forward, ...				£18931	14	10

Appendix  
(S. S.)

Statement of the Accounts of the City of Montreal. — (Continued.)

Appendix  
(S. S.)

11th March.

11th March.

1843.

		£	s.	d.	£	s.	d.
Brought forward, ...		...	...	...	18981	14	10
MARKET CONTINGENT FUND.							
Mr. A. Bourdon, ...		75	0	0			
Mr. Hardley, ...		60	0	0			
Mr. Robillard, ...		3	17	2			
					188	17	2
EXTRA ASSISTANCE IN OFFICES.							
Mr. W. H. McKenzie, ...		7	10	0			
Mr. A. Henry, ...		18	15	0			
Mr. R. D. Bodley, bringing up Minutes of Road Committee, ...		26	0	0			
Mr. R. Dillon, ...		6	13	9			
Mr. Jos. Bourdon, serving notices, &c. ...		7	5	3			
Mr. W. Henry, drain accounts, ...		7	3	0			
Mr. Whatley, to 11th February, ...		28	0	3			
Mr. Blanchet, ...		26	0	0			
					124	7	3
COLLECTING STATUTE LABOUR MONEY.							
F. Goodlike, ...		11	14	9			
R. Dillon, ...		24	18	0			
					36	13	3
CENSOR'S CLERKS.							
F. Goodlike, (including retaking Centre Ward,) ...		63	1	0			
E. Hackett, checking returns, ...		2	10	0			
R. Dillon, balance, ...		38	17	0			
					104	8	6
MISCELLANEOUS EXPENSES.							
Sundry disbursements of City Surveyor, from Sept. 1840 to Nov. 1842, ...		74	12	4			
Insurance of Municipal Property, ...		39	5	0			
J. Mathewson, Esq., to reimburse him for purchase in England of three Office Seals, Models of Wood Block Pavements, and different Solar Lamps for Streets, ...		12	8	0			
C. McCormack, serving notices, posting bills, &c. ...		2	17	0			
A. Dorval, Public Crier, ...		5	0	0			
Clerks employed at the Ward Elections, ...		6	10	0			
W. Patrick, rent of Poll House, Queen's Ward, ...		5	0	0			
Post Office, six months, ...		6	7	4			
Binding 1000 copies of By-Laws, ...		20	16	8			
Prov. Duty and Auctioneers' Commission on Sale of Lot in St. Jean Baptiste Street, ...		16	0	0			
Returned to Heirs Côte, paid by mistake, ...		0	9	0			
Asyle de la Providence, Assessment remitted, by order of the Council, ...		3	15	0			
D. M'Dermot, Bricklayer, Safes in Offices, ...		18	0	0			
					210	0	10
					19546	1	10
					15099	1	8
					£ 34645	3	6
Balance in the hands of the City Treasurer this day. ...							

CR.

1842.

		£	s.	d.	£	s.	d.
Nov. 1,	By Balance this day, ...				4140	6	5
" 14,	By Loans of money, from Mrs. Mary Ann Carter, ...						
" 22,	J. M. Tobin, towards Wood Blocking Notre Dame Street, ...	350	0	0			
" 26,	John Shuter, ditto St. Paul Street, ...	100	0	0			
" "	Hon. Peter M'Gill, ditto ditto, ...	100	0	0			
" "	Arch. Flume, towards widening St. Nicholas Tolentin Street, ...	100	0	0			
" 30,	M. J. Hays, towards Wood Blocking Notre Dame Street, ...	87	15	0			
Dec. 6,	William Bleakley, ditto ditto, ...	100	0	0			
1843.		100	0	0			
Jan. 3,	Bank of Montreal, payable 1st Nov. 1844, ...	3000	0	0			
" "	Ditto " " 1846, ...	4000	0	0			
" "	Ditto " " 1846, ...	3000	0	0			
Feb. 18,	City Bank, ...	2000	0	0			
" 23,	John Bower, ...	400	0	0			
March 18,	Banque du Peuple, ...	3000	0	0			
April 6,	J. B. Theo. Dorion, ...	1875	0	0			
" 29,	J. H. Lamb, towards the Drain in Queen Street, ...	94	0	0			
" 29,	William Dow, ditto Colborne Street, ...	20	0	0			
					19326	16	0
Carried over, ...					£ 22467	1	6

Appendix (S. S.)

Statement of the Accounts of the City of Montreal.—(Continued.)

Appendix (S. S.)

11th March

CR.

11th March.

		£	s.	d.	£	s.	d.	
Brought over, ... ..		22	467	1	5			
Proceeds of five Bonds of £1000 each, executed by the Board of Works in favor of the Corporation of Montreal, and cashed by the Bank of British North America, with interest to 11th November, 1842, ... ..			5133	10	2			
Donation of D. P. Ross, towards Wood Blocking St. Paul Street, ... ..			5	0	0			
Dr. A. Hall, the first instalment on his purchase, from the City, of a Lot on the line of continuation of St. Jean Baptiste Street, ... ..			100	0	0			
Clerk of the Peace, return of Fines to 10th Oct. 1842, ... ..			16	6	3			
Arrears of Assessment, ... ..			90	13	6			
Permission to open Streets, ... ..			2	10	0			
Drain Accounts, ... ..			440	18	0			
Grocers paying £2 to the Road Fund, (1842,) ... ..			4	0	0			
Ditto ditto, (1843,) ... ..			96	0	0			
Rent of Shop, St. Paul Street, to 1st August next, ... ..			12	10	0			
MARKETS—New Market—Mr. Bourdon, ... ..		522	15	6				
Hay Market—Mr. Fardley, ... ..		415	7	7				
Place Viger—Mr. Robillard, ... ..		120	12	1				
Rent of Stalls, New Market, (on account rents due Feb. 1843,) ... ..			1058	15	2			
Fees from Carters, &c., for Registration, ... ..			166	1	0			
Pawnbroker, ... ..			83	15	0			
FIRE DEPARTMENT—John Russell, ... ..			12	10	0			
Returned to the City by Wm. Ermatinger, Esq., after paying the Police Force, to the period of dismissal by Government, ... ..			450	0	0			
Wholesale Merchants, duty on business premises, ... ..			20	8	0			
Retail Merchants ditto, ... ..			167	0	0			
Grocers, ditto, ... ..			65	10	0			
Liquors, ditto, ... ..			48	16	0			
Liquors, ditto, ... ..			103	0	0			
TOTAL NUMBERS.								
	LAST WARD.	CENTRE WARD.	WEST WARD.	EAST, CENTRE, AND WEST WARD.	ST. LAWRENCE WARD.	ST. MARY'S WARD.	QUEEN'S WARD.	TOTAL.
401	Assessment,..... 608 3 0	763 12 0	800 19 0	44 15 0	298 19 0	0 322 13 0	0 808 19 0	0 3603 5 0
207	Statute Labour, @ 5s.....			8 10 0	8 10 0	20 15 0	26 5 0	100 5 0
124	Labour Horses, @ 7s. 6d.....			13 10 0	14 5 0	7 17 6	42 0 0	77 12 6
7	Pleasure Horses, @ 12s. 6d.....			35 0 0	12 10 0	10 0 0	20 0 0	77 10 0
8	For 54 Wheeled Carriages, @ 20s			5 0 0	2 0 0			7 0 0
7	hire. 72 do. @ 15s			5 5 0			0 15 0	6 0 0
68	Private Caleches, Gigs, &c., @ 20s			20 0 0	15 0 0	12 0 0	21 0 0	68 0 0
8	Waggons, @ 30s.....			1 10 0	4 10 0		6 0 0	12 0 0
3	Close Carriages, @ £3.....			6 0 0	3 0 0			9 0 0
11	Half Covered Carriages, @ £2.....			6 0 0	2 0 0	4 0 0	10 0 0	22 0 0
32	Dennets, @ 30s.....			18 0 0	13 10 0		16 10 0	48 0 0
50	Chained Dogs, @ 5s.....			3 10 0	2 15 0	1 5 0	5 0 0	12 10 0
153	Loose Dogs, @ 7s. 6d.....			13 10 0	7 10 0	15 0 0	21 7 6	57 7 6
	Omnibus,.....							
	Stage Coaches,.....							
	£ 608 3 0	763 12 0	800 19 0	172 0	384 9	393 10	6977 16 6	4100 10 0
								£ 34645 3 6

N. B.—The accounts of the St. Ann's Market are not blended with those of the City, but will be published separately.

Examined and found correct,  
MONTREAL, 29th April, 1843.

B. H. LEMOINE, }  
C. H. CASTLE, } Auditors.

RECAPITULATION—Shewing the total Amount of Receipts and Expenditure of the City of Montreal, from 1st May, 1842, to 1st May, 1843.

1842. Oct. 31.	Amount of monies paid from 1st May to 31st October, 1842, as per printed statement, ... ..	36212	4	3
1843. April 29.	Amount of monies paid from 1st November, 1842, to 29th April, 1843, as per statement above, ... ..	19546	1	10
	Cash on hand 1st May, 1843, ... ..	55758	6	1
		15099	1	8
		£ 70857	7	9

RECAPITULATION.—(Continued.)

11th March.

11th March.

	Receipts from 1st May to 1st Nov., 1842.			Receipts from 1st Nov., 1842, to 1st May, 1843.			Total Receipts of the year.		
	£	s.	d.	£	s.	d.	£	s.	d.
Total amount of Assessment, Taxes on Horses, Carriages, &c. ...	6018	5	0	4100	10	0	10118	15	0
Wholesale Merchants—Duty @ 10 p cent. on business premises, ...	1400	4	0	167	0	0	1567	4	0
Retail Merchants, ditto, ...	1590	18	0	65	10	0	1656	8	0
Grocers—Duty under the Road Act, ...	28	0	0	100	0	0	128	0	0
Grocers—Duty of 10 p cent. added by the Council, ...	312	8	0	48	16	0	361	4	0
Innkeepers—Duty under the Road Act, ...	368	0	0	...	...	...	368	0	0
Innkeepers—Duty added by the City Council, ...	1811	5	0	103	0	0	1914	5	0
Drain Accounts, ...	246	0	2	440	18	0	686	18	2
Monies paid for permission to open streets, ...	5	0	0	2	10	0	7	10	0
Clerk of the Peace, ...	48	6	0	16	6	3	64	12	3
Auctioneers, @ £50 each, ...	600	0	0	...	...	...	600	0	0
Pawnbrokers, @ £12 10s. each, ...	37	10	0	12	10	0	50	0	0
Theatre Royal, ...	4	7	6	...	...	...	4	7	6
Circus and Exhibition of Wild Beasts, ...	27	10	0	...	...	...	27	10	0
Arrears of Assessment, ...	99	19	6	90	13	6	190	13	9
Arrears of Duty @ 10 per cent. for 1841, ...	6	10	0	...	...	...	6	10	0
Rent of Shop in St. Paul Street, one quarter, ...	...	...	...	12	10	0	12	10	0
Fees received from City Clerk for affixing Corporation Seal, ...	9	15	0	...	...	...	9	15	0
Fees received by the City Surveyor for permissions, Street Lines, and monies remaining in his hands uncalled for, ...	95	10	9	...	...	...	95	10	9
MARKETS—New Market—Mr. Bourdon, ...	765	12	7	522	15	6	1288	8	1
Hay Market—Mr. Eardley, ...	206	7	9	415	7	7	621	15	4
Place Viger—Mr. Robillard, ...	115	14	2	120	12	1	236	6	3
Butchers' Stalls, New Market, ...	425	16	6	166	1	0	591	17	6
Fees paid by Carters, Cabmen, &c., for Registration, ...	492	15	9	83	15	0	576	10	9
FIRE DEPARTMENT—Messrs. Perrault & Russell, ...	405	7	0	450	0	0	855	7	0
<b>TOTAL AMOUNT OF RECEIPTS from 1st May, 1842, to 1st May, 1843, ...</b>	...	...	...	...	...	...	22039	17	7
Balance on hand on 1st May, 1842, ...	...	...	...	...	...	...	2711	8	0
Donations—From the Seminary of Montreal, towards opening M'CORD Street, ...	...	...	...	...	...	...	200	0	0
" From the Proprietors in Great St. James Street, towards Wood Blocking, ...	...	...	...	...	...	...	150	0	0
" From the Proprietors in Little St. James Street, ditto, ...	...	...	...	...	...	...	75	0	0
" From D. P. Ross, Esq., towards Wood Blocking St. Paul Street, ...	...	...	...	...	...	...	5	0	0
Sale of Lot, St. Jean Baptiste Street, to Dr. Hall—first instalment paid up, ...	...	...	...	...	...	...	100	0	0
Sale of the Common of Montreal to the Government, ...	...	...	...	...	...	...	18853	19	2
Loan, towards Wood Blocking St. Paul Street, ...	...	...	...	...	...	...	775	0	0
Do. do. Notre Dame Street, ...	...	...	...	...	...	...	2200	0	0
Do. do. Great St. James Street, ...	...	...	...	...	...	...	600	0	0
Do. Seminary of Montreal, towards opening M'CORD Street, ...	...	...	...	...	...	...	150	0	0
Do. do. towards widening St. Nicholas Tolentin Street, ...	...	...	...	...	...	...	87	15	0
Do. towards laying a Common Sewer in St. Geneviève Street, ...	...	...	...	...	...	...	100	0	0
Do. do. Colborne Street, ...	...	...	...	...	...	...	20	0	0
Do. do. Queen Street, ...	...	...	...	...	...	...	94	0	0
Do. do. King Street, ...	...	...	...	...	...	...	50	0	0
Loans for General purposes:—	...	...	...	...	...	...	...	...	...
Bank of Montreal, ...	...	...	...	...	...	...	15000	0	0
City Bank, ...	...	...	...	...	...	...	2000	0	0
Banque du Peuple, ...	...	...	...	...	...	...	3000	0	0
J. B. Theophile Dorion, ...	...	...	...	...	...	...	1875	0	0
John Bower, ...	...	...	...	...	...	...	400	0	0
Mrs. Mary Ann Carter, ...	...	...	...	...	...	...	350	0	0
Returned to the City by W. Ermatinger, Esq., after paying off the Police, ...	...	...	...	...	...	...	20	8	0
							£70857	7	9

No. 3.—The City of Montreal, in Account Current with Arthur Ross, City Treasurer, from 1st May, 1843, to 30th April, 1844.

1843. May 1.		£	s.	d.	£	s.	d.
	Salaries, ...				2980	4	7
	ROADS AND IMPROVEMENTS.						
	WAGES.						
	Paid City Surveyor, from 1st May to 31st October, 1843, ...	4165	19	9			
	Ditto from 1st November, 1843, to 30th April, 1844, ...	2261	11	11			
	Removing the Old Tower, Place D'Armes, ...	36	11	0			
	Tools—Brooms, ...	9	8	3			
					6473	10	8
	Carried over, ...				£. 9453	15	3

Appendix  
(S. S.)

Statement of the Accounts of the City of Montreal.—Continued.)

Appendix  
(S. S.)

11th March.

11th March.

1843.

		£	s.	d.	£	s.	d.
Brought over,		...	...	...	9453	15	3
BROKEN STONE.							
Pail Stone Breakers,	...	337	16	2			
Ditto	...	481	2	3			
					818	18	5
STONE TO BREAK—Paid Contractors,	...	...	...	...	688	19	3
CARPENTERS' WORK,	...	...	...	...	416	15	9
TOOLS AND BLACKSMITHS' WORK,	...	...	...	...	128	19	1
PAYMENTS, SIDE-PATHS, CHAIN STONES, AND COMMON SEWERS, INCLUDING LACROIX STREET TUNNEL.							
From 1st May to 30th October, 1843,	...	2729	8	6			
From 1st November, 1843, to 30th April, 1844,	...	1885	12	4			
T. & W. Molson. Chain and Water Course, St. Mary Street, debt due by the Magistrates,	...	16	5	10			
Allowed Estate of T. Phillips, Esq., on account of works in progress on Beaver Hall property,	...	12	3	9			
					4643	10	5
Wood Block Pavements and Plank Side-walks,	...	...	...	...	1378	2	10
Water Works Company, on account, watering streets,	...	...	...	...	400	0	0
New Weigh House, off Craig Street, (on account,)	...	...	...	...	233	2	4
PAYMENTS ON ACCOUNT OF TEMPORARY MARKET NEAR ST. ANN'S MARKET							
Horse,	...	...	...	...	300	0	0
Rent of Depots,	...	...	...	...	55	0	0
SURVEYING, PLANS, &c.							
P. Leveque,	...	20	0	0			
P. N. Dorion,	...	25	1	6			
J. Cane, Survey of the City, (on account.)	...	78	10	0			
W. Footner,	...	8	0	0			
C. Humpage,	...	9	0	0			
					140	11	6
FIRE DEPARTMENT.							
Pay-Lists of Fires, Rent, Wood, &c.	...	833	2	7			
Water Works Company, Fire Plugs,	...	150	0	0			
Captain Lyman, towards purchase of Engine,	...	100	0	0			
A. Samuels, keeping Hose in order,	...	125	0	0			
Mr. Bronsdon, to pay sundry accounts,	...	134	12	1			
Mr. Bronsdon, as a Contingent Fund,	...	40	0	0			
A. Samuels, repairs to Hose,	...	27	9	9			
B. Close, Branch Pipes,	...	3	9	9			
Padlocks,	...	0	15	6			
J. Spiers, repairs,	...	4	6	2			
Dodge & M'Nider, painting Engines,	...	9	14	7			
Chelton & Cheever, 1,000 feet of Hose, from Boston,	...	176	12	9			
					1605	3	2
GAS AND OIL LAMPS.							
Gas Light Company, quarter ending 30th April, 1843,	...	493	10	0			
Ditto ditto 1st Aug., 1843,	...	496	13	8			
Ditto ditto 1st Nov., 1843,	...	496	10	0			
Ditto ditto 1st Feb., 1844,	...	522	8	0			
Sutherland & Burnett, Lamp Posts,	...	10	1	4			
Mr. Bronsdon,	...	6	3	6			
Ward, Brush & Co., Lamp Posts,	...	108	0	0			
Trudeau & Grenier, repairing Lamp Posts,	...	25	13	3			
Lighting Oil Lamps, on account,	...	25	0	0			
George Garth, repairs to Lamps,	...	84	11	4			
					2268	11	1
THE POLICE FORCE.							
Pay-List for May,	...	217	14	3			
Ditto June,	...	248	12	2			
Ditto July,	...	252	11	7			
Ditto August,	...	262	0	0			
Ditto September,	...	304	15	5			
Ditto October, including Clothing,	...	469	16	10			
Ditto November,	...	234	16	4			
Ditto December,	...	236	15	0			
Ditto January,	...	287	14	3			
Ditto February,	...	297	9	0			
Ditto March,	...	255	14	0			
Ditto April,	...	311	15	10			
Captain Comeau, one months' pay as Inspector	...	6	5	0			
Rent of Bread Office, 5 quarters,	...	31	5	0			
Rent of Station House, St. Mary Street,	...	10	0	0			
Wm. Ermatinger, Esq., Police Expenditure,	...	21	0	1			
Horses for the Police,	...	60	0	0			
					3508	4	9
Carried forward,...		...	...	...	£26039	13	10

Statement of the Accounts of the City of Montreal.—(Continued.)

11th March.

11th March.

1843.  
May 1.

		£	s.	d.	£	s.	d.
Brought forward, ...		26039	13	10			
LEGAL EXPENSES, NOTARIAL DEEDS, &c.							
J. Mitchell, Esq., ...		160	4	3			
Costs of suits, ...		11	9	5			
Messrs. Cherrier & Meredith, ...		20	0	0			
Messrs. Pelletier & Meredith, ...		65	6	8			
R. Armour, jun, ...		7	10	0			
Messrs. Lamothe & Ross ...		27	8	7			
Clerk of the Peace, Summoning Jurors, ...		12	10	0			
J. Belle, N. P., ...		3	2	6			
N. B. Doucet, N. P. ...		1	0	0			
P. Genand, Bailiff, ...		0	14	0			
Index to Ordinances, ...		0	13	9			
		309	19	2			
PURCHASE OF PROPERTY.							
P. Beaudry, continuation of St. Urbain Street, ...		229	7	6			
J. Pigeon, ditto Vitre Street ...		150	0	0			
Dr. Beaubien, ditto ditto ...		117	12	10			
Louis Comte, ditto ditto ...		36	3	6			
J. Grenier, ditto ditto ...		85	0	0			
H. Munro, corner of St. Alexander and St. Catherine Streets, ...		223	2	6			
J. Telfer, to widen Lagauchetière Street, ...		63	10	0			
S. H. Anderson, to widen Bleury Street, ...		134	10	0			
W. Forsyth, ditto Notre Dame Street, ...		68	18	0			
H. Darragh, ditto Bleury Street, ...		40	0	0			
J. McGill DesRivières, corner of Lagauchetière and Radigonde Streets, ...		37	10	0			
Dr. Beaubien, widening Bleury Street, ...		22	0	0			
Mrs. Delisle, ditto Bleury Street, ...		50	0	0			
J. B. Boudria, ditto St. George Street, ...		20	0	0			
O. Berthelet, ditto St. Mary Street, ...		37	18	4			
J. B. Honier, corner of German and Mignonne Streets, ...		70	0	0			
W. Walker, on account of purchase, St. Paul Street, ...		250	0	0			
Further on account of the above purchase, ...		53	7	5			
Hon. Louis Guy, enlargement of Place Viger Market, ...		425	0	0			
The Seigneurs of Fief Lagauchetière, ...		77	19	8			
		2191	19	9			
Interest on monies due for purchase of property, ...		705	18	0			
Interest on monies borrowed, ...		1840	15	8			
BONDS CANCELLED BY PAYMENT.							
Hugh Boyd, ...		106	0	0			
Hon. John Molson, Proulx property, New Market, ...		6888	11	10			
The Gas Light Company, ...		677	13	1			
		7672	4	11			
RETIRED ALLOWANCES.							
Jacques Viger, Esq., ...		100	0	0			
Hon. P. DeBoucherville, ...		100	0	0			
M. Bibaud, ...		35	0	0			
		235	0	0			
CITY HALL.							
Rent, Light, Wood, Coals, Furniture, &c., ...		363	8	1			
DAMAGES AND COMPENSATION.							
L. Leprohon, compensation of situation as Clerk of Markets, ...		400	0	0			
J. Ostell, Esq., expenses in London negotiating Loan, ...		100	0	0			
J. Desloriers, Bonaventure Street, ...		5	0	0			
S. Letourneux, tax on dog and costs, returned, ...		0	18	3			
		505	18	3			
EXPENSES OF FORMING ROUNDED CORNERS.							
Circular sweep, west corner Custom House Square, ...		40	0	0			
Ditto, corner of St. Peter and St. Sacrament Streets, ...		32	18	7			
		72	18	7			
MARKET CONTINGENT FUND.							
J. A. Bourbon—New Market ...		125	0	0			
M. Eardley, Hay Market, ...		75	0	0			
J. Robillard, Place Viger Market, ...		33	2	1			
W. Rodden, Scales for Hay Market, ...		72	10	0			
Water Works Company ...		3	18	8			
Suit for Hay Market Policeman, ...		4	11	8			
		314	1	9			
Carried over, ...		40241	18	0			



Appendix  
(S. S.)

Appendix  
(S. S.)

Statement of the Accounts of the City of Montreal.—(Continued.)

11th March.

11th March.

1843.  
May 1.

		£	s.	d.	£	s.	d.
Brought over, ... ..		402	41	0			
ASSESSORS' CLERKS, PER CENTAGE ON COLLECTIONS, &c.							
Compilation of the Books of Assessment, ... ..		76	0	0			
E. Hacket, Collector, ... ..		9	18	10			
R. Dillon, ditto, &c., ... ..		26	16	8			
F. Goedike, ditto, &c., ... ..		19	3	6			
J. Bourdon, Messenger ... ..		43	14	4			
					175	13	4
Advertising, Printing, and Stationery, ... ..					691	0	8
MISCELLANEOUS EXPENSES.							
Clerk, examining Census returns, ... ..		3	10	0			
Erection of Safes for Records and Monies, ... ..		40	11	0			
A. Dorval, Crier, ... ..		5	0	0			
Maps, ... ..		4	15	0			
Establishment of Humane Society, ... ..		12	3	4			
Preparations in honor of the arrival of His Excellency the Governor General, ... ..		55	8	7			
Posting Bills, ... ..		2	7	6			
Insurance of Municipal property, ... ..		63	5	0			
Charges on documents sent to Kingston, ... ..		0	10	0			
City Surveyor, Disbursements and Contingencies, ... ..		42	4	8			
Excess of Disbursements over Receipts of St. Ann's Market, ... ..		103	13	5			
Clerks at Ward Elections, ... ..		7	10	0			
Engraving a Seal, ... ..		1	0	0			
Post Office, for 12 months, ... ..		16	12	3			
H. Hitchins, numbering houses and lots, ... ..		53	2	0			
					411	12	9
Balance in the hands of the City Treasurer this day, ... ..					41520	4	9
					3285	10	6
					£ 44805	15	3

CR.

1843.  
May 1.

		£	s.	d.	£	s.	d.
By balance this day, ... ..					15099	1	8
By LOANS or MONEY :							
Jean Bruneau, Wood Blocking Notre Dame Street, ... ..		100	0	0			
Thomas Mussen, ditto ditto, ... ..		100	0	0			
Mrs. Dorion, ... ..		1500	0	0			
W. Watson, Planking Common Street, ... ..		410	0	0			
E. Muir, Drain Montique Street, ... ..		30	0	0			
Seminary, Drain Coté Street, ... ..		37	10	0			
A. Larocque, ditto, ... ..		25	0	0			
L. Comte, ditto, ... ..		12	10	0			
J. Mathewson, Improvement of William Street, ... ..		250	0	0			
Mrs. Wallace, ... ..		200	0	0			
Mrs. Brock, ... ..		325	0	0			
Mrs. Pattingale, ... ..		200	0	0			
Mrs. Carter, ... ..		425	0	0			
J. D. Gibb, ... ..		700	0	0			
E. Thompson, ... ..		10	0	0			
					4925	0	0
DONATIONS :							
Proprietors Little St. James Street, towards Blocking, (balance,) ... ..		25	0	0			
Ditto Radigonde Street, Wooden Foot-walk, ... ..		25	0	0			
Ditto Craig Street, ditto, ... ..		25	0	0			
Estate of late T. Phillips, Esq., ... ..		37	10	0			
					112	10	0
Indemnity from the Civil Government for the use of St. Ann's Market, ... ..					777	0	0
Restitution from an unknown person, ... ..					2	0	0
MARKETS :							
New Market—Mr. Bourdon, ... ..		1300	3	9			
Hay Market—Mr. Eardly, ... ..		739	18	0			
Place Viger—Mr. Robillard, ... ..		305	3	7			
					2345	5	4
Arrears of Stall Rent, ... ..		33	19	6			
Stall Rent, New Market, one year, ... ..		515	0	0			
					548	19	6
Carried forward, ... ..					£ 23209	16	6

Appendix  
(S. S.)

Statement of the Accounts of the City of Montreal.—Continued.

Appendix  
(S. S.)

11th March.

1843.  
May 1.

Brought forward,

£ s. d. £ s. d.  
... .. 23209 16 6

11th March.

Clerk of the Peace, Return of Fines, ... ..	20	1	9
Arrears of Assessment, ... ..	286	13	0
Arrears of Duty at 10 per cent. for 1842, ... ..	36	0	0
Permission to open Streets, ... ..	5	0	0
Drain Accounts, ... ..	109	19	5
Innkeepers, paying £2 to the Road Fund, ... ..	436	0	0
Grocers, ditto, ... ..	170	0	0
Rent of Shop, St. Paul Street, ... ..	58	15	0
Equestrian Performances, Legerdemain, &c... ..	21	17	6
Theatre, ... ..	20	0	0
Fees from Carters, Cabmen, &c. for Registration, ... ..	703	5	0
Ditto Pawnbrokers, ... ..	37	10	0
FIRE DEPARTMENT—J. Russel, ... ..	1055	0	0
Fees from Auctioneers, ... ..	550	0	0
Billiard Tables, ... ..	50	0	0
Wholesale Merchants—East Ward, ... ..	£ 43	0	0
Ditto Centre Ward, ... ..	266	0	0
Ditto West Ward, ... ..	630	4	0
Ditto Queen's Ward, ... ..	205	10	0
Retail Merchants,.....East Ward, ... ..	415	2	0
Ditto Centre Ward, ... ..	643	12	0
Ditto West Ward, ... ..	376	6	0
Ditto Queen's Ward, ... ..	87	0	0
Ditto St. Lawrence Ward, ... ..	15	13	0
Ditto St. Mary's Ward, ... ..	25	6	0
Grocers.....East Ward, ... ..	64	10	0
Ditto Centre Ward, ... ..	53	10	0
Ditto West Ward, ... ..	100	10	0
Ditto Queen's Ward, ... ..	92	14	0
Ditto St. Lawrence Ward, ... ..	22	16	0
Ditto St. Mary's Ward, ... ..	16	8	0
Innkeepers.....East Ward, ... ..	438	15	0
Ditto Centre Ward, ... ..	229	5	0
Ditto West Ward, ... ..	260	10	0
Ditto Queen's Ward, ... ..	448	15	0
Ditto St. Lawrence Ward, ... ..	370	0	0
Ditto St. Mary's Ward, ... ..	400	0	0
City Clerk—Return of Fees for fixing seals to documents, ... ..			5205 6 0
City Surveyor, ditto giving lines, permissions, &c. ... ..			16 10 0
Ditto Sale of old Materials, ... ..			90 10 0
			30 12 0

	EAST WARD.		CENTRE WARD.		WEST WARD.		ST. LAWRENCE WARD.		ST. MARY'S WARD.		QUEEN'S WARD.		TOTAL.	
Assessment,.....	1415	3 3	1636	19	1832	4 6	1690	10 1	1405	19 6	2679	0 3	10659	16 7
Statute Labour, @ 5s.....	20	10	25		24	10	174	15	122	5	123	15	490	15 0
Dogs, @ 7s. 6d.....	15		12	7 6	10		42	7 6	33		48		160	15 0
Labour Horses, @ 12s. 6d.....	10	12 6	5		12	10	133	15	174	7 6	218	2 6	554	7 6
For 2 wheeled Carriages, @ 15s.....	3				2	5	18		38	5	17	5	78	15 0
hire. 24 do. @ 20s.....	6				2				1				9	0 0
Pleasure Horses, @ 20s.....	54		35		37		67		37		94		324	0 0
Carriages on springs, @ 20s.....	16		14		21		37		19		56		163	0 0
Denrets, &c. @ 30s.....	7	10	10	10	6		30		6		55	10	115	10 0
Waggons, @ 30s.....	3						7	10			1	10	12	0 0
4 wheeled covered Carriages, @ £2,	16		8		6		16		16		16		78	0 0
Close Carriages, @ £3.....	6								3		3		12	0 0
Omnibus, @ £2 10s.....	2	10			5		2	10			2	10	12	10 0
Stage Coaches,.....											22	10	22	10 0
	£ 1575	5 9	1746	16	6 1958	9	6 2219	7 7	1854	17	0 3338	2 9	12692	19 1
													£ 44805	15 3

Examined and found correct,

B. H. LEMOINE, } Auditors for the half year  
C. H. CASTLE, } ending 31st October, 1843.

D. DAVIDSON, } Auditors for the half year  
E. R. FABRE, } ending 30th April, 1844.

The Revenue of the City of Montreal for the year ending 20th April, 1844, was Twenty-four thousand five hundred and ninety pounds three shillings and seven pence, (£24,590 3s. 7d.)

ARTHUR ROSS,  
Treasurer.

Appendix (S. S.)

No. 4.—Probable Revenue of the City of Montreal, from 15th July, 1844, to 15th July, 1845, at the present rates.

Appendix (S. S.)

11th March.

11th March.

	£	s.	d.
Assessment on Property, Tax on Horses, Carriages, &c. ....	16000	0	0
Wholesale and Retail Merchants, Innkeepers, Grocers, &c. Duty, .....	5000	0	0
Innkeepers and Grocers, under Road Act, .....	578	0	0
Auctioneers, .....	300	0	0
Pawnbrokers, .....	37	10	0
Clerk of the Peace, .....	20	0	0
Billiard License, .....	50	0	0
Rent of Shop, St. Paul Street, .....	80	0	0
Exhibitions, Theatre, &c. ....	35	0	0
Fire Department, Chimney Money, .....	1050	0	0
Rent of Stalls, New Market, .....	£ 813	5	0
Revenue of New Market, .....	1356	0	0
Do. of Hay Market, .....	760	0	0
Do. of Place Viger, .....	335	0	0
St. Ann's Market Stalls, .....	£682	11	6
Mr. Abbott, .....	330	0	0
Ground Rent, .....	378	0	0
	1390	11	6
Fees from Cabmen, &c. ....	4654	16	6
Do. from City Clerk, .....	745	0	0
Do. from City Surveyor, .....	15	0	0
	75	0	0
	£ 28640	6	6

ARTHUR ROSS, Tr.

No. 5.—Liabilities of the Corporation of Montreal.

Probable Revenue of the City of Montreal, for the Financial year, viz: from 15th July, 1844, to 15th July, 1845.

	£	s.	d.		£	s.	d.
Interest on Debt, one year, ...	6200	0	0	Assessment on Property, ...	12777	0	0
Salaries, ...	2285	0	0	Tax on Horses, Carriages, &c. ....	3154	5	0
Police, ...	3000	0	0	Wholesale and Retail Merchants, Innkeepers and Grocers, ...	4846	3	0
Gas and other Lights, ...	2750	0	0	Innkeepers and Grocers, under Road Act, ...	550	0	0
Fire Department, ...	2000	0	0	Auctioneers, ...	300	0	0
Rent of City Hall, Fuel, &c....	285	0	0	Pawnbrokers, ...	37	10	0
Retired Allowances, ...	335	0	0	Clerk of the Peace, ...	20	0	0
Stationery, Advertizing & Printing,...	200	0	0	Billiard License, ...	50	0	0
Required for sweeping and watering in Summer, and clearing away snow in Winter, say, ...	2500	0	0	Rent of Shop, ...	80	0	0
	£ 19555	0	0	Exhibitions, ...	35	0	0
				Fire Department, ...	1050	0	0
Balance,.....	8829	18	0	Rent of Butchers' Stalls and revenues of Markets, ...	4650	0	0
	£ 28384	18	0	Fees from Carters, Cabmen, &c., Registration, .....	745	0	0
				Do. City Clerk, ...	15	0	0
				Do. City Surveyor, ...	75	0	0
					£ 28384	18	0

CITY HALL,  
Montreal, 21st January, 1845.

Memo: From the two first items may be deducted a considerable amount, lost from the want of a Mayor's Court, from death, bankruptcy, on departure of parties from the City, mistakes of Assessors and their Clerks, &c. The same remarks apply to a limited extent to the third item.

No. 6.—Return of the Population of the City of Montreal, according to the Census taken in 1844; and of the Revenue by Wards.

WARDS.	MALES.	FEMALES.	TOTAL.	Amount of Revenue in each Ward arising from Assessment only.			REMARKS.
				£	s.	d.	
East,.....	919	961	1880	2613	0	0	£9120—Total amount of the City Wards.
Centre, .....	844	880	1724	3017	0	0	
West, .....	1113	1246	2359	3490	0	0	
Queen's,.....	6981	7021	14002	4651	0	0	£9987—Total amount of the Suburban Wards.
St. Lawrence,.....	5738	6591	12329	2825	0	0	
St. Mary's,.....	6852	7592	14444	2511	0	0	
	22447	24291	46738	19107	0	0	

Appendix (S. S.) No. 7.—Detailed Statement of the Revenues raised in each Ward of the City of Montreal. Appendix (S. S.)

11th March. 11th March.

## E A S T W A R D.

	£	s.	d.
Assessment on Property, 1s. in the £. ... ..	1266	19	0
Ditto      Ditto 3d. in the £. ... ..	316	14	9
Duty on Wholesale Merchants, ... ..	55	0	0
Do Retail ditto ... ..	377	6	0
Do Grocers, ... ..	89	6	0
Do Innkeepers, ... ..	491	0	0
Do 33 Dogs, ... .. 7s. 6d. each,	12	7	6
Do 7 Labour Horses, ... .. 12s. 6d. do.	4	7	6
Do 1 Two Wheeled Carriage, 15s. do.	0	15	0
Do 63 Pleasure Horses, ... .. 20s. do.	63	0	0
Do 18 Carriages on Springs, ... .. 20s. do.	18	0	0
Do 6 Dennets, ... .. 30s. do.	9	0	0
Do 8 Wagons, ... .. 30s. do.	12	0	0
Do 12 half covered Carriages, 40s. do.	24	0	0
Do 3 close Carriages, ... .. 60s. do.	9	0	0
Composition money for Statute Labour, ... ..	51	5	0
	£ 2800	.. 0	9

## C E N T R E W A R D.

	£	s.	d.
Assessment on Property, 1s. in the £. ... ..	1496	18	0
Ditto      ditto 3d. in the £. ... ..	374	4	6
Duty on Wholesale Merchants, ... ..	146	10	0
Do Retail do. ... ..	747	10	0
Do Grocers, ... ..	54	10	0
Do Innkeepers, ... ..	190	10	0
Do 56 dogs, ... .. 7s. 6d. each,	21	0	0
Do 11 Labour Horses, ... .. 12s. 6d. do.	6	17	6
Do 4 Two Wheeled Carriages, 15s. do.	3	0	0
Do 59 Pleasure Horses, ... .. 20s. do.	59	0	0
Do 24 Carriages on Springs, ... .. 20s. do.	24	0	0
Do 9 Dennets, ... .. 30s. do.	13	10	0
Do 5 Wagons, ... .. 30s. do.	7	10	0
Do 5 half covered Carriages, 40s. do.	10	0	0
Do 1 close Carriage, ... .. 60s. ...	3	0	0
Composition money for Statute Labour, ... ..	54	10	0
	£ 3212	10	0

## W E S T W A R D.

	£	s.	d.
Assessment on Property, 1s. in the £. ... ..	1784	0	0
Do      do 3d. in the £. ... ..	452	0	0
Duty on Wholesale Merchants, ... ..	375	0	0
Do Retail do. ... ..	357	18	0
Do Grocers, ... ..	58	0	0
Do Innkeepers, ... ..	274	15	0
Do 47 Dogs, ... .. 7s. 6d. each,	17	12	6
Do 8 Labour Horses, ... .. 12s. 6d. do.	5	0	0
Do 3 Two-Wheeled Carriages, 15s. do.	2	5	0
Do 38 Pleasure Horses, ... .. 20s. do.	38	0	0
Do 12 Carriages on Springs, ... .. 20s. do.	12	0	0
Do 7 Dennets, ... .. 30s. do.	7	0	0
Do 5 Wagons, ... .. 30s. do.	7	10	0
Do 6 half covered Carriages, 40s. do.	12	0	0
Do 1 close covered Carriage, 60s. do.	3	0	0
Composition money for Statute Labour, ... ..	49	5	0
	£ 3455	5	6

Appendix  
(S. S.)

## Statement of the Revenues raised in each Ward of the City of Montreal.—(Continued.)

Appendix  
(S. S.)

11th March.

11th March.

## ST. LAWRENCE WARD.

	£	s.	d.
Assessment on Property, 1s. in the £. ... ..	1743	0	0
Ditto ditto 3d. in the £. ... ..	435	15	0
Duty on Retail Merchants, ... ..	30	0	0
Do Grocers, ... ..	24	0	0
Do Innkeepers, ... ..	231	5	0
Do 343 Dogs, ... .. 7s. 6d. each,	91	2	6
Do 287 Labour Horses, ... .. 12s. 6d. do.	174	7	6
Do 41 Two Wheeled Carriages, ... .. 15s. do.	33	0	0
Do 84 Pleasure Horses, ... .. 20s. do.	84	0	0
Do 51 Carriages on Springs, ... .. 20s. do.	51	0	0
Do 30 Bennets, ... .. 30s. do.	45	0	0
Do 1 Wagon, ... .. 30s. do.	1	10	0
Do 11 half covered Carriages, ... .. 40s. do.	22	0	0
Composition money for Statute Labour, ... ..	403	10	0
	£ 3369	10	0

## ST. MARY'S WARD.

	£	s.	d.
Assessment on Property, 1s. in the £. ... ..	1347	16	0
Ditto ditto 3d. in the £. ... ..	336	19	0
Duty on Retail Merchants, ... ..	29	16	0
Do Grocers, ... ..	24	2	0
Do Innkeepers, ... ..	420	0	0
Do 117 Dogs, ... .. 7s. 6d. each,	43	17	6
Do 300 Labour Horses, ... .. 12s. 6d. do.	187	10	0
Do 44 Two Wheeled Carriages, ... .. 15s. do.	33	0	0
Do 55 Pleasure Horses, ... .. 20s. do.	55	0	0
Do 32 Carriages on Springs, ... .. 20s. do.	32	0	0
Do 6 Bennets, ... .. 30s. do.	9	0	0
Do 10 half covered Carriages, ... .. 40s. do.	20	0	0
Do 2 close covered Carriages, ... .. 60s. do.	6	0	0
Composition money for Statute Labour, ... ..	311	10	0
	£ 2856	10	6

## QUEEN'S WARD.

	£	s.	d.
Assessment on Property, 1s. in the £. ... ..	2578	3	0
Ditto ditto 3d. in the £. ... ..	644	10	9
Duty on Wholesale Merchants, ... ..	269	0	0
Do Retail do ... ..	55	7	0
Do Grocers ... ..	64	18	0
Do Innkeepers, ... ..	480	10	0
Do 158 Dogs, ... .. 7s. 6d. each,	59	5	0
Do 352 Labour Horses, ... .. 12s. 6d. do.	110	0	0
Do 28 Two Wheeled Carriages, ... .. 15s. do.	21	0	0
Do 122 Pleasure Horses, ... .. 20s. do.	122	0	0
Do 49 Carriages on Springs, ... .. 20s. do.	49	0	0
Do 45 Bennets, ... .. 30s. do.	67	10	0
Do 14 Wagons, ... .. 30s. do.	21	0	0
Do 18 half covered Carriages, ... .. 40s. do.	36	0	0
Composition money for Statute Labour, ... ..	493	0	0
	£ 5071	3	9

Appendix  
(S. S.)

No. 8.—SCHEDULE of properties purchased by the Corporation of Montreal, shewing the cost of such purchases, and for what purpose they were effected.

Appendix  
(S. S.)

11th March.

11th March.

1841.		£	s.	d.
Succession Latour, ...	A slip of land for widening Lagachetière Street, St. Lawrence Ward, ...	238	19	4
Succession Delaney, ...	An emplacement situate at the corner of St. Radegonde and Jurors Street, St. Lawrence Ward, (being for Beaver Square,)	275	0	0
John Donegani, ...	A slip of ground on St. Radegonde and Jurors Streets, to widen the former, ...	40	0	0
Heirs Delisle, ...	A piece of ground of an irregular figure to widen St. Radegonde Street, ...	150	0	0
Heirs Lamothe, ...	A slip of land on Lagachetière Street, to widen the same, ...	120	0	0
Ladies of the Grey Nunnery, ...	Ground for the continuation of McGill Street and Wellington Street, ...	3000	0	0
John Luckin, ...	Two continuous lots fronting on Bonaventure Street, in Guy-Borough, for gravel for grading, ...	50	0	0
E. M. Leprohon, ...	A piece of ground of an irregular figure, to widen St. Radegonde and Lagachetière Streets, ...	408	0	0
F. Pillette and O. Berthelet, ...	A lot of ground extending from St. Paul to Commissioners' Streets, to continue St. Jean Baptiste Street, ...	2500	0	0
Heirs Fortier and Succession Legrand, ...	Several lots of ground forming the continuation of McGill Street and Commissioners' Square to Craig Street, West Ward, and on the north side of Craig Street; and a slip of land situate on Lagachetière Street, St. Lawrence Ward, to form Beaver Square, Commissioners' Square, and widen Lagachetière Street, ...	3650	0	0
McGill Desrivieres, ...	A piece of land of an irregular figure, to widen Lagachetière and St. Radegonde Streets, ...	170	15	0
1842.				
Heirs Hutchinson, ...	A slip of land for widening St. François Xavier Street, ...	65	0	0
John Tiffin, ...	A lot of land extending from St. Paul to Commissioners' Streets, for the prolongation of St. Gabriel Street, ...	3000	0	0
Dr. Kimber, ...	A strip of land corner of St. François Xavier and St. Paul Streets, to widen the former, ...	112	10	0
John Donegani, ...	A parcel of land fronting on St. Joseph and Barrie Streets, to effect the junction of Mountain and McCord Streets, £355 6s. 2d. but £200 being paid by the Seminary of Montreal, must be deducted, ...	155	6	2
Heirs Guy, ...	Property on St. Paul Street, East Ward, for the continuation of St. Cloud Street, subsequently taken for part of the site of the New Market, ...	1100	0	0
J. Viger, ...	A slip of land for the widening of Notre Dame Street, East Ward, ...	137	10	0
Heirs Lamothe, ...	A slip of ground of five feet, and removal of old house, to widen Lagachetière Street, ...	155	0	0
F. A. Quesnel, ...	A slip of ground to widen St. François Xavier Street, ...	123	0	0
Wm. Forsyth, ...	Ground necessary to widen Notre Dame Street, East Ward, ...	68	16	0
The Gentlemen of the Seminary of Montreal, ...	A strip of land for the widening of Côte des Neiges road, Queen's Ward, ...	200	0	0
Ludger Duvernoy, ...	A lot of ground situate in Burgoyne Borough, for gravel employed in constructing wooden pavements, ...	25	0	0
Trustees of the St. Ann's Market, ...	The whole of the St. Ann's Market property, ...	15584	18	6
D. Dempsey, ...	Two strips of ground for the widening of St. Nicholas Tolentin Street, St. Mary's Ward, ...	87	15	0
M. Mahoney, ...	Ground required for the widening of Lagachetière Street, St. Lawrence Ward, ...	38	17	11
A. Dickenson, ...	A piece of ground for the continuation of St. Urbain Street, St. Lawrence Ward, from St. Catharine Street to that part gratuitously ceded by General Evans, ...	229	7	6
Pierre Beaudry, ...	A parcel of ground for the extension of Great St. James Street across the Place D'Armes, ...	1669	8	4
1843.				
Jas. Pigeon, ...	A piece of ground for the continuation of Vitre Street, easterly, St. Lawrence Ward, of which 2200 feet have been exchanged with P. Jodoin, Esq. for a portion of his lot, ...	150	0	0
Dr. Beaubien, ...	A piece of ground for the continuation of Vitre Street, easterly, St. Lawrence Ward, ...	117	12	10
Louis Comte, ...	A piece of ground for continuing Vitre Street, ...	36	3	6
N. B. Desmarteau, ...	A piece of ground for the continuation of Vitre Street, ...	125	0	0
Messrs. Leclere, ...	A small triangular piece of ground, on receiving in exchange another triangular piece of ground purchased from Desmarteau, ...			
P. Jodoin, ...	A piece of ground ceded to the Corporation in exchange for the remnant lot of Pigeon, ...			
J. Grenier, ...	A strip of ground taken to widen Vitre Street, St. Mary's Ward, ...	85	0	0
Hugh Darragh, ...	A slip of ground to widen Bleury Street, St. Lawrence Ward, ...	40	0	0
C. M. Delisle, ...	A strip of ground to widen Bleury Street, St. Lawrence Ward, ...	50	0	0
Dr. Beaubien, ...	A strip of ground to widen Bleury Street, St. Lawrence Ward, ...	22	0	0
Jas. Ferrier, ...	A strip of ground required for the continuation of Dorchester Street, Queen's Ward, ...	150	0	0
Mde. Simpson, ...	Ground to form round corner, Custom House Square, Centre Ward, ...	40	0	0
A. Cuuvillier, ...	Ground to form round corner, St. Peter and St. Sacrament Streets, West Ward, ...	32	18	7
S. H. Anderson, ...	A strip of ground to widen Bleury Street, ...	134	10	0
O. Berthelet, ...	A strip of ground to widen St. Mary Street, St. Mary's Ward, ...	37	18	4
Hector Munro, ...	A piece of ground for the widening of St. Catharine Street, St. Lawrence Ward, ...	223	2	6
James Telfer, ...	A strip of ground to widen Lagachetière Street, St. Lawrence Ward, ...	63	10	0
McGill Desrivieres, ...	A piece of ground to form a circular corner, junction of Lagachetière and St. Radegonde Streets, the amount to be paid by the heirs Phillips, (£37 10s.)			
J. B. Boudria, ...	A slip of ground to widen St. George Street, St. Lawrence Ward, ...	20	0	0
1844.				
Honble Louis Guy, ...	The whole of the ground required for the extension of Viger Square, St. Mary's Ward, ...	1700	0	0
Carried over, ...		£ 36738	4	8

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Schedule of the Property purchased by the Corporation of the City of Montreal.—(Continued.)

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(S. S.)

11th March.

11th March.

		£	s.	d.
	Brought over, £ ...	36738	4	8
F. Trudeau, Esq., ...	The ground fronting on Claude, Commissioners', and St. Paul Streets, required for the site of a New Market Hall, ...	1900	0	0
Mr. George Busby, ...	A lot of land fronting on St. Paul and Commissioners' Streets, required for a site of the New Market Hall, East Ward, ...	1650	0	0
John Molson, Esq., ...	The property known as the Masonic Hall and Theatre Royal, East Ward, for the site of the intended New Market, ...	8000	0	0
A. W. Busby, ...	Property fronting on St. Paul and Commissioners' Streets, for the same, ...	1800	0	0
W. Walker, Esq., ...	Property fronting on do. do. for the same, ...	1500	0	0
T. B. Pellier, ...	Property fronting on St. Paul Street, for the same, ...	1500	0	0
Dame M. Baby, widow Selby,	Property fronting on St. Paul, Commissioners, and St. Claude Sts. for the same, ...	2000	0	0
Heirs Sutherland, ...	Property fronting on St. Paul and Commissioners' Streets, for the same, ...	1800	0	0
Heirs Biss, ...	Property fronting on Commissioners' Street, for the same, ...	750	0	0
Honble. D. B. Viger, ...	Ground requisite for the continuation of Craig Street, East, St. Denis Street, ...	1000	0	0
E. A. Dubois, ...	Do. do. do. do. do. do. ...	800	0	0
P. Cadieux, ...	Premises fronting on Sanguinet Street, for the same, ...	1500	0	0
Joseph Brossard, ...	Property necessary for the continuation of Craig Street and the extension of Viger Square, ...	800	0	0
Madame Gauvin, ...	Property for the continuation of Craig Street, East, ...	400	0	0
F. Trudeau, Esq., ...	Property fronting on St. Denis Street, required for the continuation of Craig Street, East, ...	500	0	0
J. Ostell, Esq., ...	Property required for the same, ...	300	0	0
John Pichel, Esq., ...	Property required for the same, ...	200	0	0
D. Rac, Esq., ...	Property fronting on St. Hubert Street, required for the same, ...	150	0	0
E. Soupras, Esq., ...	Ground required for the same, ...	250	0	0
J. McCallum, ...	A lot of land required by reason of a change in the alignment of the same, ...	290	0	0
John Hatch, ...	Property necessary for the continuation of the same, ...	75	0	0
C. McDonald, ...	The portion of his property required for the continuation of the same, ...	275	0	0
Robert Unwin, Esq., et Uxor, ...	Property near Campeau Street, required by reason of a change in the direction of the same, ...	700	0	0
W. Gorrie, Esq., ...	An arrangement in regard to a lot of land on Campeau Street, become necessary by reason of the change in the line of the same, ...	100	0	0
Madame Cadieux, veuve Pequet,	Ground fronting on Bery Lane, required for the extension of Craig Street, St. Mary's Ward, ...	200	0	0
S. H. Anderson, Esq., ...	Property required for the widening of Lagauchetière Street, East of Bleury Street, ...	90	0	0
Louis Gaudie dit Bourbonnier,	Ground required to widen German Street to forty feet, in front of his property, ...	47	10	0
A. Hau dit Chaussée, ...	Ground required for the same, ...	15	0	0
T. Hau dit Chaussée, ...	Ground required for the same, ...	12	0	0
J. Telmos dit Sansregret,	Ground required for the same, ...	10	0	0
A. Demers, ...	Ground fronting on Dorchester Street, required for the same, (German Street,) ...	100	0	0
S. Janotte, ...	Ground fronting on German Street, required for the same, ...	17	10	0
J. B. Homier, ...	A strip of ground forming corner of Mignonne and German Streets, required to widen the latter to forty feet, ...	70	0	0
D. Rac, Esq., ...	A lot of land fronting on Lagauchetière and Wolfe Streets, required for the opening out of the latter Street, ...	250	0	0
James Grantham, ...	A strip of ground fronting on Visitation Street, necessary to the connection of Dorchester Street, St. Mary's Ward, ...	25	0	0
Louis Roussel, ...	Ground required for the widening of Bleury Street to forty feet, in front of his property, ...	70	14	6
Leon St. Germain, ...	A strip of ground fronting on St. Joseph Street, required for the extension of Mountain to McCord Streets, Queen's Ward, ...	60	0	0
Henry Barrie, ...	A strip of ground fronting on Barrie Street, for the same, ...	50	0	0
Louis Brault dit Pomainville, ...	A slip of land fronting on Dorchester Street, required for the opening out of German Street, St. Lawrence Ward, ...	290	0	0
Messrs. Dempsey, Norley, John } son and M'Crum, ... }	Ground necessary for the widening and regulating of St. Nicholas Tolentin Street, Saint Mary's Ward, ...	110	0	0
Donegani and Beaubien, Esqs.	The continuation of St. Alexander Street from Vitre Street to Craig Street, through their property, ...	100	0	0
Logan and Cringan, Esqs., ...	The continuation of McGill Street through their property to the River, ...	2500	0	0
		£ 68995	19	2

NOTE: Other properties are on the eve of being taken by the Corporation, but as nothing definite is arranged, they are not included in this list.

CITY SURVEYOR'S OFFICE,  
29th January, 1845.

No. 9.—SCHEDULE of Properties sold by the Corporation.

		£	s.	d.
To the Board of Works, ...	That portion of Land known as the Common of Montreal, ...	18720	0	0
Dr. Hall, ...	The residue of the Lot purchased from Pilette and Berthelet, for the continuation of St. Jean Baptiste Street, ...	900	0	0
Dr. Beaubien, ...	The residue of the Lot purchased from Mr. Tiffin, for the continuation of St. Gabriel Street, ...	1125	0	0
Mr. Dubois, ...	The residue of the Lot purchased from Mr. Cadieux, for the continuation of Craig Street, ...	330	0	0
Mr. Ostell, ...	The residue of the Lot purchased from Mr. Dubois, for the continuation of Craig Street, ...	100	0	0
	Some ground purchased from Mr. Unwin, for the alteration of the alignment of Craig Street, has been ceded to Mr. Donegani, but the arrangements are not completed. ...			
		£ 21175	0	0

CITY SURVEYOR'S OFFICE,  
29th January, 1845.

Appendix (S. S.)

Appendix (S. S.)

11th March.

11th March.

CORPORATION OF MONTREAL.

No. 10.--RETURN of the several Officers, Clerks, and Servants; Amount of Salaries, and Dates of Appointments, respectively.

NO.	NAMES.	OFFICE HELD BY EACH INDIVIDUAL.	AMOUNT OF SALARY			DATE OF APPOINTMENT.	REMARKS.
			PER ANNUM.				
			£	s.	d.		
1	John P. Sexton,.....	City Clerk,.....	300	0	0	12th September, 1840.	
2	Arthur Ross,.....	City Treasurer,.....	300	0	0	23rd January, 1841.	
3	John Ostell,.....	City Surveyor,.....	300	0	0	15th September, 1840.	
4	Richard D. Bodley,.....	Assistant Clerk,.....	150	0	0	18th December, 1840.	
5	George Harding,.....	Assistant Treasurer's Office,.....	150	0	0	7th September, 1840.	
6	Pierre Blanchet,.....	Translator,.....	100	0	0	1st December, 1842.	
7	William Kingsford,.....	Assistant Surveyor's Office,.....	130	0	0	25th April, 1842.	
8	William McKenzie,.....	Do. do. ....	104	0	0	1st October, 1840.	
9	John Ferrigo,.....	Inspector Fire Department,.....	100	0	0	12th July, 1844.	
10	John M. Coppinger,.....	Chief Engineer Fire Department,.....	100	0	0	12th July, 1844.	
11	John McKercher,.....	Overseer of Roads,.....	100	0	0	7th September, 1840.	
12	Joseph A. Bourdon,.....	Clerk New Market,.....	200	0	0	3rd December, 1840.	
13	Maurice Eardley,.....	Clerk Hay Market,.....	125	0	0	14th December, 1840.	
14	Joseph Robillard,.....	Clerk Viger Market,.....	100	0	0	1st November, 1840.	
15	John Abbott,.....	Clerk St. Ann's Market,.....	100	0	0	8th August, 1842.	
16	Antoine Schwartz,.....	Assistant Clerk Hay Market,.....	75	0	0	14th December, 1840.	
17	Henry O'Donoghue,.....	Messenger,.....	85	0	0	7th September, 1840.	including amount for a woman servant.

R E P O R T.

Appendix (T. T.)

Appendix (T. T.)

13th March.

13th March.

THE SELECT COMMITTEE to which was referred the Petition of the Reverend J. O. Archambault and others, of the Parishes of St. Timothée and St. Clément, praying for compensation for losses occasioned by the construction of the Beauharnois Canal; and also the Petition of George Robertson and others, of the Village of Milleroches, and other Petitions, praying for compensation for losses sustained by the construction of the St. Lawrence Canal, —have the honor to REPORT:—

THAT, in their opinion, the inhabitants of Milleroches, in the Eastern District, have suffered various losses by the construction of the St. Lawrence Canal, in the destruction of their property, and by being deprived of their usual road of communication; and that the culvert constructed under the Canal at the east end of the Village, is a dangerous passage, and at times wholly impassable, from the backwater of the River St. Lawrence. The main road at the western extremity of the Village having been wholly removed, without a bridge or culvert being constructed, in contradiction to the 31st Section of the Act of William the 4th, chap. 18, by authority of which Act the said Canal was constructed, the inhabitants have, in consequence, been deprived of the means of earning a livelihood, and have, in many instances, been obliged to leave their property, which is now in a state of ruin.

That both fences and crops have been, in many cases, destroyed by the lawless conduct of Labourers. Therefore, Your Committee, in doing justice to the inhabitants of Milleroches, beg leave to recommend for the adoption of Your Honorable House, an Address to His Excellency the Governor General, praying that he will be graciously pleased to cause an investigation into the claims of the inhabitants of Milleroches.

The whole nevertheless humbly submitted.

E. COLVILLE,  
Chairman.

13th March, 1845.

MINUTES OF EVIDENCE.

EDEN COLVILLE, Esquire, in the Chair.

Wednesday, 29th January, 1845.

Thomas A. Begly, Esquire, called in; and examined:—

1. Can you inform the Committee what amount has already been paid to the inhabitants along the line of the Beauharnois Canal, distinguishing the different objects of such payments?—I cannot answer without reference to documents, but will hand in an answer on Tuesday next.

2. Are you aware of any application having been made to the Board of Works, or to the Engineers in charge, by any of the inhabitants, for damage caused by the overflow of their lands?—I am not aware of any application which the Board of Works did not immediately settle,—I mean from the inhabitants. The Seigniors have also made an application for the enlargement of a culvert, which I believe has been done.

3. Are you aware of any communication made to the Board of Works with regard to the want of fences along the line of the Canal, whereby the cattle have strayed, and the crops been destroyed?—There were several communications between the Board and Exc-



Appendix  
(T. T.)

13th March.

cutive relating to the appointment of arbitrators in such cases; and when the Board of Works are made aware of any damage done by their own people, they immediately investigate it, and settle it. As to the fences along the Canal, they have either been made once, or the damage paid for to the proprietors; if afterwards those fences have been destroyed by persons other than those employed by the Board of Works, the Board have been advised that they were not obliged to replace them; it being the opinion of the Law Officers of the Crown that the Board of Works are only obliged to make the fences once, and that the fences on the Canal are considered the same as those on a high road. On the same principle, on the Cascades Road, the Board of Works put up the fences in the first instance, but are not bound to keep them in repair.

4. Have not the inhabitants of Beauharnois along the line of the Canal, petitioned or applied to have the Canal pass through their lands, offering a free gift of the ground required, and other facilities?—There was no Petition, but the Board were furnished with a voluntary surrender of the land under two deeds, which I will produce. In the arbitration made and paid for, the inconvenience of crossing was taken into consideration, as well as the ground, notwithstanding the agreement. It was pretended on the part of the inhabitants, that they had a right to be paid for the ground notwithstanding that surrender, on account of their claim for inconvenience in not having bridges sufficiently numerous. Every one was paid for his land under that arbitration, and, besides, those who suffered inconvenience were also paid. The Board were of opinion that that voluntary surrender would not be final, but that the land would have to be paid for in some way or other. The arbitration that I mention is not that of Messrs. Manuel and Wetherall, with which the Board of Works have nothing to do.

5. Are the Contractors under the Board of Works responsible for the damage done to the inhabitants, by opening quarries or in taking possession of "service ground?"—Certainly, the same as any other individuals.

6. Are you aware of any parties who worked on the Beauharnois Canal while the said work was progressing under the immediate direction of the Board, who have unsettled claims for their labor?—I have not. I am aware of one individual who disputes, but we have a receipt for the amount, which receipt we received from the Paymaster; that man is, I believe, Joachim Primeau. I know nothing whatever of the allegations of the other parties named in the estimation of Messrs. Manuel and Wetherall, and I am not aware of any application being made by those persons on the Board.

7. Have the Board made any report or representation as to the means of protecting the inhabitants against plunder by the workmen?—Yes, they have.

8. Have the Board or any of its Officers made any reports, or held any correspondence with Government on the subject of the arbitration by Messrs. Manuel and Wetherall, and if so, can you produce copies of such reports and correspondence, and documents relating thereto?—They have; and I will produce the documents in question.

9. Can you on Tuesday next, produce any other document connected with the above questions, and your answers thereto?—I will see if there are any, and produce them if they exist.

Friday, 7th March, 1845.

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*Donald Aeneas Macdonell*, Esquire, a Member of the House, called in; and being interrogated, answered:—I am well acquainted with the local situation of the Village of Milleroches, in the Township of Cornwall, and was latterly one of the Board of Commissioners in adjusting the claims of parties who had sustained damages in the construction of the St. Lawrence Canal. The Commissioners were sensible that the inhabitants of Milleroches had suffered, but were of opinion that the Act did not authorize them, as Commissioners, to investigate and report on their claims. The damages complained of by the inhabitants of Milleroches is caused by the St. Lawrence Canal severing the Village from the adjacent country; and its inhabitants, being principally tradesmen, have been obliged to leave their property, which has gone to ruin. By the 31st Section of the Act of William the 4th, chap. 18, it was obligatory upon the Commissioners, one month after having intersected the communication with the highway, to restore the same by means of bridges; this Section of the Act has been violated, as the road has been removed and a culvert constructed at the eastern extremity of the Village, without any egress from the west. The culvert is at all seasons of the year a dangerous communication, and is not of sufficient height; and I actually consider that persons passing through with horses, that are not in the habit of passing, are in actual danger. There are seasons when the culvert is impracticable, from the circumstance of the ice flowing into the culvert in consequence of the back-water from the St. Lawrence: this is generally the case in the months of January and February. I have seen the inhabitants under the necessity of making roads over the banks, which causes both cost and great trouble. Before the construction of the Canal, Milleroches was a place of importance, and general resort by the people of the country; it has now become ruinous, and most of its inhabitants have deserted their homes, and many persons that would be disposed to frequent the place on account of the mills and various trades which are and were carried on there, are now obliged to go to a greater distance, on account of the access being dangerous, through the culvert. I am fully aware that hopes were held out to the inhabitants that their claims would be actually investigated, after the completion of the Canal.

*John Sanfield Macdonald*, Esquire, a Member of the Committee, said that "a thorough knowledge of the facts stated in the foregoing answer enables him to corroborate the statements made by Mr. Macdonell, in reference to the grievances complained of by the inhabitants of Milleroches."

*Donald Aeneas Macdonell*, Esquire, being again interrogated, answered:—On the subject of the Petition of Jacob Brown and others, it is common to the whole line,—many have suffered; and all that I could recommend, would be, that the Government should institute an enquiry. No doubt the amount of fences and crop destroyed has been injurious;—a small recompense to the sufferers would be an acceptable remuneration.

Saturday, 8th March, 1845.

*Robert Froste*, Esquire, of Montreal, called in; and being interrogated, answered:—I am proprietor of a certain property at Milleroches, which originally cost me £700 currency. Its extent and location will more particularly appear by reference to the plan or

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map of the same, which I now produce. During the last seven years I have derived little or no benefit whatever from it. That portion of the Village in which my property is situated, previously to the construction of the Canal, was thriving and prosperous, and there was every probability that its trade would have continued to increase with the advance of the surrounding country; but in consequence of the Canal cutting it off from the main road, and rendering the approach to it (under a culvert) almost impracticable, has ruined it as a place for business, and rendered my property almost valueless in every other respect. I, therefore, respectfully pray that the Committee will be pleased to take steps to have the damage I have suffered ascertained, and to grant me relief with the least convenient delay.

## APPENDIX.

Cornwall, 18th February, 1845.

Personally appeared and came before me, William Cline, Esquire, one of Her Majesty's Justices of the Peace for the Eastern District, John Marsh, Thomas M. Cosh, Jacob Emery, Simon Auet, and Janis Van Camp, who depose and say, that they have visited, and are well acquainted with, the culvert and the Canal at Milleroches; and that they have measured the depth of water in the said culvert this present winter (1845,) when they found a depth of three feet five inches, thereby rendering the said culvert impassable to any carriage or foot passenger, without imminent danger of loss of life, and destruction of teams and carriages, to those who might venture through. And they further depose and say, that on former years they have known the water to be much higher, thereby completely impeding

any ingress to or egress from the Village by carriages or otherwise, and in case, as it was this present year, that the inhabitants were out of fuel or provisions, they could not obtain these indispensable requisites, without crossing the Canal, and trespassing upon their neighbours' properties, thereby submitting themselves to the possibility of a heavy action of damages in an action of trespass; and further, that the inhabitants of the Village, in consequence of their being no other legal means of egress or ingress, except the culvert, have to perform a distance of three-quarters of a mile, or more, in order to reach their farms, whence they have to bring their firewood and all the produce of their farms, and thence to transport their manure, &c. through a far worse road than that which was in existence before the commencement of the Canal.

JOHN MARSH.  
THOMAS M. COSH.  
JACOB EMERY.  
SIMON AUET.  
JANIS VAN CAMP.

Sworn before me, at Cornwall, }  
the 18th day of February, 1845. }

W. CLINE, J. P.

This is to certify that I have examined the culvert at Milleroches, this day, and find that the water has been three feet five inches high above the plank floor, which has been occasioned by the back-water from the St. Lawrence, and that, during the time the water was up, it was impossible for teams to pass through.

Cornwall, 18th February, 1845.

WM. CLINE, J. P.

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THE SELECT COMMITTEE to which were referred the Petitions of J. G. Tourangeau, and others, inhabitants of the City of Quebec and its vicinity; of the Mayor and Corporation of the said City,—and of Charles Smith and Anthony Anderson, also of the said City of Quebec, Esquires, relating to Dorchester Bridge over the River St. Charles, and to the erection of other Bridges over the said River, with power to report by Bill or otherwise,—have agreed to the following REPORT:—

With reference to the Petition of J. G. Tourangeau and others, of the City and County of Quebec, praying for leave to erect a Bridge on the River St. Charles, at the place where the old Dorchester Bridge formerly existed, and the Petition of Messrs. Smith and Anderson, praying that such permission be not granted, Your Committee would remark, in the first place, that the same subject has occupied the Legislature of the late Province of Lower Canada at three different periods.

In the Sessions of 1832 and 1833, a Bill, the object of which was to make provisions similar to those now asked for by the Petitioners Tourangeau and others, was passed by the House of Assembly, on a division of twenty-two to twenty-two, the Speaker having given his casting vote in the affirmative. This Bill was thrown out by the Legislative Council. In the Session of 1834, another Bill for the same purpose was passed in the Assembly, on a division of forty to twenty-three, and again thrown out in the Council. Lastly, in the Session of 1835 to 1836, a third Bill for the same purpose was passed in the Assembly, on a division of twenty-seven to twenty-six, and was again thrown out by

the Council. The pretensions of the Petitioners Smith and Anderson, who then opposed the passing of the three Bills above mentioned, were founded on the exclusive privilege granted to them by Letters Patent issued in favor of Nathaniel Taylor and others, for the construction of a Bridge at the very place where the Petitioners, Tourangeau and others, pray for leave to erect a free Bridge. These Letters Patent, dated 22nd April, 1789, are confirmed in favor of the said Nathaniel Taylor and others, by an Ordinance of the Governor and Council in 1790, 30th George III, chap. 10, and the said privilege was renewed at a latter period, in 1811, by the Act 48 Geo. III, chap. 10, and later still, by the 59th Geo. III, chap. 28. The Petitioners for a free Bridge contended that the words "for gain or hire," in the clause contained in the original Patent, prohibiting all modes of conveyance over the River within certain limits, and the addition of a clause expressly permitting the fording of the River or the crossing in a boat or other craft, without "gain or hire," in the different Statutes and Ordinances, gave the Legislature full liberty to grant their prayer. The original Patent granted the privilege for the space of fifty

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years only, at the expiration of which the Bridge should belong to His Majesty, His Heirs and Successors. This period of fifty years expired on the 22nd of April, 1839, that is, since the last Bill introduced on this subject in the Assembly of the Province of Lower Canada was thrown out by the Legislative Council of that Province. During the period of six years which has since elapsed, the proprietors of the bridge have continued to levy the tolls to which they are entitled by virtue of the Patent and the Acts above cited, with the exception of the last summer, during which, it would appear that they reduced to one half the rate of tolls in favor of the people of some parts only of the country. From the information which Your Committee have been enabled to obtain, this toll is so much the more burdensome, as the inhabitants of the north shore, and persons who travel in that direction, have to pay a very heavy toll at the turnpike gate, erected at a distance of a few arpents from the bridge, and under the control of the Trustees of the Turnpike Roads in the neighbourhood of Quebec. Both tolls amount to the sum of one shilling and two-pence on each two-wheeled vehicle drawn by one horse only. Besides which, the people from l'Ange-Gardien, two leagues and a half from the Town, are obliged to pay toll on the bridge over the River Montmorency. These sums, which the farmer is continually obliged to disburse, become a tax on agricultural produce, which in many cases amounts to twenty-five and even fifty per cent; and taking everything into consideration, this double toll places such a restriction on the communication between the City of Quebec and the neighbouring Parishes; that Your Committee have no hesitation in saying that it is of the greatest importance that something should be done to remedy it.

Your Committee having examined the evidence taken before the Committees of the House of Assembly of Lower Canada, and having heard the evidence of the Honorable Louis Panet, of Quebec, and of the Sieur Vincent Belanger, farmer from Beauport, are of opinion that the place at which the Petitioners pray for leave to erect a bridge, would in fact be extremely convenient, as it is situate between the very populous Parish of St. Roch and a new Parish, which the increase of the population in this direction will render necessary to establish at a period not far distant. On the other hand, Your Committee being informed that the River St. Charles is navigable, and that vessels are constructed above the site of the intended bridge, could only recommend to Your Honorable House to grant to the Petitioners, Tourangeau and others, the permission which they ask for, on the condition that the bridge to be constructed by them should be a drawbridge, and on the condition also, that a certain number of them should become responsible for the raising of the drawbridge, in the same manner as it is provided that the proprietors of the present bridge shall be responsible.

But however desirous Your Committee may be of granting the prayer of the Petitioners, Tourangeau and others, on this condition, they are checked by a new pretension of Messrs. Smith and Anderson, and by the prayers of two petitions of the Mayor and Corporation of the City of Quebec, which have also been referred to them. The pretension of Messrs. Smith and Anderson is founded on the 59th Geo. III, chap. 28, which passed before these gentlemen, who had acquired the privilege granted to Nathaniel Taylor and others, had constructed the draw-bridge, which is now situate at the end of Craig Street. The Statute 48th Geo. III, chap. 10, enacts "that the said bridge over the River St. Charles, near Quebec, called Dorchester Bridge, shall be and is hereby vested in the present proprietors thereof, (then Messrs. Taylor and others) their heirs and assigns, as tenants in common for ever, anything in the said Letters Patent to the contrary thereof in any wise

notwithstanding: Provided always, and be it further enacted by the authority aforesaid, that after the expiration of fifty years from the date of the said Letters Patent, but not sooner, it shall be lawful for His Majesty, His Heirs and Successors, to assume the possession and property of the said bridge, upon paying to the said proprietors thereof, their heirs, executors, curators or assigns, the value which the same may at the time of such assumption bear and be worth." The Statute 59th Geo. III, chap. 28, on which is founded the pretension of Messrs. Smith and Anderson, who had become proprietors of the old bridge, and which authorizes them to remove the said bridge to the place where the present bridge now stands, and to construct a draw-bridge at that place, enacts that the "said draw-bridge when erected, shall be, and the same is hereby vested in the present proprietors of the aforesaid Dorchester Bridge, (then Messrs. Anderson, Smith and others,) their heirs and assigns for ever, in the same proportions as they the proprietors, at the time of the passing of this Act, are possessed of the shares and tolls in and of Dorchester Bridge, unless it shall hereafter be otherwise mutually agreed upon by the said proprietors. Provided always, that if His Majesty shall, after the expiration of fifty years from the date of the Letters Patent, in virtue of which Dorchester Bridge aforesaid hath been constructed, assume the possession and property of the said draw-bridge, with the toll-house, turnpike, and the dependencies which may thereunto appertain and belong, and the ascent and approaches thereto, the proprietors of the said draw-bridge, their heirs, executors, curators and assigns, shall be entitled to recover and have from His Majesty, His Heirs and Successors, the full and entire value which the same shall bear and be worth at the time of such assumption, and the said tolls shall, from the time of such assumption, appertain and belong to His Majesty, His Heirs and Successors, who shall from thenceforward be substituted in the stead of the said proprietors of the said draw-bridge, for all and every the purposes of this Act." Must the continuation of property granted by the last mentioned Act be taken as meaning the privilege itself, or merely the bridge, which, together with the privilege, should become the property of His Majesty at the expiration of the fifty years? If understood in the most liberal sense, the privilege would last as long as the bridge shall not have been purchased at its value; then the same questions of law, which arose on the Petitions presented on this subject to the Legislature of the late Province of Lower Canada, would again arise. Under any circumstance, the intrinsic value of the bridge and its appurtenances, in whatever state they may be at present, and which is all that requires to be paid, would remain to be determined.

Without expressing their opinion on these questions, which merit the most serious attention of Your Honorable House, Your Committee must remark, that the two Petitions of the Mayor and Corporation of the City of Quebec, which have been referred to them, conflict with the Petition of Messrs. Smith and Anderson, and that of the Petitioners Tourangeau and others. The Mayor and Corporation have, in the first place, prayed for leave to construct several bridges on the River St. Charles, wherever they may think it convenient, without excepting, at least explicitly, the space included within the limits over which extends the privilege granted to Messrs. Smith and Anderson.

By a second Petition they pray to be substituted for the Crown in the right of acquiring the bridge.—The granting of this last prayer would be incompatible with the construction of a free bridge within such a short distance, and under another control than that of the Corporation.

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Your Committee are of opinion, that even supposing the pretension of the proprietors of the bridge to be well founded, the continuation of their privilege would be the Act of the Legislature, and would impose on the inhabitants of the City and County of Quebec a heavy tax; and it would ever be an obstacle to the free communication between the City and the country parts, and that the Provincial Legislature ought therefore to be alone held to redeem the public rights which it alone may have given up.

Your Committee therefore recommend, that in case Your Honorable House should decide the questions which they have the honor to submit, against the Petitioners, Tourangeau and others, Your Honorable House do vote an Address to His Excellency the Governor General, praying His Excellency to appoint, as soon as possible, one or several Commissioners, to estimate, under oath, the actual intrinsic value of the bridge belonging to Messrs. Smith and Anderson, so that the Province may acquire it as soon as the state of the public funds may permit the Government to recommend that expense,—which, in justice, ought to take precedence of any other of this nature, with a view to throw open the bridge to the public gratuitously, or at a rate of toll merely sufficient to cover the expenses of maintaining it.

Your Committee would also recommend to the most serious attention of Your Honorable House, that part of the Petition of the Corporation of the City of Quebec, which has reference to the construction of several bridges on the River St. Charles, as soon as the question of Messrs. Smith and Anderson's privilege shall have been determined. This project of the Corporation will encounter another much more extensive one, and may probably be modified in consequence. The project which has been conceived of establishing a Dock for vessels, at the mouth of the River St. Charles, comprises also the construction of a drawbridge at the pier of this Dock. This is a great public improvement, which might become a source of revenue to the Government. Your Committee see with pleasure that the attention of the Government has been drawn to this subject, and they have no doubt that, while so large a portion of the Provincial funds have been appropriated to the improvement of the Port of Montreal, and for a great many local purposes, the City of Quebec shall in its turn derive some advantage from the establishment of the Board of Works.

Your Committee also hope that, in proposing any new plan for the management of the Roads in the neighbourhood of Quebec, the Committee which is now enquiring into the complaints brought against the Quebec Turnpike Trust, will provide that the tolls of the bridge or bridges over the St. Charles, if the recommendations of Your Committee are acted upon, shall be levied at the same time as the turnpike tolls, so as not to importune the people passing on the said bridge or bridges and roads, and in order to diminish the expense of collection.

The whole nevertheless humbly submitted.

P. J. O. CHAUVEAU,  
*Chairman.*

13th March, 1845.

## MINUTES OF EVIDENCE.

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PIERRE J. O. CHAUVEAU, Esquire, in the Chair.

*Tuesday, 25th February, 1845.*

*Vincent Belanger*, Esquire, of the Parish of Beauport, Captain of Militia, called in; and examined:—

1. Are you acquainted with Messrs. Smith and Anderson's bridge on the River St. Charles, near Quebec?—I am, and I pass over it almost every day in summer, and often twice a day:

2. Is this bridge situate in a convenient place for the country people in general, or do you know any other place which would be more advantageous to them; state your opinion at length and in detail?—I consider the place where the bridge in question now stands, the most convenient for the greater portion of the country people who resort to the Quebec markets, as it is the most central. Two other places are spoken of, namely, the spot where the old Dorchester bridge stood; this bridge would begin at the north side of the river, at the foot of the Charlesbourg road, and would terminate at the St. Roch's Suburbs in Crown street. This spot would not be quite so central, as it would lengthen the road of the inhabitants on the north side of the River St. Lawrence, several arpents.

3. Are the tolls of Dorchester bridge too high, and have they the effect of preventing a great number of the country people from bringing their produce to the Quebec markets?—Yes, the tolls are exorbitant; and much more so from the necessity of paying tolls at the Turnpike,—so that a farmer from Beauport who brings to market a load of wood, lime, or any other article for which he receives only from 2s. to 5s. is obliged to pay 6d. at the toll-gate, and 8d. at the bridge; and a farmer residing beyond the Montmorency Falls, must, in addition, pay the tolls at the bridge there, which amount to 6d.—so that in many cases he pays one-half of the price of his load. However, since a free bridge over the River St. Charles has been talked of, the proprietors of the bridge have diminished their tolls one-half for the inhabitants of Beauport and Charlesbourg, with a view evidently to prevent their taking steps to obtain a free bridge.

4. Is the river navigable at the place where a free bridge is desired, that is, at the foot of the Charlesbourg road, and would it require a drawbridge?—Yes; the river is navigable at that spot, and a drawbridge would necessarily be required.

5. What, in your opinion, would be the best system to adopt, in order to make the bridge of any advantage to the public?—In my opinion it would be expedient and advantageous that the Government should purchase the bridge from Messrs. Smith and Anderson, as it has a right to do so, the privilege having expired; the bridge and the Beauport turnpike, together with one which might be erected on the Charlesbourg road, might then be placed under one control. In that case, there should be only one keeper at the bridge and only one toll should be demanded, not exceeding two-pence for going or returning. The expense of collecting tolls at several toll-gates would thereby be avoided, and the markets would be more resorted to. The inhabitants of the Town and of the country would both derive great advantage from this arrangement.

6. In what state is the bridge in question?—It has been in bad order for several years, the proprietors having made but few repairs to it.

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The Honorable *Louis Panet*, of the City of Quebec, Notary Public, called in; and examined:—

*Answer to Q. 1.*—Yes.

*Answer to Q. 2.*—I think it is conveniently situated for the country people and the citizens of Quebec; however, as steps are now taking to establish a new Parish at the extremity of the St. Vallier Suburbs, and that the population therein increases from day to day, I think that before a very few years a bridge constructed at the extremity of Crown street, will be much more central, and more advantageous to the public.

*Answer to Q. 3.*—The tolls on Dorchester Bridge have, so far, been too high; I think that, together with the turnpike tolls, they are in many cases a tax of fifty per cent on articles of agricultural produce, the most necessary to life.

*Answer to Q. 4.*—Yes, the river is navigable about the place where a free bridge is asked for, and it would require a drawbridge.

*Answer to Q. 5.*—The best plan would be, that the

Corporation of Quebec, or the Government, should purchase the rights of Messrs. Smith and Anderson, and that the turnpike and the bridge should be placed under one authority, and only one toll demanded.

*Answer to Q. 6.*—The last time I passed over the bridge, it did not seem to me to be in a complete state of repair.

7. Do you think that the Corporation of Quebec should be permitted to erect several bridges on the River St. Charles, and in what places do you think these bridges ought to be erected?—I think that if three bridges were kept upon the River St. Charles, one at the place called the "Palais," in a line with St. Nicholas street,—the present bridge belonging to Messrs. Smith and Anderson,—and a third at Crown street, that is at the place where the Petitioners pray for permission to erect one, the importance of Quebec would greatly increase, and the City would extend rapidly on both sides of the River St. Charles. It would be a great undertaking, worthy of the Municipality of Quebec, and much more of the Government especially, if, in addition, a dock were established at the mouth of the River St. Charles.

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## R E P O R T.

THE SELECT COMMITTEE to which was referred the Petition signed by the Honorable Vallières de St. Réal, Chief Justice of Montreal, in behalf of the Governors of McGill College, for the repeal of the Act establishing the Royal Institution for the advancement of Learning, and the Petition of the Board of the Royal Institution, that the Charter of McGill College be so amended as to permit of the disposal of part of the Endowment,—have agreed to the following REPORT:—

YOUR COMMITTEE are of opinion: 1st. That it is not expedient to repeal the Act of the 41st Geo. III. cap. 17.

2d. That in order to enable the Corporation of the Governors, Principal and Fellows of McGill College, created by the Charter thereof, for holding the property of the College and for the management of its affairs generally, to provide a sufficient revenue for the more efficient establishment and maintenance of the College, it be enacted, that power and authority be given to the said Corporation of the Governors, Principal and Fellows, to lease such portions of the property of the College from time to time, and for such limited periods, as they may think fit; or to dispose thereof in perpetuity for an annual unredeemable *rente foncière*, provided that such *rente foncière* shall be subject to an increase of not less than twenty-five per cent on the original rent, at the expiration of every twenty years, for one hundred years; and provided it shall meet the concurrence of a majority of the Board of the Royal Institution.

3d. That an humble Address be presented to His Excellency the Governor General, praying His Excellency will be pleased to revoke the Commissions of the present Members of the Board of the Royal Institution, to appoint a sufficient number of Members thereof resident in Montreal, and to fix their place of meeting at Montreal, in accordance with the authority given to His Excellency in this behalf by the Act of the 41st Geo. III. cap. 17.

The whole, nevertheless, respectfully submitted.

SABREVOIS DE BLEURY,  
Chairman.

14th March, 1845.

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### MINUTES OF EVIDENCE.

The Honorable C. C. SABREVOIS DE BLEURY, in the Chair.

Friday, 24th January, 1845.

The Chairman laid before the Committee the following letter, received from the Reverend R. R. Burrage, Secretary of the Royal Institution, dated Quebec, 20th January, 1845, in reply to a communication transmitting a copy of the Petition signed by the Honorable Vallières de St. Réal, Chief Justice of Montreal, in behalf of the Governors of McGill College:

ROYAL INSTITUTION OFFICE,  
Quebec, 20th January, 1845.

SM,—I have laid before the Board of the Royal Institution, your communication from the Committee of the Legislative Assembly appointed to consider the Petition of the Governors of McGill College, and the copy of the Petition furnished by the Committee, and am directed by the Board to submit to the Committee, the following Minute:

At a Meeting of the Board of the Royal Institution for the advancement of Learning, held in the Office, on Saturday, the 18th instant, the Board took into consideration the copy of a Petition to the Legislative Assembly furnished by a Committee of that body, with a view of obtaining information relation thereto.

The Petition which, while purporting to be from the Governors of McGill College, is, in reality, from two of them only, viz. Chief Justice Vallières and Dr. Bethune begins by shewing that in consequence of various enactments of the Legislature, the Board of the Royal Institution has ceased to answer the purpose for which it

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was originally constituted, while it continues to be an expense to the country. To this, the Board have only to state that such is really the case, nor has any Member of the Board any interest that this should not be known, and any step taken, in consequence, that may appear advisable to the Legislature. The cost of the Institution is, however, over-stated. It amounts £151 Sterling.

The Board are more concerned, however, with the concluding part of the Petition, which brings certain charges against the Board as Trustees of M'Gill College. These are :—

1st. That the Board are in possession of the property of M'Gill College which ought rightfully to be in the hands of the Governors.

2ndly. That the Board pretend to exercise control over the Governors, to which they are not entitled.

3rdly. That the Board withhold pecuniary means from the Governors for carrying on the College.

4thly. That they neglect to make the most of the College Endowment.

In regard to the first charge, the Board have simply to say, that they have been advised by the most eminent Counsel, that the possession of the College Property is legally vested in the Board, and cannot be surrendered to the Governors without a breach of trust. The Board humbly submit that this is a question of law, on which the opinion of either party can be of no value, and which it does not fall within the province of the Legislature, but of the Courts of Law to decide: And the Board have again and again expressed to the Governors their desire to have the question settled, either by an amicable suit, or by the opinion of the Law Officers of the Crown.

The second charge "of setting up pretended claims of control over the Governors," may respect two things: 1st. The right to inquire into and to see to the right administration of the College funds: and so far what has been said in reference to the first charge, applies also to this. The Board are legally advised they have such right. Under this advice they are bound to exercise it, where a case of necessity arises; but they are perfectly willing to abide the result of an amicable suit, or to submit to the decision of the Law Officers of the Crown. But the 2nd charge may also respect, 2ndly. The claim of the Board as Visitors under the Royal Charter. The Governors do not dispute that in the Royal Charter the Board are appointed Visitors: but they have intimated to the Board their opinion that the Crown had no authority to make such appointment, and on this ground the Board were lately resisted by the Governors, when exercising their visitatorial power. This, also, it is obvious, is a question of law, and is only to be settled in the same way as the other.

The third charge is that of withholding pecuniary means of carrying on the College. The Board have only to state in answer to this, that the salaries of the Professors, according to the scale fixed by the Governors themselves, have been regularly paid to the present period; that though the Board did certainly complain of an expenditure of £1700, in opening the College, the items of which expenditure did then and do still appear to the Board to be wasteful and utterly unsuited to the necessities and the resources of the Institution, amounting as they did to nearly three years revenue of the College, they did yet, at their recent meeting in Montreal, offer to discharge the debt of £1550, which was then believed by the Board to include all the liabilities of the College; only requiring the Principal's certificate that such was the case. This certificate was at first refused, but a certificate has this day been received, shewing to the best of the knowledge and belief of the Principal and Bursar, the debts of the College, independent of the regular expenditure, to amount to £2596, all contracted since August 1843.

The Board have also intimated to the Governors their intention to put the whole of the annual revenue of the

Trust at the disposal of the Governors, in half-yearly payments, on the 1st July and the 1st January.

The fourth charge is that the Board have neglected to make the most of the College Endowment. The Board have conducted the business of the Trust in a manner which, they are persuaded, leaves no ground for such charge. The profitable disposal of the College property in Montreal has constantly engaged their attention, and they had actually adopted measures for this object, when they were arrested by a legal difficulty. They have now prepared a Bill to be submitted to the Legislature, this session, for the removal of this difficulty. It does not appear that the property could have been profitably disposed of without some provisions which this proposed Act contemplates: And the Board are convinced that even the delay caused by waiting for the meeting of the Legislature, and the result of an application to it, will not, in a pecuniary point of view, be injurious to the Trust.

There are but two points to which the Board would, very respectfully call the attention of the Committee. The first, is the danger to which the bequest of the late Mr. M'Gill might be exposed by an extinction of the Board. The second, is the necessity, in the event of such extinction, should it be contemplated, of appointing Visitors—vested with the authority, which the Board entertain no doubt they now possess. Such an appointment is necessary on general principles, and, if evidence of the special necessity of such appointment in the present case were wanted, it might be found in the Minute of the Visitation of this Board in November last, and in the Address to the Governor General founded on it, and accompanying it, to which reference may be had, if deemed necessary.

In those documents measures are suggested which, the Board are persuaded, would produce perfect harmony between the Governors and the Board, and which would render any change of the constitution of the Board unnecessary. It might, perhaps, be thought more convenient that the Board should meet in Montreal: If this change should be made in the place of meeting, the Board are of opinion that due care should be taken, by the selection of members from various parts of the Province, to avoid the appearance of identifying M'Gill College with Montreal, as if it were a City, instead of being a Provincial Institution; and they would very earnestly express their desire, that the case of the Secretary of the Board should be taken into consideration;—an old servant of the Board, a Clergyman advanced in life, and who, from various untoward circumstances, has been rendered to a considerable extent, dependant on the emoluments of the office, of which such a change would, in effect, deprive him. The Board think him justly entitled to a retired allowance.

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

R. R. BURRAGE,  
Secy. R. I.

Saturday, 25th January, 1845.

The Right Reverend *George Jehosaphat*, Lord Bishop of Montreal, called in; and examined:—

1. Was not the Royal Institution originally constituted for the purpose of superintending the whole education of the Province, with the exception of Collegiate or other Institutions, not of a Royal foundation?—I believe so.

2. Had not the Royal Institution, and has it not yet, the control of the proceeds of the Jesuits' Estates, as well as of monies voted by the Legislature, for schools under their charge?—The Royal Institution has no control whatever over the Jesuits' Estates.

3. Is it not now many years since all the objects for which they were constituted have been taken out of the

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hands of the Royal Institution, and other provision been made for education?—Not all the objects, but the greater part of them; there remain but two, the visitatorial control over McGill College and the Royal Grammar School of Montreal.

4. Did not the late Mr. McGill bequeath property and money to the Royal Institution, in trust, to be applied by them towards the erection and maintenance of a University?—He did. I hand in certain extracts from the Will of the late Mr. McGill.—(*Appendix No. 3.*)

5. Is not the property left by Mr. McGill to the College unproductive, for the want of legal authority to grant leases for more than twenty-one years?—It is so.

6. Are you not of opinion that if the Governors, a quorum of whom being resident at Montreal, had authority to dispose of the property to the best advantage, at their discretion, it would very soon produce to the College ample means for carrying on the Institution in a creditable manner?—My opinion is, that it is certainly highly desirable that power should be given in some quarter, without loss of time, to make that property available in the manner contemplated in the question, for the benefit of the College; but I am not prepared to say, that any particular advantage would result from vesting that power in the hands of the Governors: the Royal Institution would have made it so available before this time, but for legal impediments in their way; and they have been engaged in putting measures in train for the removal of those impediments. I wish to add, that in any case I think some exterior control should be preserved over the College, such as are exercised at present by the Royal Institution.

7. Are you aware that the Royal Institution have refused to pay the expenses necessarily incurred for opening the College, for which the Governors, living in Montreal, are being sued; and have they not also refused money for the purchase of the necessary fuel, so much so, that the said Governors have been obliged to procure some at their own expense; to prevent the College doors from being closed?—The facts are very widely different from those supposed in the question, from first to last. The difficulties which have existed between the Royal Institution and the Governors embrace so many points, and range over so wide a field, that it would be impossible, in the compass of such an answer as could be here rendered, to give a full and satisfactory explanation of the obstructions which have stood in the way of the pecuniary arrangements; but a reference to the correspondence that has taken place between the two bodies, and to a Minute of the proceedings of the Board in its visitatorial capacity at Montreal in November last, will in great part explain those points. I beg to file copy of this minute, (*Appendix No. 4.*)—and to state that, subsequently to the sitting held at Montreal, and in pursuance of the intentions then entertained, the Board has provided the sum of £1500 and upwards, for the liquidation of the claims against the Governors. According to my own conviction, there has been no ground, in the whole history of the difficulties here adverted to, for any shadow of complaint against the Royal Institution, as if they had acted so as to produce needless embarrassment, or assumed powers beyond those which they had reason to believe legally confided to them. I beg to refer to the letter from the Secretary of the Royal Institution, dated 20th January, 1845.

8. Have not the Governors been obliged, in their individual capacity, to borrow money to a large amount, for which they are individually responsible; if so, to what amount?—They have borrowed some money, as appears by the accounts rendered; but were not placed under the necessity by any act of the Royal Institution.

9. Had not the Royal Institution, when the College was opened, and ever since, and have they not at the present time, funds sufficient to meet the expenses attending the opening of the said College, and those since incurred in keeping it open?—Certainly not; on the contrary, they have to regret exceedingly the necessity for breaking in

upon the capital to meet the expenses incurred by the Governors.

10. Under the existence of the Royal Institution, as now established and in force, is not the College paralyzed; and is it not desirable that some provision should be enacted to remedy the evil: if so, would you be pleased to suggest the remedy?—I would state, in the first instance, that the fact that the College is paralyzed, is indisputable; that the Royal Institution have faithfully and laboriously done their best to avert such an effect; that as the Institution is now constituted, and under the provisions of the existing Charter, there are most serious obstacles to the efficiency of the Institution, and I conceive it to be imperatively required, and to be indispensable to the prosperity of the College, that the Board of the Royal Institution should be reconstructed in such a manner, that its operations could be conducted at Montreal, and that a sufficient number of efficient members, resident at Montreal, should be provided, to insure a competent quorum whenever it might be necessary to call the Board together for the transaction of its business. I would wish to add that, in my opinion, there would be very great danger in the extinction of the Board, in consequence of the distinct reference to the Royal Institution in Mr. McGill's Will.

11. Can you inform the Committee, what amount of money is now on hand to the credit of the College; how it is invested, and at what rate of interest?—[*An answer to this Question is contained in Appendix No. 12.*]

12. In what way would you recommend the bequest of the late Mr. McGill to be managed, so as to render it most extensively useful for the purposes for which it was originally intended?—I conceive it necessary that at least a portion of the lands held for the benefit of the College, should be let in building lots on long leases.

13. Have you and the other Visitors, at any time, made a Report to His Excellency the Governor General, upon the subject of McGill College, and if so, can you furnish to the Committee a copy of such Report or Reports?—We have furnished the Governor General with a copy of the Minute, which I have already laid before the Committee. It was accompanied by a representation, addressed to His Excellency, the expediency of communicating which in other quarters, I have doubts of at this moment, without previous reference had to my colleagues at the Board.

14. Have you received any legal advice as to the effect upon the bequest which the abrogation of the powers of the Visitors would have, and if so, from whom, and what was the purport and tendency of such advice?—I have had none. The only legal opinion I have had at all, bearing on the subject, is one from Messrs. Stuart and Black, a copy of which I beg to hand to the Committee. (*Appendix No. 5.*)

The Chairman subsequently laid before the Committee the following Observations received from the Lord Bishop of Montreal:—

Observations Supplementary to my Answers before the Committee upon the Petition of the Governors of McGill College, resident in Montreal.

1st. In my answer to that question which concludes by a desire that I would suggest a remedy for certain matters which are now subjects of complaint, I believe that I omitted, inadvertently, to state my conviction of the urgent necessity which exists for the appointment of a sufficient body of *Governors*, so locally situated as to be brought together without difficulty, at proper intervals, in such number as to remove all question with respect to their competency to act, and to afford satisfaction alike to themselves and to the public, in the responsibilities which they assume.

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2nd. It has occurred to my mind, in thinking over the important points to which the questions refer, that whereas it might wear a singular appearance that the Royal Institution should exist for the single purpose of executing its duties at Montreal, (duties connected with M'Gill College,—its interference with which, in ordinary circumstances, would be but slight and of rare occurrence,—and with the Royal Grammar School of that City,) and yet that there are, in my apprehension, grave objections to the extinction of that body, it might perhaps, with advantage, be reconstructed in such a manner as to embrace a wider range of operations, and either to be identified with a general Board of Education, under new provisions, such as I have understood to be in the contemplation of some Members of the Legislature, or to have the oversight of some particular class of the educational establishment of the Province. Upon this subject, however, I am by no means prepared at present to offer any observations in a matured or digested form.

With reference to the opinion which I have given in my evidence, in favor of the continuance of the Royal Institution, I may perhaps be permitted to point out that, far from seeking in that instance to prolong the retention of any share of authority in my own hands, I am seeking to perpetuate an authority with the exercise of which I shall very soon, under any circumstances, cease to have any connection, but to which, as being now a *Governor* of M'Gill College, I shall, in some measure, be subject.

3rd. I am sorry that I did not explicitly contradict, in my written answers, the allegation to which one of the questions refers, that the Royal Institution Board had driven the Governors resident in Montreal, to leave the College absolutely without fuel, or to supply it upon their own personal responsibility. I was perfectly aware, from knowing that no disposition to any vexatious exercise of authority has ever characterized the proceedings of the Board, and that they have always studied, to the extent to which they were justified in doing so, the convenience and comfort of the gentlemen of the College,—that no such act could have been committed by them, but I did not recollect the particulars of the transaction. I afterwards called to mind a complaint of this nature made to the Board, remembering at the same time that it had been owing to a wrong interpretation put upon their intentions; that no decision of theirs, or instruction proceeding from them, had tended to any such effect; and that they had no suspicion of the existence of the inconvenience. Particulars can be had, if necessary, from the Secretary.

G: J. M.

Tuesday, 28th January, 1845.

The Chairman laid before the Committee the following Letter received from the Reverend Dr. John Bethune, Principal of M'Gill College, in reply to the Letter from the Secretary of the Royal Institution for the advancement of Learning, dated Quebec, 20th January, 1845, a copy of which had been communicated to the Reverend Dr. Bethune, by order of the Committee.

M'GILL COLLEGE,  
January 27th, 1845.

SIR,—The undersigned begs to acknowledge the receipt of your note of the 24th instant, and of a copy of a letter from the Secretary of the Royal Institution to the Committee of the Legislative Assembly to which is referred the Petition of the Governors of M'Gill College.

In reply to the allegation of the Board of the Royal Institution, that the Petition purports to be from the Governors of the College, "but is in reality from two of them only," the undersigned begs to state: 1stly, that two are a sufficient quorum for such a purpose; and because, at a Meeting of the Governors of M'Gill

College, held at Montreal on the 8th August, 1842, at which were present, His Excellency Sir C. Bagot, Governor General, the Chief Justice of Montreal, and the Principal, it was resolved "that it is expedient for the interests of the College, that measures be taken to procure the passing of an Act, at the next Session of the Provincial Legislature, repealing the Act 41st Geo. 3, C. 17, and vesting the bequest of the late Mr. M'Gill in the Corporation of the Governors, Principal and Fellows of M'Gill College; and that the Chief Justice and the Principal be authorized to communicate with the Board of the Royal Institution on the subject, and to take the necessary steps for carrying this resolution into effect;" and 2ndly, that the measure petitioned for, even the very Bill as it stands, was agreed upon by all the then acting Governors of the College, in July 1843, viz:—the Chief Justice of Montreal, the Chief Justice of Upper Canada, and the Principal; and notice of the introduction of that Bill, as a Government measure, was given in the last Session of the last Parliament by a Member of the late Administration, but its farther progress, was arrested by the abrupt termination of the Session. A copy of the Bill was transmitted to the Board of the Royal Institution previously to the period above stated.

The Petition, moreover, has the entire concurrence of the same three Governors above mentioned; and the Bill has the sanction of the Governor General.

With reference to the allegation of the Board of the Royal Institution that they have again and again expressed to the Governors their desire to have the question of their right to hold the bequest of Mr. M'Gill in their hands "settled either by an amicable suit, or by the opinion of the Law Officers of the Crown," the undersigned says, first, that such a proposition was never made by the Board until after they were made aware of the determination of the Governors to seek the remedy proposed in the measure before your Committee, to wit, on the 16th January, 1844, and again at their visitation of the College in November last; but the proposition was, years ago, to wit, on the 17th October, 1839, made by the Governors to the Board, without any notice being taken of it. 2ndly. That it was more competent for the Board than for the Governors, to seek an adjustment of the differences in question by the means which they proposed, because the Board possessed the pecuniary means of doing so, while the Governors have been always left, in this respect, in a state of utter destitution.

In reply to the observations of the Board of the Royal Institution with reference to the allegation in the Petition that they set up pretended claims of control, the undersigned begs leave to state that the Royal Institution put the Governors of M'Gill College in possession of *Burnside*, so soon as it was recovered, by action of ejectment, from the legatees of Mr. M'Gill, namely, in the year 1829, and they made the following minute of that proceeding:

"QUEBEC, 23d February, 1842.

"Inasmuch as it appears to the Board, that formal possession was duly taken by the Governors of the College at Montreal, on the 29th June, 1829, of the House and Estate of *Burnside*, with the knowledge and consent of a sufficient quorum of the Board of the Royal Institution then being also present at Montreal, but of which delivery of possession no formal record has been made on the Register of the proceedings of the Royal Institution, this Board doth agree to cause an entry to be made in the minutes of its proceedings in confirmation of the act of possession so granted and taken at Montreal, on the 29th June, 1839, and that the Board will hold itself ready to grant such further instrument or assurance, as the Governors, upon legal advice, shall find necessary in order to invest the Governors with full and legal possession of the *Burnside* Estate. And the Principal was requested to prepare a minute to be entered of record in the proceedings of the Board to the effect herein first before mentioned."

Yet, notwithstanding this solemn declaration of the Board of the Royal Institution, "such further instru-

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"ment or assurance" was *not* given to the Governors of the College. When the above resolution was recorded, the Board had recently recovered the bequest of £10,000, with interest, from the legatees of Mr. McGill, and the Governors about the same time requested to be put in possession of those funds, as well as the *Burnside* property, in order that they might proceed to the erection of the necessary buildings for the purpose of bringing the College into actual operation as speedily as possible. This request was refused by the Board of the Royal Institution, who alleged that the duty of erecting the buildings devolved upon them, but that so soon as that duty should be discharged, the Board would then formally convey the whole bequest to the Governors, and thus enable them to bring the College into operation. The Governors, for the sake of peace and expedition, consented, and urged the erection of buildings without delay. The Board of the Royal Institution notified the Governors of their intention to erect buildings, on the 9th May following, but instead of acting in accordance with that notification, the Board repeatedly endeavored to force the Governors to acquiesce in its scheme of establishing a *School* in *Burnside* house, (a scheme which, if it had not been thwarted by the Governors, might have vitiated the whole bequest, which was made for an *University*, not for a *School*;) and even went the length of resolving on the 7th July, 1838, what Professorships should be established in the College, although the power of doing so is clearly given to the Governors by the Charter. After the Board of the Royal Institution had determined upon the erection of the necessary College buildings, although they were willing and desirous in June, 1839, of expending the whole of the realized annual income in carrying out their scheme of a *School* in *Burnside* House, yet when this scheme was frustrated, and when the Governors resolved that, pending the erection of the buildings, the sum of £500, per annum, should be appropriated to the revival of the operations of the Medical Faculty of the College, (which had been in abeyance for want of funds, thus endangering the whole bequest,) the Board refused to pay the money for that purpose. Whereupon Sir John Colborne informed them, on the 15th October, 1839, that had he remained longer in the Government, (he was then superseded and on the point of departure,) he would have remodelled that body so as to have rendered it a useful and "active promoter of the public interests." Provision for the Medical Faculty was consequently made by the authority of His Excellency, from the public funds, and was sanctioned subsequently by the Special Council.

The College buildings were commenced in the autumn of 1839, and when they were approaching to their completion in the summer of 1842, the Governors applied to the Board of the Royal Institution for the possession of the property, by the "instrument or assurance" which had been promised. The Board after some delay, sent instructions to their Agent and Attorney in Montreal to prepare "an act of *mise en possession* of *Burnside* Estate and the buildings thereon, to the Governors of "McGill College." In this act they instructed their Agent to insert certain conditions involving certain claims to authority over the Governors, which they (the Governors) had before refused to recognize as inconsistent with the provisions of the Charter; as follows:

"The Governors to be put in possession, for the trusts and purposes of the Will and Charter, subject to and with the reservation of the rights and powers of the Royal Institution, as Trustees under the Will and as Visitors, viz: the power of establishing Statutes and By-laws for the government of the College or Colleges erected and to be erected &c. &c. on the estate, and to repeal and amend any By-laws, &c. which may be made for that purpose by the Governors of the College.

"To enquire from time to time touching the execution of the Statutes, or the compliance of the Governors with the Charter.

"To remove, as need may be, the Officers of the College, for misconduct or neglect of duty, to correct abuses, and generally to superintend the management of the trust created by the Will of the Testator, and the provisions of the Law and the Charter.

"To superintend, manage and administer the property devised and bequeathed by the Testator's Will, or otherwise given for the maintenance and support of McGill College, as an Institution of *Royal Foundation*, and for the above purposes generally to enter upon and into the estate, buildings and premises, by themselves, or their lawful agents or attorneys."

The Governors of course refused to accept such an "Act," as inconsistent with the provisions of the Charter, and reducing them to the condition of mere instruments in the hands of the Royal Institution.

With reference to the remark of the Board on the subject of their claims as Visitors, as well as on the subject of their late visitation of the College, the undersigned begs leave to say: 1st, that the Board were not "resisted by the Governors when exercising their visitatorial power," the Governors only protested against their proceedings as illegal, &c., but allowed them free access to the College, and threw no obstacle in their way; on the contrary, they advised the different Officers of the College who could compromise no principle thereby, to obey their summons and give them all the information they could, allowing them at the same time free access to all the books and records of the College; 2ndly, the Governors resident in Montreal do not and cannot recognize the Board of the Royal Institution as the legal Visitors of the College; but, as the Board say, this is a question to be decided by a legal tribunal only. The Governors deny their authority; let them seek the proper means of establishing it.

With reference to the charge of withholding from the Governors their pecuniary means, the Board of the Royal Institution assert, that the "salaries of the Professors, according to the scale fixed by the Governors themselves, have been regularly paid to the present period."

On this I have to remark: first, that the aforesaid salaries have *not* been regularly paid; so far from it, that in a communication to the Governors, 16th January, 1844, in reply to their demand of the 15th December, 1843, for money to pay the accounts, as well as the salaries of the officers then long past due, the Board refused to pay either; but they afterwards appeared to think themselves wrong, and transmitted money for salaries on the 14th March, which were due in the preceding month of October; and the quarter due on the 19th October last, was only paid on the 13th instant. Secondly, the Governors have not alleged in their Petition that the Board have paid no salaries, but that "by withholding their (the Governors') pecuniary means, \*\*\* they have reduced your Petitioners to the necessity of borrowing money on their own responsibility." When the Governors found the way clear, as they supposed, for bringing the College into operation, they informed the Board of the Royal Institution, on the 22d June, 1843, of their intention to open the College early in the month of September following; and requested to know what sum could be placed at their disposal for making the necessary preparations for that purpose, without prejudice to the realized annual income. The Board, so far from shewing any disposition to fulfil their promise before mentioned, refused to make any appropriation for the required purpose, unless a detailed statement of the articles of furniture, &c., which might be required, and a particular estimate of their cost, should be previously furnished by the Governors; and in answer to an application for a portion of the salary due to Dr. Lundy, the Board stated, (same date, viz: 28th June, 1843,) that they were "quite willing to take into consideration the propriety of an advance for the purpose specified, so soon as they should receive a statement of the sums received by the Governors of the McGill College from the *Burnside* Estate and from Government; and the application thereof, without which the Board feel themselves precluded from entering upon the consideration of your request."

In reply to this extraordinary communication, the Governors informed the Board that they could not furnish a detailed statement or estimate, but would lay out

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whatever sum could be appropriated as above stated, to the best advantage, as far as it would go;—that the proceeds of *Burnside* belonged to the Principal, by a resolution of the Governors on the 14th November, 1836, and that they considered *that* “a small remuneration for his “services in that capacity.” The Governors also stated in the same communication, (1st July 1843,) that they “cannot recognize the right of the Board of the Royal “Institution to demand from them any account of “monies which they have not received from the Board, “nor can they acknowledge the principle of making the “payment of the salaries of the Officers of the Univer- “sity, contingent upon any such demand.” The Board persisted in their refusal, and reasserted the rights and powers already stated. The Governors were thus reduced to the necessity of borrowing £500, on their own personal responsibility, and of procuring furniture &c., on credit. It was on this occasion that the Governors of the College agreed to the draft of the Bill now before your Committee, in July 1843; and the Government consented to its introduction, during the last session, as a Government measure, but the announcement of the disruption of the late Ministry took place on the very day on which the Bill was to have been introduced by one of the Members of that Cabinet. Finding that the proposed Bill must be postponed for at least twelve months, the Governors were indeed to try once more what could be done with the Board of the Royal Institution, and they accordingly sent the accounts of the expenditure incurred for opening the College, to the Royal Institution, on the 15th December, 1843, and again requested to be invested with all the property of the College then held by the Board. Payment of the accounts was absolutely refused on the 16th January, 1844, on the general ground that the expenditure was, “wasteful, without precedent or *principle*,” and on the special ground, that “it belongs to the Board, in the first instance, to “establish the general expenditure, and then to ascertain “that the sums voted for special purposes are properly “applied, and to refuse any demand that appears unne- “cessary or extravagant.”

The Governors replied to this communication on the 29th of the same month, as follows:

M'GILL COLLEGE, *January 29th*, 1844.

REV. SIR,—I have the honor to acknowledge the receipt of your letter of the 16th instant, and I am desired by the Governors of M'Gill College to make the following remarks thereon:—

1st. The Board of the Royal Institution assume that the sum demanded in my communication of the 15th December last, consists of salaries assigned and expenses incurred by the *resident* Governors, whereas the Board were well aware that those salaries were assigned, and those expenses authorized, at a meeting of the majority of the whole number of Governors in the month of July last.

2nd. It is stated in one part of your letter, that “the “Board have already recognized on a former occasion, “*their obligations to provide the Governors with funds to “meet the salaries of the Professors;*” and in another part of the same letter it is stated “that the Board will re- “fuse the payment of all debts, except such as shall have “been contracted with their sanction, or as they can on “examination approve.” These two clauses are not only diametrically opposed to each other, but the latter is also opposed to those provisions of the Charter which give to the Governors the authority to regulate the salaries, stipends, and provisions for the Principal, Professors, Fellows and Scholars, and Officers of the said College.

3rd. The Board have undertaken, without any enquiry on the spot, without any personal inspection, and consequently without any knowledge of the subject in hand, to pronounce “that some of the expenses incurred (by “the Governors) do not appear to have any connection “with the opening or carrying on of the College; that “many of them are wholly unnecessary, and many more “excessive in amount,”—and to characterize the whole

as an expenditure, “wasteful without precedent or *prin- “ciple!*”

4th. The Board assert the whole income of the realized property of the College to be about £589, while the annual charge for salaries, &c. amounts to £730, and this assertion is made for the purpose of shewing that the Governors have established an annual expenditure beyond their annual income; whereas the Board are well aware that in establishing this annual expenditure, the Governors had in view a grant from the Legislature and an increasing revenue from the property of the College, if the Board had done their duty in this respect, and in the meantime a more than sufficient sum deposited by the Board in the B. N. A. Bank, together with forthcoming income, to pay the salaries, &c. of the current year.

5th. It is admitted in one part of your letter, that the Board perfectly well understood that the sum of £1300 was expended “in making the necessary *preparations* “for opening and carrying on M'Gill College,” and yet in two other places assume, that this sum is to constitute a part of the annual expenditure, and hence conclude, “that “it would be an easy duty, and one which they are per- “suaded *would be brought to a conclusion in a very short “period*,—simply to hand out, without question or remark, “whatever funds might be demanded of them.”

The Governors of M'Gill College consider the foregoing proceedings of the Board as finally settling what the Governors had been led to believe, from former communications of the Board, namely, that the Board are fully determined to do what they can to embarrass the Governors in their management of the College, if not entirely to arrest its progress; the Governors are consequently now driven to the necessity of adopting such measures as they may deem the most speedy and effective for ridding themselves of the chief obstacle to their successful efforts.

I have the honor to be, &c.

JOS. ABBOTT,  
*Acting Secretary M'Gill College.*

Rev. R. R. BURRAGE,  
Secretary Board, R. I.  
&c. &c. &c.

The Governors accordingly petitioned His Excellency the Governor General to revoke the Commissions of the present Members of the Board, appoint Members resident in Montreal, and fix this as the place of meeting,—but never received any answer to the Petition. The measure now petitioned for to the Legislative Assembly is that to which they have been compelled again to resort, to relieve them from the embarrassments into which they have been thrown by the Board of the Royal Institution.

With reference to the allegations of the Board of the Royal Institution on the subject of the expenditure by the Governors in opening the College, as “wasteful and “utterly unsuited to the necessities and resources of the “Institution,” the undersigned replies,—1st. When the Governors applied to the Board to be informed what sum could be placed at their disposal, without prejudice to the realized annual income, they had been informed that the Board had £1550 of accumulated annual income deposited in the B. N. A. Bank in this City; which, however, the Governors have since ascertained the Board invested in some public stock immediately after the application above stated was made by the Governors, apparently to prevent them from getting it.

2nd. The Governors were given to understand that so soon as the College should be opened, a sum of £500 for the College included in a vote of credit, by the session of 1842, would be paid to them, and that a like sum for the year 1843 would likewise be obtained in the Session of the same year. These sums would together have amounted to £2550, besides what the Governors had good reason to suppose might be derived from a proper management of the *Burnside* Estate.

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With reference to the allegation by the Board of the Royal Institution, of their offer to pay the debts and the refusal of the Governors to send them a certified list, &c. the undersigned has to say: 1st. That although it was understood that the Board had come to the determination, at their visitation of the College in the early part of November last, to liquidate its debts they made no communication to the Governors on the subject until the 12th December, when they informed the Governors of their intention to liquidate the debts of the College to the extent of £1550, whenever a list of all the debts, certified by the Principal and Bursar to comprehend all the debts due, should be transmitted to them. The Professor of Mathematics was at the same time requested by the Board to assist the Vice-Principal in checking the accounts which the Board intended to pay. To these communications the Governors replied, December 18th, 1844, "that they can see no other reason for the proposal made in that letter than a desire on the part of the Board of the Royal Institution to select either by their own choice, or by that of the Vice-Principal, as they infer from your letter of the 10th instant, to Professor Wickes, the debts which shall and which shall not be paid; but as the Governors on the spot must be the best judges in this respect, they cannot become parties to any arrangement by which the debts they have incurred and for which they are responsible, are to be liquidated through any other medium than themselves;—seeing that the Board of the Royal Institution can appropriate £1550 towards the object in question, the Governors resident in Montreal have to request that this sum may be placed at their disposal with as little delay as possible."

The Governors being afterwards led to suppose that the Board had no intention of selecting the accounts which were or were not to be paid, immediately sent them the required list, and then the sum not of £1550, but of £1300, was placed at the disposal of the Governors. Here then the Board has at length given up one of the points for which they have always contended,—that of regulating the economy of the College,—and why? There is a petition before the Legislative Assembly to repeal the Act under which they exist.

It is quite true that the Board of the Royal Institution have "intimated to the Governors, their intention to put the whole of the annual revenues of the Trust at the disposal of the Governors, in half yearly payments, on the 1st July and 1st January;" but they did not notify the Governors of this their intention until the 11th January, 1845. This is another, and very important claim, yielded by the Board, and why?—There is a petition before the Legislative Assembly to repeal the Act under which they exist. If the Board will yield this point permanently, this would remove one very important obstacle to their existence, in the minds of the Governors.

With reference to the charge that the "Board have neglected to make the most of the College Endowment," the undersigned has to say, that the Governors indulged the hope that either the Royal Institution would seek for that authority which might have enabled them ere this to have made ample provision from the *Burnside* property for the maintenance of the College on a much more extended scale than the present, or that they would suffer the Governors to do so. But in this they have also been woefully disappointed, for although the Board of the Royal Institution have always been aware that they cannot lease for more than 21 years, and that such short leases will not answer here, they have nevertheless taken no step to procure additional powers in this respect until now; and it does not seem uncharitable to suppose that they are now impelled to this step by the Petition of the Governors now before your Committee. There have been other meetings of the Legislature, to which they might have applied, as well as to the present.

With reference to "the danger to which the bequest of the late Mr. McGill might be exposed, by the extinction of the Board," the undersigned has no apprehensions, nor

can he conceive that such can seriously be entertained by any one who has thoroughly considered the subject.

With reference to the remarks of the Board of the Royal Institution on the subject of Visitors, the undersigned cannot refrain from the expression of his very great surprize that the members of the Board of the Royal Institution do not appear to be aware that in the event of the extinction of the Board, Her Majesty would become the Visitor of the College in the persons of the Judges of Her Court,—a body which, being on the spot, could not be less efficient than one whose meetings can only be held at present at the distance of 180 miles from this College.

In conclusion, the undersigned begs leave most distinctly to say, that if the Board of the Royal Institution, having already yielded two very important points in dispute between them and the Governors of the College, will also yield the other extraordinary claims set forth in their instructions for the framing of the act of *mise en possession*, already quoted, and would be content with the exercise of the usual visitatorial powers, they might be continued without detriment to the College; but at the same time, he must say, without any particular advantage, as they are now constituted. On this subject the undersigned begs to quote the following passage from a letter of the Chief Justice of Upper Canada, who entirely concurs in the present proceeding of the Governors here, dated 17th instant, and addressed to the undersigned:—"I wish you very heartily entire success in the object of the Petition to the Legislature mentioned in your letter. It is utterly impossible that McGill College can be conducted by any set of Governors under the Charter, while the Royal Institution take that view of their powers and duties which they have hitherto acted upon, and from which they seem resolved not to depart. They have in fact got in their hands the funds of the Institution, and they make use of that circumstance as the means of forcing an entire conformity to their views in every point of expenditure, and in every arrangement of the College; whereas, it is clear to me, that they should interpose only as other Visitors interpose in regard to similar corporations, that is, for the same purposes, in the same spirit, and to the same extent. How can they believe that when the Crown, at their instance, constituted a Corporation, and appointed Governors to organize and manage the College, it was ever contemplated that they, as Visitors, were to come in and exact a submission to their judgment in every point of internal economy? I can shew at any moment that that is an entirely erroneous view of the office of Visitors. Of course, when we consider who are the members of the Royal Institution, we cannot doubt that they wish and mean to do what they suppose to be right; but if I had not read the correspondence that was before us in July 1843, I should have thought it incredible that they could ever have persuaded themselves that any Governors could be found who could or would conduct the Institution if exposed to that kind of interference."

I have the honor to be, Sir,

Your most obedient servant,

JOHN BETHUNE,  
Principal McGill College.

Thursday, 30th January, 1845.

The Chairman laid before the Committee the following written answers from the Reverend Dr. John Bethune, Principal of McGill College, to the same questions as those submitted to the Right Reverend the Lord Bishop of Montreal on the 25th instant:—

Answer to Q. 1.—It was.

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*Answer to Q. 2.*—I believe the Royal Institution never had such control—it certainly has not had it for many years past. Certain sums were, I believe, annually voted to the Royal Institution by the Legislature; and a certain portion of the proceeds of the Jesuits' Estates was placed at its disposal by the Executive.

*Answer to Q. 3.*—It is so; for I do not suppose that the accidental circumstances of the Board of the Royal Institution having been made the depositories for a time of Mr. McGill's bequest, and afterwards Visitors of McGill College by the Charter thereof, in the year 1821, can possibly be considered as *objects* for which the Act was passed (twelve years before Mr. McGill's death) which constituted those objects.

*Answer to Q. 4.*—The late Mr. McGill did not bequeath property and money to the Royal Institution in trust, but to certain Trustees: 1st. The estate of *Burnside*, upon trust, that they should "as soon as it conveniently could be done after my (his) decease, by a good and sufficient conveyance and assurance, convey and assure the said tract or parcel of land, &c., to the Royal Institution for the advancement of Learning, &c., \* \* \* upon condition that the said Royal Institution do and shall within the space of ten years to be accounted from the time of my (his) decease, erect and establish or cause to be erected and established upon the tract or parcel of land aforesaid, an University or College for the purposes of education, with a competent number of Professors and Teachers to render such establishment effectual for the purposes intended." And, 2ndly, to the same Trustees, upon trust, the sum of £10,000, that they should pay it to the Royal Institution when the said Royal Institution "shall have erected and established or caused to be erected and established an University or College on the aforesaid tract or parcel of land \* \* \* to be by the said Royal Institution paid and applied towards defraying the expense incurred in establishing the said University or College and towards maintaining the same after it shall have been erected and established, in such manner and form and under such regulations as the said Royal Institution shall, in this behalf, prescribe." It was held by the Courts, in this country, and by the Court of final appeal in England, that the Royal Institution had constituted, erected and established McGill College with a competent number of Professors, &c. when, at their request, the Charter was granted, and that such constitution, &c., by Charter, was a sufficient fulfilment of the above mentioned condition of Mr. McGill's will. By this Charter, Governors are appointed to make Statutes for the College, to appoint its Professors and Officers, regulate their duties, salaries, fees, &c., with a general power to do whatever may be necessary for the well-governing of the Institution. The Charter creates also a Corporation which is empowered to hold estates to the extent of £6,000 per annum, &c., &c. To this Corporation the Royal Institution, I conceive, was bound to pay and make over all the property, real and personal, belonging to the College; inasmuch as, by and through the instrumentality of the Charter, the Royal Institution has prescribed the "manner and form," &c. and the regulations "under which the University is conducted,—and, inasmuch as the Royal Institution have themselves applied a portion of the money, in "defraying the expense incurred in establishing the said University," and can only pay and apply the remainder of the bequest "towards maintaining the same" by the means or instrumentality of the persons appointed to do so by the Charter which the Royal Institution themselves procured. No other persons or body can pay or apply money, as I apprehend, towards the maintenance of the College, than those who are appointed to do so by the Charter.

*Answer to Q. 5.*—It is. Leases for twenty-one years cannot be effected with any present advantage to the College.

*Answer to Q. 6.*—With this discretionary power, and untrammelled by an influence which is so far distant that it may be called a foreign influence, I entertain no doubt that the Governors could raise an immediate income (that is, within the next twelve months) of not less than £1000 per annum, and within three years of not less than £2000, per annum, from that portion of the *Burn-*

*side* estate which lies to the S. E. of Sherbrooke Street, as may be seen by the annexed plan, (*Appendix No. 6.*) which I procured to be made during the last summer, with a progressive increase on each lease, every twenty years for one hundred years, in proportion to what may be considered the natural rise of property in that quarter of the city. Such a plan would serve the purpose of supplying the present wants of the College without detriment to its future prospects. The Royal Institution might have obtained authority to dispose of the property in this manner, either by application to the Legislature or to one of the Judges of the Court of Queen's Bench. The Governors could not adopt the latter course because they could not shew any title to the property. The Royal Institution consequently, judging by the sales of property alongside which actually were effected, might, during the last summer, have increased the revenues of the College by at least £1000. In addition to this income an additional revenue may be raised at a more distant period by the lease of lots to the number of sixty-five, on the North West side of Sherbrooke Street, without any material detriment to the College grounds, at a price which cannot now be calculated or even surmised. Indeed, I entertain no doubt that in the course of the next twenty years a revenue may be raised from the *Burnside* property to the full extent prescribed by the Charter, viz: £6000 per annum.

*Answer to Q. 7.*—The Governors informed the Royal Institution on the 22nd June, 1843, of their intention to open the College early in the month of September following, and requested to know what sum could be placed at their disposal for making the necessary preparations for that purpose, *without detriment to the realized annual income of the College.* The Royal Institution refused to give them any information on the subject, or to place any money at their disposal; but offered to take the matter into consideration whenever the Governors should furnish them with a detailed statement of the articles of furniture, &c. which might be required; and a particular estimate of their cost. The Governors replied that they could not furnish such statement or estimate, and the Royal Institution persisted in their refusal. The consequence was that the Governors borrowed £500, and procured articles on credit, for some of which they have been sued. The Royal Institution were repeatedly applied to for money to purchase fuel, but made no reply, although they knew that I had partly paid for, and partly become personally responsible for all the fuel for the years 1843 and 1844, that is, from the opening of the College to the 1st January last. Had I not purchased fuel, on my own personal responsibility, in September last, the doors of the College must have been closed,—its credit was destroyed by the refusal of the Royal Institution to pay its debts. The Royal Institution, however, placed £1300 at the disposal of the Governors for the payment of the debts as far as that sum would go, only on the 21st instant, although they came to the determination to do so on the 15th November last, thus suffering law expenses to accumulate in the meantime.

*Answer to Q. 8.*—They have; the sum is £500, which will fall due in the month of September next.

*Answer to Q. 9.*—They had and still have, though not perhaps without touching upon vested capital; yet a vigorous and timely application of themselves to the creation of resources from the property, would have more than supplied the deficiency.—I consider that the neglect of the Royal Institution in this behalf has been productive of serious loss to the Institution.

*Answer to Q. 10.*—The operations of the Governors of the College have been embarrassed and retarded by the Royal Institution since the year 1836, as will fully appear by reference to my reply to their communication to your Committee of the 20th instant; and since the opening of the College the operations of the Governors have been sadly circumscribed and all but paralyzed by the neglect of the Royal Institution as before stated. If some provision be not made during the present Session of Parliament for increasing the income of the College and for ensuring a more vigorous management of its property than has at any time been exerted by the Royal In-

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stitution, the College must close its doors. With regard to the remedy, it must be obvious that it is not to be applied by giving additional powers to the same body which has manifested so much incapacity, and apathy in the management heretofore of the property of the College.—But it appears to me that the Charter provides a good and sufficient Corporation for that purpose, viz: “The Governors, Principal and Fellows, and their successors for ever.”—And the enactment which is required, is simply to repeal the Act of 1801, constituting the Royal Institution; to invest the bequest of Mr. McGill in the Corporation appointed by the Charter who are authorized to hold the property of the College to the extent of £6000 per annum “above all charges,” and to authorize them to dispose of the property in the terms of the Act petitioned for by the Governors. I am well aware that the continuance of the Royal Institution by the reconstruction of the Board has been proposed by the present members, to consist of members resident in all parts of the country, a remedy which must be worse than the disease, since a Board so constructed could not meet often, and never without great inconvenience. A Board of members resident in Montreal could not be more competent to manage the property of the College than the Corporation of the Governors, Principal and Fellows, which last may be appointed in unlimited numbers, while it would have the disadvantage of not only possible, but, judging from past experience, very probable disagreement and collision with the Governors. I am also aware that an alteration of the Charter has been suggested by the Royal Institution increasing the number of Governors resident in Montreal. To say nothing of the fact that the value of this remedy must depend solely upon the contingency of the fitness of the persons who might be selected, I am of opinion that the Charter cannot be altered by any authority whatsoever. Mr. McGill’s Will leaves it to the Royal Institution to prescribe, not from time to time, but once for all, the “manner and form” and the “regulations” under which the College shall be established and maintained. The Royal Institution have so prescribed, by the Charter which they framed, and it cannot be altered.

*Answer to Q. 11.*—I do not know; but I believe the net annual proceeds are about £550 currency.

*Answer to Q. 12.*—I refer you to my answer to interrogatories 6 and 10.

*Answer to Q. 13.*—They have; a copy of which has been filed before your Committee by the Lord Bishop of Montreal, as I am informed by the Lord Bishop himself.

*Answer to Q. 14.*—I have not. I am quite satisfied with the opinion which has been expressed on the subject by the Chief Justices of Upper Canada and of Montreal, viz:—that the annihilation of the Royal Institution cannot endanger the bequest.

Monday, 3rd February, 1845.

The Chairman laid before the Committee the following written answers from the Reverend F. J. Landy, Vice Principal of McGill College, to the same questions as those submitted to the Right Reverend the Lord Bishop of Montreal on the 23th ultimo.

*Answer to Q. 1.*—Yes:

*Answer to Q. 2.*—I believe that the Royal Institution has no control whatever over the proceeds of the Jesuits’ Estates. The Royal Free Grammar School at Montreal and the School at Three Rivers are now under the superintendence of that Board.

*Answer to Q. 3.*—I am aware that “other provision” has been made for Education, but I am not aware that “all the objects” for which the Royal Institution was constituted have been taken out of the hands of that Board.

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*Answer to Q. 4.*—The late Mr. McGill gave and devised property and money to the Honorable John Richardson and James Reid of Montreal, to the Reverend John Strachan, Rector of Cornwall, and to James Dunlop of Montreal, upon trust that they or their heirs, executors or curators should convey and assure the said property and money to “the Royal Institution for the advancement of Learning,” upon condition that the said “Royal Institution for the advancement of Learning” should, within the space of ten years after the death of Mr. McGill, erect and establish or cause to be erected and established an University or College. Mr. McGill expressly states in his Will that he bequeaths the sum of Ten thousand pounds to the same Trustees upon trust that they should convey the same to “the Royal Institution for the advancement of Learning” not only towards defraying the expense incurred in establishing the said “University or College,” but also “towards maintaining the same after it shall have been erected and established.”

*Answer to Q. 5.*—I believe so.

*Answer to Q. 6.*—I do not see that any peculiar advantage is to be gained by the power to dispose of the College property being vested in the Governors, that power being now in the hands of the Visitors in conformity with the provisions of the Will of the founder. I apprehend that it would be an exceedingly dangerous step to take it out of the hands of that body; more especially since there is resident in Montreal only one Governor of the College (who is willing to act) besides the Acting Principal.

*Answer to Q. 7.*—I am aware that the Royal Institution hesitated for some time before they remitted money to pay the expenses incurred for the opening of the College, and that they have but lately remitted £1300. I am nevertheless of opinion that their hesitation arose mainly from the refusal of the Acting Principal to render an account to them of the disposal of the rents and profits of the Burnside estate. I am not aware that the Governors living in Montreal have ever been sued in their individual capacity for debts due by the College. I never heard of any such action or suit being commenced. An action was entered against the Corporation, i. e. “the Governors, Principal and Fellows,” but the plaintiffs became bankrupt soon after, and I believe no further proceedings were taken. I am not aware that the Royal Institution ever “refused” funds for the purchase of fuel. I believe that a quantity was purchased by order of the Acting Principal, *on credit*.

*Answer to Q. 8.*—I am aware that in September, 1843, the Governors borrowed £500 from the Bank of British North America.

*Answer to Q. 9.*—I believe that the Royal Institution had funds sufficient to meet the expenses incurred for opening the College; but I apprehend that the present annual income arising from the bequest of the late Mr. McGill will not cover more than half of the annual expenses of the College.

*Answer to Q. 10.*—I do not think that the paralysis under which the College manifestly labours is to be attributed to the course pursued by the Royal Institution. I would, nevertheless, remark that the fact of the Board meeting at Quebec is an inconvenient arrangement; and would suggest that His Excellency the Governor General should be requested to add five gentlemen resident in Montreal to the Board, and appoint their meetings to be held within the walls of McGill College.

*Answer to Q. 11.*—I am not sufficiently acquainted with the financial affairs of the Trust to be able to answer the question.

*Answer to Q. 12.*—I would recommend that the property in question be allowed to remain in the hands of the Royal Institution, reorganized as I have suggested in my answer to query 10, and that an Act should be passed by the Provincial Legislature enabling that body to grant leases for any period not exceeding ninety-nine years.

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*Answer to Q. 13.*—I believe that the Visitors have made a Report to His Excellency the Governor General on the subject of M'Gill College, but I have no copy of the said Report.

*Answer to Q. 14.*—I have received no such legal advice; but am aware that there exists an opinion of Messrs. Stuart and Black adverse to the views of the Chief Justice of Montreal and the Acting Principal of the College.

Thursday, 6th February, 1845.

The Chairman laid before the Committee the following Letter received from the Reverend Dr. John Bethune:—

MONTREAL, 5th February, 1845.

Sir,—Having been informed that the Bishop of Montreal, in giving evidence before the Committee of the Legislative Assembly to which the Petition of the Governors of M'Gill College has been referred, has filed a copy of a Report of the Board of the Royal Institution for the advancement of Learning to His Excellency the Governor General, I beg leave to send you herewith, for the information of the Committee, a copy of the letter which I have written on the subject of that Report as far as it relates to me individually, to His Excellency. I beg leave to add that I hope the Governors of M'Gill College resident in Montreal will be enabled to furnish the Committee, shortly, with a copy of their letter to His Excellency, now in course of preparation, on those portions of the Report which relate to them jointly, in that capacity.

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

JOHN BETHUNE,  
Principal of M'Gill College.

For the copy of the Letter referred to in the preceding Letter, see Appendix No. 7.

Saturday 8th February, 1845.

The Chairman laid before the Committee the following written answers from the Honorable *Fallières de St. Réal*, Chief Justice of Montreal, and a Governor of M'Gill College, to the same questions as those submitted to the Right Reverend the Lord Bishop of Montreal, on the 25th ultimo:—

*Answer to Q. 1.*—Judging of the intentions of the Legislature from the terms of the Provincial Statute of Lower Canada of the 41st Geo. III. chap. 17, it appears that the Royal Institution were created Trustees of the *Schools and other Institutions of Royal Foundation* for the advancement of Learning. They were established for the management and administration, improvement and amelioration of all estates and property to be appropriated to the said Schools and Institutions of *Royal Foundation*.

*Answer to Q. 2.*—At a time when the estates of the late Order of Jesuits were considered to have escheated to the Crown, I believe the Royal Institution exercised certain powers over the pecuniary proceeds of those estates, but the Assembly of Lower Canada having claimed those estates by an Address to the King under the administration of the Earl of Dalhousie, the King graciously acceded to the prayer of the House, and since that period I believe the estates in question are under the exclusive control of the Provincial Legislature.

*Answer to Q. 3.*—The provisions made by the existing

laws for the encouragement of education and learning have placed the superintendence of education in other hands, and appear incompatible with the provisions of the Provincial statute 41st George III. chap. 17, and therefore I consider the Royal Institution is virtually extinct.

*Answer to Q. 4.*—The bequest of the late Mr. M'Gill, of land and monies, was made to the Royal Institution in trust to give effect to the Testator's intentions, namely, "to erect or cause to be erected an University or College for the purposes of education and the advancement of Learning in Lower Canada," and the monies to be paid and applied by the Royal Institution towards defraying the expense incurred in establishing the said University or College, and towards maintaining the same after it shall have been erected and established. The Royal Institution have caused to be erected an University or College, agreeably to the directions of Mr. M'Gill's Will. The Royal Charter of this University or College granted upon the Petition of the Royal Institution, creates the Governors, Principal and Fellows, into a *distinct and separate* body politic and corporate under the name of the Governors, Principal and Fellows of M'Gill College. It provides that the Governor of Lower Canada, the Lieutenant Governor of Upper Canada, the Bishop of Quebec, the Chief Justice of Montreal, and the Chief Justice of Upper Canada shall be Governors of the said M'Gill College; and the Principal is also to be a Governor. It grants to the Corporation of M'Gill College full authority and free license to take and acquire, hold and retain for the use of the said College, any Manors, Rectories, Advowsons, Messuages, Lands, &c., not exceeding the annual sum of £6000, above all charges, and all and any goods, chattels, charitable and other contributions, gifts and benefactions, and that the Governors, Principal and Fellows may sue and be sued. With the consent, therefore, and at the suit of the Royal Institution, a distinct and separate Corporation has been erected for the government of M'Gill College, with power to hold lands and goods for the same Corporation, to sue and be sued in relation to the corporate state and affairs. Nevertheless, the Royal Institution retain the monies belonging to the Corporation of M'Gill College under the founder's Will, and claim to be the legal possessors of the lands under the said title. If their pretension is sustainable, then two distinct Corporations may hold lands and goods for the College, namely, the Royal Institution shall hold the lands and goods under Mr. M'Gill's Will, and the Governors, Principal and Fellows of M'Gill College may hold other lands not exceeding £6000 in value, and goods without limitation, for the benefit of the same Corporation. But this pretension cannot be sustained without frustrating the limitation contained in the Charter; for as the lands willed by the late Mr. M'Gill will probably exceed £6000 in annual value, the total amount of lands that might be thus held by the two Corporations for one single foundation or purpose might exceed £12000, in manifest violation of the Royal Charter. But in fact by the erection of a Corporation with full powers for the government of M'Gill College at the instance of the Royal Institution, the latter body is wholly relieved and discharged from the same trust. Moreover, the Royal Institution claim to be Visitors of M'Gill College under the Charter, but how can they sustain the double and incompatible character of Corporators and of Visitors? Can they correct their own errors? And if they should misapply any parts of the Corporate funds, or commit any other breach of trust, there is no authority to visit and correct them.

*Answer to Q. 5.*—In terms of the Law of Lower Canada, Corporations are not allowed to make leases of land for more than nine years without sufficient cause and judicial authority. The Royal Institution are allowed, if ever they should have lands, to make leases for twenty-one years; but no man in Canada will improve lands on so short a lease, and it is the interest of M'Gill College to make such leases as will induce the lessees to make valuable improvements, as by means of long leases, say for ninety-nine years or *in perpetuum*, the extensive and now unproductive lands of the Corporation might be profitably disposed of.

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*Answer to Q. 6.*—I am of opinion that a large portion of the lands of the College which are now almost unproductive, might be disposed of either by sale or for a ground rent, and that by doing this the revenues of the College might be made sufficient to meet its fullest extent of ordinary expenditure.

*Answer to Q. 7.*—The Royal Institution have repeatedly refused to pay the expenses necessarily incurred by the Governors for opening the College, fitting it up, and providing it with articles of absolute necessity, for which the Governors in Montreal, as also once I believe the Chief Justice of Upper Canada, have assumed liabilities towards tradesmen and furnishers; but I believe the Royal Institution have very lately discharged those liabilities, as otherwise I was to have been sued at the last term of the Court of Queen's Bench on the joint note of Dr. Bethune and myself subscribed in aid of the College.

*Answer to Q. 8.*—I have signed notes for money taken on loan for the use of McGill College, at the request of and conjointly with the Principal, Dr. Bethune, who is better able than myself to detail the particulars.

*Answer to Q. 9.*—I have not inquired into the state of the funds of McGill College in the hands of the Royal Institution, or into the amount; but, if I may judge from the reasons they have more than once assigned for refusing to remit monies to the order of the Governors, their claim was to examine, in the first instance, into the fitness, reasonableness and justice of every charge,—by yielding to which claim the Governors would have become the mere servants and agents of the Royal Institution, whereas they conceive themselves to be the responsible administrators of McGill College.

*Answer to Q. 10.*—So long as the Royal Institution shall retain possession of the funds belonging to the University of McGill College, and shall claim as they do, a right or power to govern the University, there will in fact exist two sets of Governors of the same Institution, namely, the Royal Institution claiming a right of government under the Provincial Statute of 1801, and the Governors of McGill College nominated by Charter at the suit of the same Royal Institution; and there must be a clashing between the two bodies which will inevitably cramp the energies and paralyze any sound principle of action in the body so governed. But let the University of McGill College be subjected, in terms of its Charter, to the government of one set or body of men,—let the Governors have the power and the means to govern the University and to administer its lands and goods,—and let them be empowered to dispose of lands either by absolute sale or *Bail à rente*, for the purpose of raising an annual revenue; and, to guard against mal-administration, and correct errors, let there be a sufficient Board of Visitors at Montreal, such as a Committee of the Executive Council, or the Court of Queen's Bench,—unless it shall be deemed that the heirs or representatives of the founder are the rightful Visitors, in which case their rights ought to be respected.

*Answer to Q. 11.*—I have no knowledge of the amount on hand to the credit of the College, and do not know how it is invested, or at what rate of interest. The Royal Institution are possessed of all the monies belonging to the College; but I believe Dr. Bethune can give the information required by this question.

*Answer to Q. 12.*—I refer to my answer to the 10th question.

*Answer to Q. 13.*—The Royal Institution have made a Report to His Excellency the Governor General on the subject of McGill College. I have not any copy of that document, but Dr. Bethune has it, and will hand it over to the Committee.

*Answer to Q. 14.*—I have received no legal advice on the subject matter of this question. I think there was error in the appointment of the Royal Institution to be Visitors of McGill College, inasmuch as the right of vi-

siting a private foundation belongs to the founder and his heirs by law. But the Royal Institution having proposed themselves as Visitors of McGill College and subsequently acted as such, they have thereby repudiated all claim to act in the first instance as administrators of the same College, and have thereby admitted the right of government to be vested in the Governors of the College, subject to visitation.

*Saturday, 22nd February, 1845.*

The Chairman laid before the Committee the following letter received from the Reverend *R. R. Burrage*, Secretary of the Royal Institution, in reply to a request made to him on the 24th January last, for copies of all documents in possession of the Royal Institution in relation to their differences with the Governors of McGill College:—

ROYAL INSTITUTION OFFICE,  
Quebec, 3rd February, 1845.

Sir,—In reply to your letter of the 24th ultimo, requesting a copy of all documents in relation to the differences between the Royal Institution and the Governors of McGill College, I beg to acquaint you that the correspondence is extremely voluminous, and would take a long time in copying: With the concurrence of the Members of the Board now in Quebec, I have selected the enclosed as calculated to convey to the Committee a correct impression of the matters at issue.

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

R. R. BURRAGE,  
Secretary R. I.

Extract from Minutes, 7th July, 1843.—(*Appendix No. 8.*)

Extract from Minutes, 15th January, 1844.—(*Appendix No. 9.*)

Minute, November, 1844.—(*Appendix No. 10.*)

Address, November, 1844.—(*Appendix No. 11.*)

The Chairman also laid before the Committee a letter received from the Reverend *R. R. Burrage*, Secretary of the Royal Institution, in answer to Question 11, submitted by the Committee to the Right Reverend the Lord Bishop of Montreal on the 25th January last.—(*Appendix No. 12.*)

*Tuesday, 26th February, 1845.*

The Chairman laid before the Committee a copy of the answer of the Honorable *Vallières de St. Réal*, Chief Justice of Montreal, and of the Reverend *Dr. John Bethune*, two of the Governors of McGill College, dated 14th February, 1845, to the Report of a Visitation by the Board of the Royal Institution in November last, made to His Excellency the Governor General,—received from the Reverend *J. Abbott*, Acting Secretary of said College.—(*Appendix No. 13.*)

*Wednesday, 27th February, 1845.*

The Honorable *Andrew William Cochran*, of Quebec, a Member of the Board of the Royal Institution, examined:—

1. Had not the Royal Institution, and has it not yet, the control of the proceeds of the Jesuits' Estates, as

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well as of monies voted by the Legislature for Schools under their charge?—The Royal Institution never had any control over the funds of the Jesuits' Estates, and never received any grant from the revenues of the Estates except a sum of £200, I think, advanced to them by the Earl of Dalhousie as a loan to enable them to carry on the actions against Mr. Desrivieres and his heirs, for the recovery of the estate and legacy given by Mr. McGill; nor have the Royal Institution received, for more than ten years past, any portion of the monies granted by the Legislature for Schools.

2. Is not the property left by Mr. McGill to the College, unproductive for the want of legal authority to grant leases for more than twenty-one years?—The real property now in possession of the Royal Institution, for the support of McGill College, lying around and near the College, is unproductive for the want of power in the Royal Institution to grant a title for any longer period than twenty-one years; but the Board of the Royal Institution are now applying to the Legislature for power to alienate such parts of the land as they and the Governors may deem advisable, for the purpose of increasing the annual income of the College.

3. Are you not of opinion that if the Governors (a quorum of whom being resident at Montreal) had authority to dispose of the property to the best advantage at their discretion, it would very soon produce to the College ample means for carrying on the Institution in a creditable manner?—I entertain very great doubts whether, while the Board of Governors is formed as it now is, and without an increase of numbers the result of leaving to them the discretionary disposal of the property would not be the very reverse of that stated in the question; judging from the expenditure that the Governors have incurred on account of the College, since August 1843, I am of opinion that if the Royal Institution had delivered over to the Governors on their demand, a few years ago, the property held in trust by the Royal Institution for the College, but little of it would be forthcoming now. But I am decidedly of opinion that the property should be under the management of a body distinct from the Governors. It is to be observed that the property was given by the Testator not for McGill College alone, but for the foundation of a University, if in process of time it should be found practicable to erect more Colleges than one.

4. Are you aware that the Royal Institution have refused to pay the expenses necessarily incurred for opening the College, for which the Governors living in Montreal are being sued; and have they not also refused money for the purchase of the necessary fuel, so much so that the said Governors have been obliged to procure some at their own expense, to prevent the College doors from being closed?—With respect to the first part of this question I must answer, that the Royal Institution having been required by the Governors, some time in the summer of 1843, to state what sum they could advance to meet the expenses attendant on the opening of the Institution, requested to have some sort of estimate of the nature and amount of the expense which it was proposed to incur; and, if my recollection serves me rightly, the Royal Institution also intimated that an account should be rendered of the rents and profits of *Burnside* estate since 1840, which had been received by Dr. Bethune, and which the Royal Institution thought might go in part towards defraying the expenditure proposed to be incurred; no estimate or account was furnished; and when in the following winter or spring (1844) the Governors sent to the Royal Institution a list of debts amounting to £1700 and upwards, as incurred chiefly for the expenses of opening and fitting up the College, the Royal Institution did consider such an expenditure (about three years income of the Institution) not to be "necessarily incurred," but to be, on the contrary, so extravagant, both in the gross and the details, that they did not feel justified in sinking so large a portion of the capital yielding income, for such a purpose. I beg leave here to state that having myself been educated at a Colonial University, of which my father was long Vice-President and a Governor, and remembering the opening of that Univer-

sity, I know well that the expenditure in every way for that purpose, including furniture, fitting up public apartments, &c., was less than £500, and that a part of this sum went for purposes not included in the expenditure of £1700 incurred by the Governors of McGill College. With respect to the refusal of the Royal Institution to advance money to the Governors for fuel, it is not true that such was the fact: I recollect that during last summer or autumn, in consequence of the occasional absence from Quebec at different times, of some members of the Board, some delay took place in getting a meeting, and that in consequence of this (as I believe) an application about fuel remained unanswered for some time; but though the amount demanded (£100) for a year's fuel, (or one fifth of the available income) appeared exorbitant, it was granted. With respect to the regular salaries, if any delay has occasionally occurred in furnishing the Governors with funds to pay them, it has happened either from the cause I have mentioned (the accidental difficulty of getting a meeting of the Board at Quebec) or from the necessity of obtaining from the Governors an explanation of some new item in their demand, or from the call being made at a moment when the half yearly or other periodical payments of the income of the property had not yet fallen due and been received.

5. Have not the Governors been obliged, in their individual capacity, to borrow money to a large amount, for which they are individually responsible; if so, to what amount?—In an account sent to the Royal Institution in December or January last, professing to give a list of the debts due by the Governors of the College, are the following items:

Amount borrowed from Bank B. N. A. ...	£500
Do. Do. Do. ...	100
Notes signed by the Chief Justice of Montreal and the Principal, for out-buildings, double windows in the centre building, and other work ...	428

With respect to the last item I have no recollection, and do not believe that any application was made by the Governors to the Board for money for the purposes therein specified; and I may add, that the expenditure is considered by competent judges as inordinately large for such purposes.

6. Had not the Royal Institution, when the College was opened, and ever since, and have they not at the present time, funds sufficient to meet the expenses attending the opening of the said College, and those since incurred for keeping it open?—Certainly not, if by expenses are meant those which the Governors have incurred or proposed to incur. I may here, under this question, give a general view of the past and present state of the finances of the College. The estate of *Burnside* near Montreal devised by Mr. McGill, which consists of about acres, was only recovered from his residuary Legatee, Mr. Desrivieres in 1828, after a long litigation; and in 1829, the Royal Institution went through the form of putting the Governors of the College under the Charter, in possession of the house and grounds, in order that, conformably to the Charter, a College might be opened in the buildings then erected there, if it should be afterwards deemed practicable and expedient. The house and land were let for some years to different tenants at a trifling rent; not much beyond the expense of repairs and taxes. In 1836, the surviving Trustees under Mr. McGill's Will having previously obtained final judgment against Mr. Desrivieres' heirs for the legacy of £10,000 with interest, received from the heirs in satisfaction of that judgment, at a valuation, two houses in Montreal, a piece of ground containing acres adjoining *Burnside* estate, certain *rentes constituées* on properties in and near Montreal, and a sum of £7000, due to the heirs by Mr. Redpath, payable annually with interest, in instalments of £1000, from June 1839, and secured upon property which had been sold to him by the heirs; the whole property so transferred being valued at about £20,000. An action having been brought by the Royal Institution against the Trustees under the Will for the amount of the legacy, with interest, (being in all about £22,000,) judgment was obtained against them in Oc-

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tober 1837; and they assigned over to the Royal Institution the above mentioned real property and *rentes constituées* and mortgage debt, with the further sum in money, of about £2,500. Out of the funds thus received, the Royal Institution proceeded to the erection of a new building for a College which cost upwards of £10,000, although it was at first intended that the cost should not exceed £5000; but the building being conducted under the direction of a Building Committee at Montreal, various alterations were from time to time proposed which doubled the expense. By this means, and by the difference between the actual and estimated value of the property so taken in payment, the remaining capital was reduced to an amount yielding an interest or income of little more than £559, derived from a house in Montreal (one house having been sold) from *rentes constituées*, and from the interest on Mr. Redpath's debt, gradually diminishing every year. The Governors were accordingly informed in 1843, that the gross available income of the Institution (subject to deductions for insurance, repairs, taxes and agency,) was about £559, which would be paid over to them as required for the maintenance of the establishment. The establishment, as fixed by the Governors in 1843, was:—

Acting Principal & Professor of Divinity, (Dr. Bethune,) .....	£
V. Principal and Professor of Classical Literature, (Mr. Lundy,) .....	300
Professor of Mathematics & Natural Philosophy, (Mr. Wickes,) .....	300
Tutor, (Mr. Chapman,) .....	150
Bursar, (Mr. Abbott,) .....	100
To which must be added for servants, fuel and other necessary expenses, at least .....	200
	<hr/>
	£1050

Being an excess of permanent expenditure beyond the available revenue, of £500; and this might serve as a sufficient answer to this question. But the available funds have lately been still further reduced to little more than £450 per annum, by a sacrifice of capital to the extent of £1500, for the debts incurred by the Governors, as mentioned in my answer to the 4th question, and for other expenses. When the Royal Institution held a Visitation of McGill College at Montreal in November last, being unwilling that tradesmen and others should suffer loss for the faults of others, and being desirous, if possible, to rescue the affairs of the College from the state of confusion into which they had fallen, they called upon the Bursar of the College to produce a list of the liabilities of the College. By this list they appeared to amount to £1645; but the amount was afterwards found to be erroneous by £100. And as the Bursar could not state whether less or more was due, the Royal Institution resolved to pay the debts to the extent of £1550, (including about £200 for officers' salaries,) as soon as a correct list should be certified to them by the Acting Principal and Bursar. Such certificate the Acting Principal for some time refused to give; but after some weeks' delay, a list was sent shewing debts (exclusive of the ordinary expenses of the Institution) to the amount of £2426, instead of £1550, as follows:

Estate of late R. Weir, .....	£9	2	1
W. Dorr, .....	11	10	6
R. Stark, .....	8	3	8
J. Sproster, .....	0	2	6
B. Brewster & Co., .....	18	5	6
G. Savage & Son, .....	6	13	0
Scott, Shaw & Co., .....	21	13	3
Mrs. Skinner, .....	12	10	6
Hilton & Baird, .....	189	11	9
Crawford & Glen, .....	2	16	1½
Benjamin & Brothers, .....	17	3	5
Montreal Herald, .....	15	8	1
John Harrison, say, .....	100	0	0
Lovell & Gibson, .....	44	10	9
Ludger Duverny, .....	4	8	11
R. Graham, .....	72	15	0
J. Andrew, .....	7	1	2

Carried forward,.....£541 16 2½

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Brought forward,.....	£541	16	2½
Rev. F. J. Lundy,.....	83	6	0
Society for P. C. K.,.....	2	12	0
R. Sharpley,.....	244	10	4
Bethune & Kittson,.....	195	19	0
J. Smith,.....	7	0	0
Morning Courier,.....	12	6	8
A. McDonald,.....	20	18	3
Wm. Ludlow,.....	80	13	1½
L'Aurore,.....	16	4	10
T. Cary & Co.,.....	9	2	7
J. W. Dunscomb & Co.,.....	6	0	0
W. A. Townsend,.....	4	19	6
Jas. Dwight,.....	17	12	0
John Keller,.....	20	5	0
R. Campbell,.....	15	9	0
C. Wilson,.....	4	0	0
Clarke,.....	8	12	9
W. Neilson,.....	9	8	2
Waddell & Smith,.....	6	6	8
R. H. Radford,.....	5	0	0
Benjamin & Brothers,.....	4	6	0
Thomas Mussen,.....	5	17	5
Jos. Scobell,.....	15	7	1
J. Beers,.....	26	12	9
Amount borrowed from Bank B. N. A.,.....	500	0	0
Do. do. do.,.....	100	0	0
Notes signed by the Chief Justice of Montreal and the Principal, for Out-Buildings, double Windows in the centre Building, and other work,.....	428	9	6
Sundries in 19 Bills, .....	32	7	1
	<hr/>		
	£2426	2	9

The Royal Institution afterwards found that the Governors required an additional sum of £690, for the Professors' salaries and ordinary expenses of the College, to 1st January, 1845, as follows:—

Fuel,.....	£170	0	0
Sawing and splitting,.....	21	0	0
Steward's Bill for Oil and Candles,.....	7	1	8
Board of Servants,.....	48	14	11
Wages of Beadle,.....	15	0	0
Wages of Servants, (balance),.....	2	0	0
Professor's Lundy's salary to 9th February,.....	75	0	0
Professor Bethune's, do. (balance),.....	246	0	0
Professor Wickes', do.,.....	70	0	0
Bursar's, do.,.....	21	8	7
Post Office,.....	13	15	2
	<hr/>		
	£690	0	0

And the Secretary of the Royal Institution subsequently received a letter from a gentleman of the Bar at Montreal, claiming on the part of the Steward of the College a further sum for arrears of salary of £232, making altogether for salaries and contingencies,....£922

Debts as above,.....2426

Total debt claimed,.....£3348

Of the sums charged for salaries, the item of £246 for the balance of Dr. Bethune's salary as Professor of Divinity, was then presented to the Royal Institution for the first time; nor was any such salary ever granted by the Governors, except when the funds of the Institution should permit. The Royal Institution, in conformity to the resolution they had adopted at Montreal, paid over to the Officers of the College, making altogether about £1550, or about half the whole sum claimed. Dr. Bethune has denied that the Governors are accountable to the Royal Institution for monies expended, and the Royal Institution have no means of ascertaining in what way this sum of money has been applied; but I am informed by some of the parties to whom sums were due that they have been offered one-third of their respective debts. I beg leave to add, that it is not true that when the Governors first applied for an advance for the expenses of opening the College, there was a large amount of the accumulated annual income of the property unemployed and at the disposal of the Royal Institution. Whenever sums of money were received, the Royal Institution have

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made it a rule to invest them as soon as possible in some safe stock or security bearing interest.

7. Under the existence of the Royal Institution as now established and in force, is not the College paralyzed, and is it not advisable that some provision should be enacted to remedy the evil; if so, would you please to suggest the remedy?—True it is that the College is paralyzed and scarcely deserves the name of a College; but that is owing to appointments and to grievous mismanagement for which the Royal Institution are in no wise answerable. The remedies which I would suggest will be found in my answer to a subsequent and concluding question:

8. At what period did the land belonging to M'Gill College come into the actual possession either of the Governors or of the Royal Institution; who had the management of it at first how long did that management continue; who succeeded to the management; to what uses and in what manner was the land applied,—was it productive of any revenue; have the rents, issues and profits been accounted for, and if so, when, by whom, to whom, and in what manner?—I think it was in 1828, or early in 1829, that the Judgment in the Privy Council was given in the action which the Royal Institution had brought against the late Mr. Desrivieres to recover possession of *Burnside* estate. In June 1829, as I have stated in a former answer, the Royal Institution admitted the Governors to possession of this property, and the Charter was promulgated in form and with public ceremony in *Burnside* house, which was a formal opening of the College; but the object of this was, that the Governors might, whenever it should be practicable, open a Collegiate Institution in that building; and the Royal Institution never intended thereby to transfer the property wholly and absolutely to the Governors, or to debar or prevent the execution, by the Royal Institution, of the further trusts reposed in them under the Will of the late Mr. M'Gill for the erection and establishment of a more suitable College or Colleges, so soon as funds should be realized. In 1836, Dr. Bethune, in the name of the Governors, applied to the Royal Institution for some formal act or instrument evidencing the possession given to the Governors in 1829; and instructions were accordingly given to the legal adviser of the Board at Montreal to prepare an instrument for this purpose, with a reservation of the rights, powers and duties of the Royal Institution both as Visitors under the Charter and as Trustees under the Will, with respect to which rights, powers and duties the Royal Institution had taken an opinion of eminent Counsel, which has been delivered to the Committee by the Lord Bishop of Montreal. The instrument so directed to be prepared did not satisfy the Governors, who claimed the property as their own. It may be proper here to state once for all, that in all their proceedings and in all their discussions with the Governors or with Dr. Bethune acting in their name, the Royal Institution have been guided by the legal opinion so given to them. For some years, until 1835, the management of this estate was in the hands of the Royal Institution through their legal agent at Montreal; and when a tenant could be found, which was not always the case, it was let for a trifling rent of about £50 a-year, to farmers or gardeners who made use of the grounds. In 1835, when Dr. Bethune was temporarily appointed Principal of the College, he got permission from the Governors to occupy the house and land, on the ostensible ground of taking care of the premises: his occupation continued until (I think) May 1840; he paid no rent, though called upon by the Royal Institution to do so; but in 1839, he demanded of the Royal Institution a sum of about £200 for repairs, ameliorations and expenses alleged to have been incurred by him in and about the house and premises. The Royal Institution had then lately (as mentioned in my answer to the 6th question,) obtained the amount of the legacy of £10,000, and were desirous of getting Dr. Bethune out of the premises in order that the building might either be used as contemplated by the Charter for a Collegiate Institution, or for a Collegiate Academy, until a new building could be erected, or that some advantage might be derived to the Trust by letting the house

and grounds. Dr. Bethune refused to give up possession, until his demand on the Royal Institution should be paid, and they were ultimately obliged to pay it, with some deductions. I think they had previously paid a considerable sum, during the period of his occupation, for making up fences. From the time of his vacating the premises, they were let by him (acting in the name of the Governors) to different tenants until 1842, at rents of £70 or £80 per annum, he receiving and disposing of the rents, without any order to that effect from the Governors as far as can be traced in the record of their proceedings. Indeed, from the departure of Sir John Colborne in 1840, there could not, as I conceive, be any such authority regularly given. It is understood that Lord Sydenham did not act as a Governor,—there was no Chief Justice of Montreal from the winter of 1839 to the mid-summer of 1842, and there was no Bishop of Quebec from 1836. When the Royal Institution held a Visitation of M'Gill College in November last, they enquired at the Bursar for any accounts that might have been rendered of monies received for *Burnside* estate. It was with some difficulty that any precise information could be got as to the person to whom these monies had been paid, or the manner in which they had been applied; but at last, a paper was produced in Dr. Bethune's handwriting, purporting to be an account current of the rents of *Burnside* estate received by him for a part of the period since he gave up possession. With respect to the nature and particulars of that account I beg leave to refer to the Report and Minute of the Visitation of the Royal Institution which has been laid before the Committee by the Lord Bishop of Montreal.

9. Are you aware that a lease or leases either of part or of the whole of the land belonging to the College, for a period exceeding twenty one years, was effected; if so, be pleased to state under what circumstances, when, and at what rate, and to whom such lease was made, and whether the party lessee be still in the occupation of the property?—The Royal Institution had long been desirous of disposing of a part of the ground around and adjoining to the College, so as to increase the income of the Institution; adverse circumstances connected with the state of public affairs, and the value of real property, prevented their taking any step for this purpose until in the spring of 1842 a plan was proposed for laying off that part of *Burnside* grounds, lying south-east of Sherbrooke Street, and containing about acres, into building lots, to be sold on a lease of ninety-nine years. Among the principal conditions of the sale, as advertized by Dr. Bethune, in the name of the Governors, were these, that the price at which the lots should be sold should be the rent for the first thirty-three years; that this rent should be increased 20 per cent in the next thirty-three years; and that there should be the same increase in the last thirty-three years, to be calculated upon the increased rent of the second period; and that the lessee should give security for payment of the rent if required. Sixty lots south-east of Sherbrooke Street, and including *Burnside* house, were accordingly offered for sale towards the close of April, 1842, and were all adjudged to a Mr. Pelton, at £255 for the first period of thirty-three years, which, at the before mentioned rates of increase, would be £306, per annum, for the second period of thirty-three years, and £367 4s. Od. per annum, in the last period. But the Royal Institution were informed by their legal Agent shortly afterwards, that, at the sale Mr. Pelton was told by Dr. Bethune that he would not be required to give security for the rent; and it was also found that the Royal Institution had no authority to confirm the sale, being prevented by a clause in the Provincial Statute of 1801, from granting leases of more than twenty-one years of any property held by them in trust. That arrangement, therefore, was carried no farther by the Royal Institution, but they informed Mr. Pelton that they would grant a lease for twenty-one years, on such reduced rent as should be judged reasonable, but that the new lease should again be submitted for public competition, and that the lessee should give security; these terms not being accepted, nothing further was then done. And it appearing soon after probable that the Seat of Government might be removed to Montreal, it was thought ad-

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visible to take no steps for disposing of the land for the present. The Royal Institution, however, found on their Visitation in November last, that Mr. Pelton had been put into possession of the property in May, 1842, by Dr. Bethune, in the name of the Governors, and that it had been sub-let for a rent of £100 per annum, which Dr. Bethune had received, and that he had given notice, on the part of the Governors, to Mr. Pelton and the sub-lessee to quit the premises on the 1st May next, with a view, as was understood, to his again occupying them himself.

10. Are you of opinion that it was expedient to open the College at the time at which it was done; if so, be pleased to state your reasons; and if you are of the contrary opinion, be pleased also to state the reasons for forming this opinion?—I was always of opinion that it was desirable to open the College as soon as a suitable building could be obtained, and I should have been glad to have seen the opening of even a Collegiate Academy in *Burnside* house in 1838, when the legacy of £10,000 was realized. I thought it the duty of the Royal Institution to urge that the property should as soon as possible, and as far as possible, be made available in some way for the purposes designed by the Testator and acknowledged by the Charter. I thought it desirable also on general grounds, that a Seminary of a Collegiate character should be commenced as soon as possible, where the higher branches of a liberal and classical education should be taught, although perhaps with a very limited number of teachers. An additional building at a cost of £5000, would have provided sufficient accommodation for the probable wants of the Institution for a long time to come, and the income left would have been sufficient to pay a competent Principal and two other Teachers, all of whom might then have been found in this or the neighbouring Provinces. Sir John Colborne thought that the Institution should be opened with some *éclat*, and that for that purpose some distinguished Scholar should be got from England as Principal. I think it would have been better to adapt our expectations, our plans and preparations, to our limited means, to begin on a small scale,—and to seek and wait for that *éclat* only, which should in time be won and secured to the College by the sound, solid, and practical system of education conducted within its walls. Its prospects were materially altered by the large and, as I think, unwise expenditure of £10,000 in the new building; but even with the income thus diminished, I think it was right to open the College, provided it had been done with some regard to its diminished means of support. In answering this question, it may be proper to mention that in 1840, Sir John Colborne called upon the Board to supply £500 for the Medical Faculty attached to McGill College; but although the Royal Institution were anxious to see a beginning of a Course of general Collegiate instruction, and had pressed this point upon the Governors, they did not think it prudent or proper when engaged in erecting a building that would absorb so large a portion of the funds (and for which I may here add, Sir John Colborne had promised a large grant of public money, which was never carried into effect,) to devote so considerable an amount of the monies designed by the Testator for the establishment of a Seminary of general instruction, to the limited purpose of building up a Medical School.

11. Do you know the number of students now attending the College, if so, be pleased to state the same, as well as the maximum number of students in the most flourishing days of the College?—I believe there are now ten students attending the College, and that in the month of December or January last there were but seven. The largest number that I have ever heard of as attending the College was twenty-one, but that only for a short time. In November 1843, when I visited the College as a private individual, there were but eighteen.

12. Do you know the present condition of the affairs of McGill College; be pleased to describe it, and to state the causes to which you attribute that state, whether prosperous or the reverse, and to make any suggestions that may occur to you, for improving the management of

the affairs of the College, and for carrying out fully the intentions of its founder?—The state of the College is as bad as it well can be, both in its government, organization, management, finances and general estimation. It scarcely can be called a College, except in having an establishment of teachers; which, however, is beyond its wants and means. The government of the College is in effect vested in the hands of the acting Principal alone, Chief Justice Vallières having declared that considering himself to be only accidentally connected with the Institution by reason of his holding the office he fills, and being a Roman Catholic, he abstained as much as possible from taking an active personal share in the affairs of the College. The most competent teacher (the Vice Principal and Professor of Classical Literature) has lately been dismissed by an act of the two resident Governors, of which the legality is very questionable. The qualification for admission is practically (or was lately) that the candidate should be able to construe a little of *Cæsar's Commentaries* and know something of the Greek Grammar. In November, 1843, the Professor of Classical Literature informed me that his Greek class had not got through the grammar. In last Michaelmas Term, the best proficient in Greek, (except the two boys in the first class) could not, I have been assured, go through the tenses of the common example of a Greek verb in the grammar. At the same time, in Latin, two only had got beyond beginning to construe *Virgil*. The state of the finances has been exhibited in my answer to a former question. Other points of mismanagement are stated in the Minute of the Royal Institution to which I have already referred. The reputation of the College is what might be expected from such a state of things. I know that a large part of the community, both of Quebec and Montreal, belonging to the Church of England, deeply deplore that an Institution so conducted should apparently be connected with that Church by some of the appointments that have been made in it; but I know also that those appointments were, from the first, entirely disapproved by the Bishop of the Diocese. The following are, in my opinion, the causes of the unprosperous state of the College:—1st. The want of a proper independent body of Governors residing in Montreal; and of a code of Statutes.—2nd. The circumstance of Dr. Bethune being the Principal.—3rd. The questions raised as to the extent of the power of the Royal Institution both as Visitors and in the disposal and management of the property.—4th. The low standard of qualification for matriculation—making it a petty school rather than a College. The remedies I would suggest are these:—1st. That an extended and amended Charter should be obtained from the Crown, creating, or giving power to the Governor General to create, and from time to time to fill up vacancies in,—a body of Governors resident in Montreal; enabling the Governors to increase the number of Professorships as occasion may require, and defining the powers of the Royal Institution as Visitors, or of any other Visitor or body of Visitors that may be substituted. An amended Charter containing some of these provisions, with others, was prepared in 1835, and urged upon the Provincial Government by Chief Justice Reid and Dr. Bethune; and the subject was again pressed by Dr. Bethune upon Sir John Colborne, in 1839, with such earnestness that Sir John Colborne was induced to send the draught of the new Charter to England and recommend its adoption, without previously communicating with the Royal Institution for their suggestions. Upon a proper representation being made, that Board had afterwards an opportunity of submitting their views, not in opposition to an amended Charter, but to make the amendment more perfect. Nothing further has since been done in the matter, and I have reason to believe that Dr. Bethune has changed his views with respect to it. A College without Statutes is an anomaly; but such is the state of McGill College at present, except with regard to the Medical Faculty of it, which is an appendage of the College. The general Statutes passed by three of the Governors in 1843, have not received the required sanction from Her Majesty, and in some respects they are objectionable; but it is better that these or some other regulations should be established at once (if the College is kept open) than that it should be left unregulated.

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2nd. I consider it essential to the prosperity of the College, that Dr. Bethune should cease to be Principal of the College, (having originally been only appointed *ad interim*), and that a fit Principal should be found, who should reside in the College and take a large share in the business of instruction, and that there should be no Vice-Principal. The nomination of Dr. Bethune not having been sanctioned by Her Majesty, as required by the Charter, the object here pointed at might be attained through the intervention of His Excellency the Governor General, by a recommendation that the Royal confirmation be withheld. 3rd. Whether the Visitation power be continued in the Royal Institution, or be otherwise provided for, I look upon it as necessary to be preserved. With respect to the proposed measure for extinguishing the Royal Institution altogether, it is worthy of serious consideration, whether the Legislature ought so to interfere with the express appointment of the Founder's Will, so long as it is capable of being executed, and whether such an alteration might not raise a question of right and interest on the part of the Founder's heirs-at-law. But if the Royal Institution should continue in the exercise of the power of Visitors, I think that authority should be given to the Executive Government (if it should be found not to have it already,) to appoint an additional number of Members of that Board, and a Principal *residing in Montreal*. In 1825 or 1826, the present Chief Justice of the Province, then Attorney General, was of opinion that the power of appointment in the Governor was limited to the filling up vacancies in the number named in the first Commission, and that he could not increase the number *ad libitum*, by additional appointments. I am satisfied, however, that all the Members of the Board resident in Quebec would gladly make vacancies by resigning a trust which has been to them a source only of irksome employment for some years past, by reason of the captious opposition of private views and sordid self-interest. I also think it would be advisable to give authority to the Royal Institution, if they remain vested with the power of managing the estate, which they are advised that they now possess, to alienate, under proper restrictions, portions of the real property in such way as they shall deem advantageous for the interests of the Institution. To what I have before stated in reference to the necessity of preserving a Visitation body distinct from the Governors, I beg leave to add that I consider this advisable not only for the management of the property, but also for the purpose of having a body to whom an appeal may lie against any unjust or illegal act of the Governors towards Officers of the College, and as a general check also upon that body. Such a power of correction is found connected with all Collegiate Institutions in the mother country. In Harvard University the property is managed by a Board of Trustees distinct from the governing body of the College, and having also a general controlling power over the latter. If the Court of Queen's Bench be considered as holding by law such a controlling power, it can hardly be made practicably applicable to the management of the property, nor even to the correction of injustice, or other mismanagement in the internal affairs of the College. Ruin to the property of the College, or to the fortune or character of its Officers might ensue, before a remedy could be obtained by the slow course of law. It has indeed been denied by the two Governors at Montreal, that the Crown, in granting the Charter to M'Gill College, had a right to appoint Visitors, inasmuch as the College is not of Royal Foundation; and reference has been made in support of this opinion to the high authority of Blackstone, (1 Blackst. 481,) where he cites the case of the Royal College of Physicians; but an examination of the passage will shew that he distinguishes that case from those of Colleges in Universities, the former being a civil Corporation, and the latter eleemosynary; and with respect to M'Gill College, it was one of the special grounds of the Judgment in the Court of King's Bench at Montreal, in the action brought by the Royal Institution for the recovery of *Burnside*, that this College being Chartered by the Crown, and the Royal Institution who applied for the Charter being a creature of the Crown and of the Law, the College must be considered as of Royal Foundation; and the Governors

themselves, in a formal Minute recorded in their proceedings in July 1843, (the Chief Justices of Montreal and Upper Canada, with Dr. Bethune, being present,) admitted the Visitation power as vested in the Royal Institution. To what I have said in my answer to the concluding question, respecting a new organization of the Royal Institution, so as that it may, if continued in existence and in connection with M'Gill College, hold its sittings at Montreal, I beg leave to add that though the Members residing at Quebec have no desire individually to continue in the troublesome trust, it may be matter for consideration whether, to avoid the appearance of making M'Gill College a merely *Montreal* Institution, it would not be better to appoint Trustees residing in Quebec and in other parts of the Province, than to appoint, exclusively persons residing in Montreal.

## APPENDIX.

- No. 1.—Petition of the Honorable Vallières de St. Réal, Chief Justice of Montreal, in behalf of the Governors of M'Gill College, presented to the Legislative Assembly on the 18th December, 1844.
- No. 2.—Petition of the Board of the Royal Institution for the advancement of Learning, presented 3rd February, 1845.
- No. 3.—Two Extracts from the Will of the late Honorable James M'Gill.
- No. 4.—Minute from proceedings of the Board of the Royal Institution, 10th December, 1844.
- No. 5.—Case, and Opinion of Messrs. Stuart and Black, 6th May, 1837.
- No. 6.—Plan of part of the property called Burnside vested in the M'Gill College.
- No. 7.—Letter from the Reverend Dr. John Bethune, Principal of M'Gill College, to His Excellency the Governor General, dated Montreal, 5th February, 1845, with enclosures.
- No. 8.—Extract from Minutes of the proceedings of the Board of the Royal Institution, under date of 7th July, 1842.
- No. 9.—Extract from ditto, under date of 15th January, 1844.
- No. 10.—Minute of the Board of the Royal Institution on their visitation of M'Gill College in November, 1844.
- No. 11.—Address from the Board of the Royal Institution to His Excellency the Governor General, after their visitation.
- No. 12.—Letter from the Secretary of the Royal Institution, dated 3rd February, 1845, with a Statement of monies and property held by that Institution in trust for M'Gill College, and two other enclosures.
- No. 13.—Address to His Excellency the Governor General from the Governors of M'Gill College, in answer to the Report of a Visitation of the Board of the Royal Institution, in November, 1844.

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## APPENDIX No. 1.

Petition of the Honorable Vallières de St. Réal, Chief Justice of Montreal, in behalf of the Governors of McGill College.

To the Honorable the Knights, Citizens and Burgesses of the Province of Canada, in Parliament assembled.

The Petition of the Governors of McGill College, humbly sheweth :

That an Act was passed by the Parliament of the late Province of Lower Canada, in the forty-first year of the Reign of His late Majesty King George the Third, intituled, "An Act for the establishment of Free Schools" and the advancement of Learning in this Province."

That the provisions of said Act have been found inadequate to the ends and purposes thereof.

That the Trustees of the aforesaid "Free Schools," called "The Royal Institution for the advancement of Learning," constituted and erected under and in virtue of said Act, have been virtually relieved, by subsequent enactments, of the trusts, ends, objects and purposes for which they were originally constituted. But, though thus without any legitimate occupation, they still cost the country nearly Two hundred pounds per annum.

That the said Royal Institution for the advancement of Learning is seized and possessed of certain monies, goods and chattels, lands and tenements, under the last Will and Testament of the late Honorable James McGill, which of right belong to, and should be invested in your Petitioners, who, by their Charter of Incorporation, are entrusted with the entire management and control of the affairs of McGill College.

That the said Royal Institution for the advancement of Learning, by setting up pretended claims of control over your Petitioners, by withholding their pecuniary means, and by neglecting to make the most of the College endowment, has reduced your Petitioners to the necessity of borrowing money on their own responsibility to enable them to keep the College in operation, and effectually prevents them from carrying on the Institution on that respectable and creditable footing which they might otherwise be enabled to do.

That therefore your Petitioners humbly pray your Honorable House to repeal the above said Act, and to afford your Petitioners such further relief as to your Honorable House may seem good.

And your Petitioners will ever pray.

In behalf of the Governors of McGill College,

VALLIERES DE ST. REAL,  
Ch. J. Montreal.

Montreal, 17th December, 1844.

Jos. ABBOTT, A. M. Secy. McGill College.

## APPENDIX No. 2.

Petition of the Board of the Royal Institution for the advancement of Learning.

To the Honorable the Knights, Citizens and Burgesses of the Province of Canada, in Parliament assembled.

The Petition of the Board of the Royal Institution for the advancement of Learning, most respectfully sheweth :

That the said Corporation now hold a certain piece of ground near Montreal called Burnside, devised to them by the Will of the late Honorable James McGill of Montreal, in trust for the erection, establishment and maintenance of a College thereon, and that they also

hold for the same trusts and purposes another piece of ground adjoining thereto, which they acquired from the heirs of the Residuary Legatee of the said James McGill in part payment of a legacy of £10,000 bequeathed to the said Corporation by the said James McGill for the aforesaid purpose.

That the available funds at the disposal of the said Corporation have been so much reduced by the cost of the building of McGill College on Burnside Estate, that they are insufficient for the maintenance of the Institution on a proper scale for Collegiate instruction; and that the said Corporation are desirous of increasing the revenues of the College by disposing of a part of the real property aforesaid; but they are advised that they have not authority to alienate any part of it, in consequence of a provision of the Act 41st Geo. III, cap. 17, from which they derive their corporate character and powers, and which only authorizes them to demise and lease the real property held by them "for a period not exceeding twenty-one years."

That with this restriction it would be manifestly impossible for the said Corporation to raise a fund for increasing the revenue of the College out of the real property before mentioned.

Your Petitioners therefore pray that an Act may be passed to amend the said Statute 41 Geo. III, cap. 17, so as to enable them to alienate and dispose of such part of the said real property as may be sold to advantage, for the purpose of increasing the revenues for the support of the said College.

In the name and on the behalf of the Royal Institution.

G. J. MONTREAL, [L. S.]  
Principal.

Quebec, 20th January, 1845.

## APPENDIX No. 3.

No. 1. *Extract from the Will of the late Honorable James McGill.*

(Copy.)

Part of the last Will and Testament of the Honorable James McGill, deceased, bearing date Montreal, 6th January 1811, was read in the following words:—

I give and devise all that parcel or tract of land commonly called Burnside, situated near the City of Montreal aforesaid, containing about forty-six acres, including an acre of land purchased by me from one Sanscrainte, together with the dwelling house and other buildings thereon erected, with their appurtenances, unto the Honorable John Richardson and James Reid, of the City of Montreal aforesaid, Esquires, the Reverend John Strachan, Rector of Cornwall in Upper Canada, and James Dunlop of the said City of Montreal, Esquire, and to their heirs, to, upon and for the uses, trusts, intents and purposes, and with and subject to the provisoes, conditions and limitations hereinafter mentioned and expressed of and concerning the same, that is to say, upon trust that they the said John Richardson, James Reid, John Strachan and James Dunlop, or the survivors or survivor of them, or the heirs, executors or curators of such survivors or survivor do and shall as soon as it conveniently can be done after my decease, by a good and sufficient conveyance and assurance, convey and assure the said last mentioned tract of land or parcel of land, dwelling house, building and premises, to the "Royal Institution for the advancement of Learning" constituted and established under and by virtue of an Act of the Parliament of the Province of Lower Canada, made and

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passed in the forty-first year of His Majesty's Reign, intituled, "An Act for the establishment of Free Schools and the advancement of Learning in this Province," upon and under the conditions, restrictions and limitations, and to and for the ends, intents and purposes following, that is to say: upon condition that the said Royal Institution for the advancement of Learning do and shall, within the space of ten years to be accounted from the time of my decease, erect or establish or cause to be erected or established upon the said last mentioned tract or parcel of land, an *University or College* for the purposes of education and the advancement of Learning in this Province, with a competent number of Professors and Teachers to render such establishment effectual and beneficial for the purposes intended; and if the said "Royal Institution for the advancement of Learning" should so erect and establish or cause to be erected and established an *University*, then upon condition also, that one of the *Colleges* to be comprized in the said *University* shall be named and perpetually known by the name of "M'Gill College;" and if the said "Royal Institution for the advancement of Learning" should not so erect and establish or cause to be erected and established an *University*, but should erect and establish or cause to be erected and established a *College only*, then upon the further condition that the said *College* shall be named and perpetually be known and distinguished by the appellation of "M'Gill College," and upon condition also, that until such *University or College* be erected or established, the said "Royal Institution for the advancement of Learning" do and shall permit and suffer my said wife, and in case of her death the said Francis Desrivieres, to hold, possess and enjoy the said last mentioned tract or parcel of land, dwelling house, building and premises, and to recover, have and receive all and every the rents, issues and profits thereof, to and for her and his use and benefit, and upon this other and express condition, that if the said Royal Institution for the advancement of Learning should neglect to erect and establish or cause to be erected and established such *University or College* as aforesaid in manner aforesaid, within the space of ten years to be accounted from the time of my decease, then and in such case the said conveyance and assurance so made to the said Royal Institution for the advancement of Learning shall, from and after the expiration of the said space of ten years, become and be absolutely null and void, and all and every the estate, right, title and interest of the said "Royal Institution for the advancement of Learning" of, in, and to the said last mentioned tract or parcel of land and the premises, shall cease and be determined, and be as completely extinguished as if such conveyance and assurance had never been made or executed, all of which conditions, restrictions and limitations shall, in apt and sufficient language, be fully expressed in such conveyance and assurance; and upon trust that the said John Richardson, James Reid, John Strachan and James Dunlop, or the survivors or survivor of them, or the heirs, executors or curators of such survivors or survivor of them, do and shall permit and suffer my said wife, and in case of her death the said Francis Desrivieres, to hold, possess and enjoy the said tract or parcel of land, dwelling house, buildings and premises, and recover, have and receive the rents, issues and profits thereof until the making and executing of the said conveyance and assurance so as aforesaid to be made to the said "Royal Institution for the advancement of Learning;" and if the said "Royal Institution for the advancement of Learning" should refuse to accept and receive the said conveyance and assurance of the said last mentioned tract or parcel of land and premises upon the conditions, restrictions and limitations hereinbefore expressed and directed of and concerning the same, or should after the making and accepting of the said conveyance and assurance neglect to erect and establish or cause to be erected and established such *University or College* as aforesaid in manner aforesaid, within the said space of ten years to be accounted from the time of my decease, or, if from any legal cause, matter or thing the said trust so as aforesaid to convey and assure the said last mentioned tract or parcel of land and premises to the said "Royal Institution for the advancement of Learning" in the manner hereinbefore directed should be incapable of being accomplished

or carried into effect, or otherwise become, or be deemed or construed to be invalid, illegal or inoperative, then and in either or any of these cases upon trust, that they the said John Richardson, James Reid, John Strachan and James Dunlop, or the survivors or survivor of them, or the heirs, executors or curators of such survivors or survivor do and shall, from and immediately after the expiration of the said space of ten years, by a good and sufficient conveyance and assurance, convey and assure the said last mentioned tract or parcel of land, dwelling house, buildings and premises, to the said Francis Desrivieres if then living, and to his heirs and assigns forever, or if the said Francis Desrivieres should be dead, then to his legal heirs and assigns for ever, or, if the said Francis Desrivieres should be dead, then to his legal heirs then living and to their heirs and assigns forever.

(A true extract.)

R. R. BURRAGE,  
Secy. R. I.

Quebec, 12th December, 1844.

No. 2.—*Extract from the Will of the late Honorable James M'Gill.*

(Copy.)

Part of the last Will and Testament of the Honorable James M'Gill, deceased, bearing date Montreal, 6th January, 1811, in the following words:—

I give and bequeath from out of the rest and residue of my estates real and personal, moveable and immovable, which shall or may remain after the fulfilment and satisfaction of the several legacies in this my Will contained, the sum of Ten thousand pounds current money of the said Province of Lower Canada, to the said John Richardson, James Reid, John Strachan and James Dunlop, their heirs, executors and curators, upon the trusts and to and for the intents and purposes and upon the conditions following, that is to say: upon trust that they, the said John Richardson, James Reid, John Strachan and James Dunlop, or the survivors or survivor of them, or the heirs, executors or curators of such survivor do and shall pay the said sum of Ten thousand pounds with the interest to accrue thereon, from and after the expiration of three years from my decease, to the said "Royal Institution for the advancement of Learning," when and so soon as the said "Royal Institution for the advancement of Learning" shall have erected and established or caused to be erected and established an *University or College* upon the said last mentioned tract or parcel of land hereinbefore directed to be conveyed to the said "Royal Institution for the advancement of Learning," to be, by the said *Royal Institution for the advancement of Learning* paid and applied towards defraying the expense incurred in erecting and establishing the said *University or College*, and towards maintaining the same after it shall have been erected and established, in such manner and form and under such regulations as the said "Royal Institution for the advancement of Learning" shall in this behalf prescribe: provided always, that such *University or College* be erected within the said space of ten years, to be accounted from the time of my decease; and if such *University or College* should not be erected or established within the said space of ten years, then upon trust that they, the said John Richardson, James Reid, John Strachan and James Dunlop, or the survivors or survivor of them, or the heirs, executors or curators of such survivor from and immediately after the expiration of the said space of ten years, do and shall pay the said sum of Ten thousand pounds, with all and every the interest accrued thereon, to the said Francis Desrivieres if then living, to and for his

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use and benefit, if dead, then to his legal heirs then living to and for their use and benefit.

(A true extract.)

R. R. BURRAGE,  
*Secretary R. I.*

Quebec, 12th December, 1844.

## APPENDIX No. 4.

Minute from Proceedings of the Board of the "Royal Institution for the advancement of Learning," at a Special Meeting held on the tenth day of December, 1844.

The Board of the Royal Institution, in proceeding to record upon their Minutes the results of the Visitation Inquiry lately instituted by them into the affairs of Mc-Gill College, cannot but premise that they have perceived, with regret, that the differences existing or supposed to exist between the Governors of the College resident at Montreal and the Board, have, in the course of that inquiry, been stated by the Professors as one cause of the want of confidence in the Institution, and, consequently, of its want of efficiency and success.

While the Board are not disposed to deny that this may, to some limited extent, be true, they feel that there is no part of the duty which they have now to perform towards the College, to which they will more cheerfully and earnestly address themselves than to obtain, so far as in them lies, an amicable and definitive settlement of these differences.

This disposition the Board has already shewn by the resolve adopted and communicated to the Governors on the 14th November; to which the Board still adheres.

If the Governors ought rightfully to be in possession of all the funds and property now held in trust by the Board for the College, the Board declare, as they have already declared, their readiness to submit this question to the decision of a Court of Law in an amicable suit.

If such a decision cannot be had, and the Royal Institution continue in possession of the property, they are bound, under the eminent legal Counsel they have taken, to hold, administer and apply the property and funds, according to the best of their judgment, for the benefit of the Institution. But in doing so they will meet the wishes of the Governors to the utmost of their power; they will take every competent step to render the property available for the support of the College; they will co-operate with all concerned in seeking such Legislative aid as may be thought necessary; and while they hold it their duty to see that the capital of the Trust fund and property in their hands, shall not, after the payment of present liabilities, be touched, they will annually pay into the hands of the Governors the whole net revenue, to be disposed of by them, according to their judgment, for the benefit of the College,—claiming for themselves only, as Visitors and Trustees, the power which they are legally advised belongs to them, under the Charter and the Will, to examine and check the accounts of the expenditure from time to time as they may see meet. Nor does there exist the slightest desire on the part of the Board to exercise this right in any way that could justly be deemed vexatious. It appears indeed to the Board that if there were an efficient body of Governors appointed, residing at Montreal, the necessity of any interference on the part of the Board would be but small, nor, in that case, could the Board see any reason to fear any future want of harmony between themselves and the Governors.

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The Board would only observe further with respect to these difficulties between the Governors and the Board, that, apart from the general question of the possession and management of the property, the main ground of difference has been as to the application of the rents and proceeds of "Burnside Estate," the Board claiming to be informed of such application, and the Acting Principal, on the part of the Governors, refusing such information. On this point the Board, in this preliminary part of their Minute, will only observe that, it appears to them nothing was wanting, if not to settle the question of right, at least to satisfy the Board, and to maintain that full confidence which is necessary between them and the Governors, but that the latter (or the Acting Principal) should have given, under protest if they saw fit, the required information;—a course which the Board cannot but think, that, in a matter concerning the expenditure of a part of the funds of a public trust, it would have been but natural and reasonable for the Governors to adopt.

In closing these general preliminary considerations, the Board will only further record the deep regret and astonishment with which they have learned, in the course of their inquiries, that an impression very generally has prevailed at Montreal, that the Board have vexatiously interfered to prevent the College from going into operation, and that credit is given to the Acting Principal of the College for contending with and counteracting such interference. But the Board appeal to their frequent resolutions and representations, recorded in their Minutes, for proof that the case has been precisely the reverse; that the Board has always been most desirous and urgent that the Institution should be put into speedy operation; and that but for obstacles in other quarters, the Institution would have been opened years ago, to the full extent in which it has ever yet been in operation for Collegiate Instruction.

In pursuing their inquiry into the general state and management of the College, the Board found, among the principal causes of its low and unsatisfactory condition, the imperfection of the Charter, particularly with respect to the immediate governing body, and the want of a body of Statutes.

The Board perceive with deep regret that no amendments of the original Charter have yet been obtained from the Crown; and they are impressed with the necessity of soliciting His Excellency the Governor General to recommend to Her Majesty's Government in England, to grant the amended Charter of which a draft was sent to England by the Governors in 1839, but not without the alterations suggested by this Board and communicated to the Provincial Government by their resolutions of the 2nd February, 1841.

The most essential amendment of the Charter would be to create a body of Governors competent to act. The abstinence of His Excellency the Governor General from taking any part as a Governor of the College; the residence of the Chief Justice of Upper Canada at Toronto, and of the Bishop of Montreal at Quebec, leave the local management of the affairs of the College in the hands of the two resident Governors,—the Chief Justice of Montreal and the Acting Principal of the College; and even of the acts of these members, being a minority of the whole Board of Governors, who may occasionally assemble, could be deemed regular, the honorable and delicate reluctance of the present Chief Justice of Montreal to take an active part in the affairs of a Protestant Foundation, his infirmity of health, and his regular judicial duties, all combine to throw nearly the entire management of the Institution into the hands of the Acting Principal,—a result which the Board have ample cause to know, has been most injurious to the interests of the College.

Seeing that with every disposition on the part of Her Majesty's Government to expedite a Charter amended to the full extent necessary, a considerable delay may occur before this can be accomplished, the Board deem it expedient to represent, in the mean while, to Her Majesty's Government the absolute necessity of at least providing

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immediately, by a supplementary Charter, for an addition to the number of Governors of at least four Gentlemen resident at Montreal.

To the want of an efficient Board of Governors has been added that of a Code of Internal Regulations. The Statutes adopted by the Governors in July, 1843, not having received, as yet, Her Majesty's confirmation, there is in fact no written rule, under the Charter, by which duty is to be measured, or delinquency punished. It has been declared indeed before the Board by the Officers of the College, that they had entered into a voluntary obligation to abide by the Statutes as originally passed, while waiting Her Majesty's confirmation. But it is also appears that they justly do not consider themselves bound by alterations of the original code subsequently adopted by the Governors resident at Montreal (being a minority of the whole) which affect the discipline of the College and the duties of the Officers.

An Institution without efficient external government, and with disputed internal regulations, could not fail to fall into the state of disorganization, confusion and dissension, which the Board have found to exist in McGill College.

In attempting to execute their undoubted duties as Visitors under the Charter, the Board have encountered a refusal by the two resident Governors above mentioned, to render them any assistance in their inquiry, or even to recognize their authority, although a direct admission of that authority is to be found in the proceedings of the same Governors on the 12th July, 1843; when assisted by the Chief Justice of Upper Canada; and the Acting Principal has not only wholly declined the Visitation authority of the Board when summoned to appear before them and give information respecting the management of the Institution, and, in particular, respecting matters in which his own conduct was impugned, but he has threatened the Board with legal proceedings, as for a trespass, in entering McGill College.

From the other officers of the College, however,—although two of them, acting, no doubt, under the influence of the example of the Acting Principal, appeared before the Board under protest against its authority,—the Board have received sufficient information to justify them in coming to the conclusion, that the Institution, now only little more than a year in operation, has been rapidly declining, and has lost public confidence and respect. In that period more than half the Students, at one time on the Books, have left the College; and at present but nine remain, although, with the mistaken view of keeping up the numbers, the qualification for admission has been lowered so as to be inferior to the ordinary standard of attainment in a third rate Grammar School.

For this number of Students, although the whole amount of income accruing from the foundation is less than £550, an establishment of five Instructors and other Officers has been provided at an expense for salaries alone of £800, besides the contingent expenses of the College.

While different causes have been assigned for the unprosperous state of the College by the persons from whom the Board have received information, one chief cause is stated to be that the acting Principal does not enjoy that confidence on the part of the public of which an individual standing in his position ought to be possessed; and from all that has come to the knowledge of the Board, they are satisfied that the Institution is not likely to prosper while he is at the head of it. The contumacious conduct of this Officer towards the Board added to other facts brought before them, and to this general unfavorable estimation of his fitness for the situation he fills, would have led the Board to close their inquiry by a unanimous judgment of suspension or deprivation under the powers vested in them; but that such a measure, while it would certainly have been disregarded by Dr. Bethune, would, in the absence of a competent body of Governors, have created difficulties and embarrassments in the conducting of the College, which would have increased the existing disorganization and dissensions; and have issued in the speedy suspension of the operations of the Institution.

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In some of the statements made before the Board, a want of confidence in the Vice Principal has been mentioned as influencing unfavorably the prosperity of the College, and by the complaints and other evidence placed before the Board, it is but too plain that there is a deplorable want of that cordial co-operation and harmonious intercourse between the Officers of the College which is essential to the success of the Institution. But as regards the Vice Principal the objection appears to be rather against his personal demeanor as Vice Principal—to which they think that well founded exceptions are made—than to his qualifications or his conduct as a teacher in his particular department; but the Board consider that it would be for the benefit of the Institution, on the whole, that no such office as that of Vice Principal should exist.

Adverting to the fact, which is established by the Minutes of Proceedings of the Governors on the 18th November, 1835, and 15th July, 1843, that Dr. Bethune's appointment as Principal was, and is, only *pro tempore*, and is determinate at the pleasure of the Governors, the Board here record their opinion that the prosperity of the Institution requires that another Principal should forthwith be sought, who should reside in the College, and have the general immediate oversight of the Institution, and take a large share in the business of Instruction; that the office of Vice Principal should be abolished, and the duties of the Professor of Classical Literature enlarged; and that the Tutorship should be discontinued as wholly unnecessary in the present circumstances of the Institution.

The Board have not thought it advisable to institute any particular inquiry into the complaints addressed to them by Professor Lundy, in his letters of the 17th June and 1st November of this year, because they have found that cross charges have been made against him to the Board of Governors relating in part, to the same transactions, into which the Royal Institution as Visitors, are not called upon to inquire; because also the complaints made by him arise, in part, from differences on points of discipline and in the internal economy of the College, occasioned principally by the want of a recognised Code of Statutes, and by the inconvenient relative position of the Principal and Vice Principal; and in great part owe their origin to that want of cordiality among the Officers to which the Board have already adverted; and the remedy and correction of which may better be left to time and returning good feeling among the Officers themselves, than sought for by an investigation that would in itself enhance existing irritation.

Several also of those complaints are of too trivial and vague a nature to require investigation; but the Board are of opinion that Professor Lundy has just reason to complain of the proceeding by which the two Governors resident at Montreal, undertook to diminish the casual emoluments which had been formally ensured to him by a resolution of a competent meeting of a majority of the Governors, on the 13th July preceding.

The Board are of opinion that this resolution of a minority of the Governors was unjust, irregular and informal, and of no force as against Professor Lundy; but they deem it inadvisable to adopt any further resolutions with respect to it, as Professor Lundy intimated before them his conditional acquiescence in an arrangement which had been proposed to him by the resident Governors at Montreal, by which he would receive a fixed salary out of the Fee fund in lieu of the contingent emoluments in question.

The result of an examination into the financial concerns of the Institution exhibits a state of things too much in unison with the disordered condition of its other interests. Not only is the scale of permanent expenditure for the College establishment in salaries and contingent charges two-fold of the income applicable to it, but a debt has been incurred by the Governors in the course of a few months in 1843, in making preparations to open the College, to the amount of £1,550, equal to three years net revenue of the whole property of the College. Among the items of expense thus incurred are the travelling charges of the Principal and Vice Princi-



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pal in going to Kingston and Toronto; and the character of the whole is that of wasteful expenditure beyond the necessity of the case.

The Board, however, finding that innocent third parties, to whom the larger part of this debt is due, ought not to be made to suffer, have reluctantly come to the resolution of sacrificing a part of the Capital of the Trust to discharge this demand, although by so doing they further diminish, by nearly £90, the annual income, already insufficient.

On examining the Bursar and inspecting his books, the Board could not but remark the defective way in which the accounts are kept, and the Bursar's imperfect acquaintance with the pecuniary affairs of the Institution; nor can they admit that any excuse for these deficiencies is afforded by the fact acknowledged by that officer that he has no knowledge of matters of account; that he has not been himself personally resident, and performing his duties, but has left them to a deputy.

The Board conceive that every shilling received from the property of the Institution, or on its account, or for its support, and every item of the expenditure, should appear fairly and intelligibly stated on the College books of Account; but the Board must also record their opinion that neither this duty nor that of Secretary requires the appointment of a separate officer; that the office of Bursar and Secretary should be abolished, and the salary of £100 saved to the College; and that the duties now performed by the Bursar and Secretary and Registrar should be divided between two of the Professors.

Among other objects of inquiry the attention of the Board has been particularly turned to the receipts and expenditure of the revenues, rents and proceeds of the "Burnside estate" since May 1840, when Dr. Bethune gave up possession of that property. Upon this matter, which forms a necessary part of the College Accounts, the Bursar's books afford no information; and it was with some difficulty that the Board ascertained from the Bursar that the monies in question had been received by the Acting Principal. A paper in Dr. Bethune's handwriting was subsequently produced, purporting to be a statement of the sums so received by him from Burnside estate, from May 1841 to May 1843, and of the expenditure of part thereof.

From other sources of information the Board have ascertained that Dr. Bethune has not debited himself with a sum of £15 received by him in the year ending 1st May, 1843; nor does his statement shew what sums have been derived from renting the fields of Burnside as pasture or for grass, while he takes credit for £40 as remaining due to him by the Royal Institution at the period of his giving up possession of Burnside, which sum he had agreed, by his letter of the 26th March, 1839, to allow to be deducted from his then demand; and had accepted the residue in satisfaction of his claim; and he also states the balance of £88 upon the present statement, as retained by him.

But as no authority appears by the Minutes of the Proceedings of the Governors to have been ever given by them for Dr. Bethune's appropriation of this balance to his own remuneration, the Board declare it to be the duty of the Bursar to call upon the Acting Principal to pay over to him this balance, together with that of £40, for which Dr. Bethune has improperly taken credit; and also the sum of £100 received by him from the actual tenant of Burnside for rent since the date of his statement; and that the Bursar should demand payment from that tenant of the current and future accruing rents. But the Board do not hereby intend to recognize, in any way, the right of Mr. Pelton, from whom the present tenant appears to hold the property, to be in possession of it, although delivered to him by Dr. Bethune under colour of the arrangement for a long lease of the property begun in 1842, but never perfected with the sanction of the Board. On the contrary, the Board hold it to be the duty of the Governors and themselves to take immediate

measures for ousting any persons holding adverse possession, in order that the property may be turned to the best account for the benefit of the College so soon as the legal difficulties in the way are surmounted, which, at present, are considered by the Counsel of the Board at Montreal to prevent the Board from giving a title for more than twenty-one years.

Upon the application of the Medical Faculty of the College for a grant of a lot of ground on which to erect a building, suitable for their purposes, Professor Holmes representing the Faculty was informed that the Board will take the necessary steps for assigning to the Faculty a lot of ground adequate to the erection of such buildings as they may require, subject only to the condition that the College shall have the liberty to assume the possession of such lot, and the buildings thereon erected, on repaying to the Faculty the expenses incurred in erecting the same.

The Directors of the High School in Montreal having also applied to the Board for the grant of a piece of ground for the erection of suitable buildings for that Institution, the Directors were informed, in a personal conference that, they not being a branch of the College, the legal difficulties above adverted to would prevent the Board at present, from meeting their wishes to their full extent, as they should otherwise have desired to do; but that the Board will engage (as far as, upon further advice, it may be deemed competent to them so to do,) to transfer, on favorable terms, to the Directors of the High School the lots of land for which they have applied.

In the name and on the behalf of the Royal Institution for the advancement of Learning.

G. J. MONTREAL,  
*Principal.*

## APPENDIX No. 5.

*Case, and Opinion of Messrs. Stuart and Black, on certain questions submitted by the Royal Institution.*

## CASE:

1st. By the last Will and Testament of the late Mr. McGill of Montreal, dated 6th January, 1811, a certain real property near Montreal was devised in the terms stated in the accompanying extract from his Will under the No. 1.

2. And by another clause of the same Will a bequest of a sum of £10,000 was made to the fiduciary Legatees under the Will, in the terms stated in the accompanying extract from the Will No. 2.

3. By Letters Patent under the Great Seal of this Province, dated the 8th October, 1818, of which a copy is herewith laid before Counsel, (No. 3.) the Royal Institution for the advancement of Learning was incorporated according to the intention of an Act of the Provincial Legislature, 41 Geo. III. ch. 17.

4. The Royal Institution having prayed His Majesty to grant a Royal Charter for the more perfect erection and establishment of a College in conformity to Mr. McGill's Will, and also to grant a further endowment for the same, a Royal Charter was accordingly given, of which copy is herewith submitted to Counsel (No. 4,) dated 31st March, 2 Geo. IV. by which a College was erected and established on the real property before mentioned as devised, to be called McGill College; and the same was constituted a University, and the Members of the Royal Institution were made Visitors of the same.

5. The real property so devised having been recovered from the residuary Legatees under a judgment of His Majesty in Privy Council, possession of the same was

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given by the Royal Institution in June, 1829, to the Governors named in the Charter.

The legacy bequeathed as aforesaid has not yet been recovered by the Royal Institution, but expectations are entertained that it will shortly be realized.

Counsel are requested to have reference to the 1st, 2nd, 3rd and 4th Sections of 41 Geo. III, c. 17, and to give their opinion,

1st. Whether M'Gill College under the Royal Charter granted to it, taken in connection with the Will of Mr. M'Gill, can be considered as of Royal Foundation, within the meaning of the 41st Geo. III c. 17.

2nd. Under the 2nd clause of the Will of Mr. M'Gill herewith submitted, (which bequeaths the legacy to be applied by the Royal Institution to the maintaining a College when erected and established in such manner and form and under such regulations as the Royal Institution shall prescribe,) what power is vested in the Royal Institution (taking into consideration the effect of the Charter) to expend the legacy, or such portion thereof as they shall in their discretion think sufficient, without reference to or dependence upon the Governors of the College in the erection of new buildings or the enlargement of the existing building for a College or Colleges, or to fix the amount of the salaries of the Principal, Professors and Officers of the College.

3rd. Considering the same 2nd clause of the Will, in connection with the power granted by the Charter to the Governors, to make Statutes, By-Laws, &c. not being repugnant to the laws of the realm or of the Province of Lower Canada, what power is vested in the Royal Institution under the 41st Geo. III. c. 17, to make Statutes, or regulations for any College which they may erect on the estate of Burnside, and to which the bequest of Mr. M'Gill may be in part applied, or how far is their acquiescence or confirmation necessary to the rules and regulations to be made by the Governors for M'Gill College as now erected under the Charter.

4th. In the event of an alteration in the Charter being applied for by the Governors, what power of interference is vested in the Royal Institution as to the proposed modification of the same.

5th. Will it be legally competent to the Royal Institution, after expending a part of the legacy when paid over to them in fitting up the existing buildings on Burnside estate as a College to be called M'Gill College under the Charter, to erect another College on that estate if the funds suffice, and obtain a separate Charter and establishment for the same.

6th. What are the general powers vested in the Royal Institution by that clause of the Charter which constitutes them Visitors, and more especially, what powers:—

1. To enquire from time to time, either spontaneously or upon suggestion or complaint, into the state of the real property, and the other funds, and their due application to the purposes of the trust.

2. To inquire from time to time in like manner into the execution of the Statutes, or the compliance of the College Government with the Charter?

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OPINION.

We think that M'Gill College, under the Royal Charter granted to it, taken in connection with the Will of the late Mr. M'Gill, is to be considered as of Royal Foundation within the meaning of the Provincial Statute 41 Geo. III, c. 17.

The terms "Royal Foundation" used in the Statute, may be considered, first, in reference to their meaning

generally; and secondly, in reference to the particular devise contained in this Will.

Now as to the first, the Law recognizes two manner of foundations; the one, the incipient foundation, the other, the perficient foundation: the one relating to the legal capacity granted to the body incorporated and synonymous therefore with incorporation; the other relating to the first gift or dotation of the property by which the body is to be supported; in all eleemosynary Corporations by Royal Charter the King is the sole incipient founder.

Then as to the particular gift in this Will: it is a gift made to a body created under Statute for the purpose of superintending Schools and other institutions of Royal foundation for the advancement of Learning in this Province, upon the sole condition that a University or College shall be erected or established on the land devised: In another part of the Will a bequest is made in trust for the same body, of monies to be paid and applied towards defraying the expense incurred in erecting and establishing the said University or College, and towards maintaining the same after it shall have been erected and established in such manner and form and under such regulations as the Royal Institution for the advancement of Learning shall in this behalf prescribe.

The perficient foundation is looked at principally, if not solely, with reference to the right of Visitation in the donor or his heirs; which right is not reserved to the donor and his heirs by this Will, and respecting which it is not presumed that any question can be made.

Even as to the perficient foundation it is to be observed that the devise is made to a body created in the expectation of an endowment for Schools and other Institutions from the Crown, as "His Majesty," it is said in the Preamble to this Statute, "had been most graciously pleased to signify his royal intentions, that a suitable proportion of the lands of the Crown should be set apart, and the revenues thereof appropriated to the purposes for which the Corporation was created;" and when the King and a Subject both contribute to the endowment of a charity, the charity shall be considered as of Royal Foundation.

The gift of the Testator is made in aid of this general fund, and must be understood to have been intended to derive its character from that general fund.

Thus far as to the perficient foundation: then as to the incipient foundation, this, as has been already observed, is solely with the Crown, and being made by the Crown in fulfilment of the Will of the Testator, the foundation may be considered both in letter and spirit as a Royal foundation.

And lastly, the Royal Institution could take only under the provisions and for the purposes of the Statute.

Upon the second question, we are of opinion that the Royal Institution has power to expend the legacy or such portion thereof as they shall in their discretion think sufficient, in the erection of new buildings for a College, without reference to or dependence upon the Governors of the College; with respect to the salaries of the Principal, Professors and Officers of the College, these will in the first instance be appointed by the Statutes, Rules and Ordinances of the College. The Statute gives power to the Royal Institution to make By-laws, Ordinances, &c., and the Charter confers upon the Governors, &c. power to make By-laws; but these two powers are not repugnant, inasmuch as the Royal Institution has under its visitatorial power the right to amend or repeal any By-law made by the Governors, &c., and amongst them any By-law appointing the salaries of the Principal, Professors and Officers of the College.

Whatever alteration may be made in the Charter, the powers of superintendence vested in the Royal Institution under the Will and the Provincial Statute, must remain unimpaired, and if (what is not to be presumed) any alteration were made abridging the rights of the Royal Institution, that body would have its remedy against the new Charter in the King's Courts.

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4th Query.—We know of nothing to prevent the Crown from granting a Charter to a new College to be erected on Burnside estate, if there should be sufficient funds for the purpose; but there does not seem to be any adequate motive for such a measure: It is believed that with the exception of the Universities of Oxford and Cambridge, the Universities in the British Islands do not consist of several Colleges. The University of Harvard College upon this continent, erected whilst the present State of Massachusetts was a colony of Great Britain, consists, we think, of one College only; the several Colleges in Oxford and Cambridge, have, it would probably be found, grown out of several distinct and independent endowments or foundations.

5th Query.—The Royal Institution, as Visitor, besides the power of repealing or amending the By-laws passed by the Governors, &c., has the power to inquire from time to time into the execution of the Statutes, or the compliance of the College government with the Charter, and may remove the Officers of the College, correct abuses, and generally superintend the management of the trusts: as to the management of the property by which the charity is to be supported, it is under the Will of the donor, incorporating, as it were, the provisions of the Statute, vested in the Royal Institution.

(Signed,) A. STUART.  
H. BLACK.

Quebec, 6th May, 1837.

(A true copy.)

R. R. BURRAGE,  
Secretary R. I.

Quebec, 10th December, 1844.

## APPENDIX No. 6.

Is a Plan of part of the Property called Burnside vested in the M'Gill College.

[Filed among the other Papers of the Committee].

## APPENDIX No. 7.

Letter from the Reverend Dr. John Bethune, Principal of M'Gill College, to His Excellency the Governor General, with enclosures.

To His Excellency the Right Honorable Sir CHARLES THEOPHILUS METCALFE, Bart. G. C. B., one of Her Majesty's Most Honorable Privy Council, Governor General of British North America, and Captain General and Governor in Chief in and over the Provinces of Canada, Nova-Scotia, New-Brunswick, and the Island of Prince Edward, and Vice Admiral of the same, &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY,

It is with the deepest regret and embarrassment, that I find myself impelled to address Your Excellency on the subject of those portions of a communication to Your Excellency, by the Board of the Royal Institution for the advancement of Learning, which relate to myself; a copy of which has been kindly furnished to me by the Provincial Secretary—I say with the deepest regret and embarrassment, because, when I consider that the individuals composing that Board are persons from whom no deviation from truth and justice could, *primâ facie*, be surmised, I cannot but feel most deeply the painfulness of my position, in being forced, in self-defence the first law of nature, to shew that there is neither the one nor the other in the allegations against my character which they have

thought proper to make in that communication. The communication to which I refer is a "Minute from Proceedings of the Board of the Royal Institution for the advancement of Learning, at a special meeting held on the 10th day of December, 1844," at Quebec, and an Address to Your Excellency founded thereon.

They say, in their Address, that the "united testimony of the College Officers induces the Board to believe that one main reason of the College having received so little support is that the Acting Principal does not enjoy that confidence on the part of the public, of which an individual standing in his position ought to be possessed." On enquiry I find, as will appear by the annexed documents marked A, Nos. 1 and 2, that no such "united testimony of the College Officers" was given. By this phrase, I understand the Board to assert that the testimony of all the officers of the College united in establishing the same point. The College Officers were at that time, besides myself, Dr. Lundy, late Vice Principal and Professor of Classical Literature, since dismissed, Mr. Wickes, Professor of Mathematics, &c., Dr. Falloon, Lecturer in Divinity, the Revd. Joseph Abbott, Bursar, Registrar and Secretary, and Mr. Chapman, Tutor. I do not know whether the first of these officers was examined upon the point in question, but I apprehend he was not; because it was well known to the Board that various charges against him had, some months previously been made, through me as Principal, and that he consequently indulged feelings of violent animosity against me, of which he made no secret. I therefore infer that his testimony against me was not taken. Mr. Abbott was examined by them relative to his accounts, but no question was asked of him, nor was any testimony given by him on the subject in question. Dr. Falloon was not summoned before the Board at all. These facts then completely disprove the assertion of the Board with regard to the "united testimony of the College Officers." Truth and justice required a different statement at their hands. But further, the declarations of Messrs. Wickes and Chapman (annexed and marked B. and C.) with reference to their testimony, do not warrant the conclusion of the Board that "one main reason of the College having received so little support is that the Acting Principal does not enjoy that confidence on the part of the public, of which an individual standing in his position ought to be possessed." Mr. Wickes reckons the unpopularity, not the want of "confidence on the part of the public" in the Principal, as "among the causes of the present unprosperous state of the College," but adds, "I must however state that I have myself seen nothing in the conduct of the Principal to justify the feelings which appear to be entertained against him in the public mind." The testimony of Mr. Wickes could not have led the Board, if unprejudiced, to the conclusion at which they arrived, because it was well known to the different members that during the first three terms of the College a much greater number had matriculated than could have been hoped, under the circumstances of the furious attacks upon the managers of the Institution which issued from every Press in the Province over which Dissenters had any influence, when they first announced their intention to open the College.—The number was eighteen, and if the Board of the Royal Institution had compared that number with the number of students who matriculated in King's College at Toronto, during its first three terms, they would have found the difference, in favor of the latter, to have been only five or six; although the population, which in Upper Canada might be expected to supply students, is about five times the amount of that from which a supply of students for M'Gill College could be looked for in Lower Canada; and although the rich endowment of King's College enabled it to make the price of tuition little more than nominal. I had been Principal of M'Gill College for the eight years preceding the period of its opening; so that if my unpopularity had operated at all against the prosperity of the College, it must have done so at the outset; and the effect must have been a smaller instead of a larger number of matriculations than was anticipated. The causes of the present unprosperous state of the College are as well known to the Board of the Royal Institution as to the Governors.—

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I shall not state them here; they will come better from the *Governors* in the reply which will shortly be prepared to those parts of the Report of the Board to Your Excellency which relate to them, in that capacity.

The *private* opinion expressed by Mr. Chapman had reference only to my not being a University man, a circumstance which was as well known at the opening of the College as afterwards. It was moreover well known that I was not to be the Chief managing *Teacher*, but the Chief managing *Superintendent* of the internal affairs of the College, as set forth in the Statutes. It seems evident then that truth and justice required a different statement, on this point also, from that which has been made by the Board of the Royal Institution.

In one part of their address the Board mention me as being "a Governor in consequence of his holding the *interim* appointment of Principal." In another, they say "Dr. Bethune was never appointed *except temporarily*, and his appointment has never received the *necessary* sanction of Her Majesty's Government." In reply to the first part of this allegation I shall simply quote the following words from my Commission from the *Governors*: "to have, hold, exercise, and enjoy the said office of Principal therein, during our pleasure," and add, that the appointments of all the Officers of the College are made in the same way, namely, during pleasure. I may also add that my appointment as Principal was notified to Her Majesty, along with those of the Professors, through Your Excellency, in July, 1843, and that, if the *Governors* considered my appointment to have been only "*ad interim*," or "*pro tempore*," they would not have included it in that notification. (See also documents marked D, Nos. 1 and 2). In reply to the second part of the assertion, I quote the words of the Charter, from which Your Excellency will perceive that Her Majesty may *disallow* the appointment of Principal or Professors; but that is a very different thing from saying that Her Majesty's sanction is *necessary*. An Act which Your Excellency sanctions in the name of Her Majesty may be *disallowed*, within a certain period, by her Majesty; but it does not follow from thence that Her Majesty's personal sanction is *necessary* to make it law in the mean time. The Charter, after providing for the election of a Principal or Professors "by the said *Governors*, or by "a major part of such of them as shall be present at any "meeting to be holden for such election," provides that such appointments shall be notified "to us, our heirs and "successors," and "in case that we, our heirs, &c., shall "disapprove of any person so elected, and shall cause such "disapprobation to be notified to him," &c.; "he shall "cease to hold the office," &c.

These assertions then of the Board with respect to the tenure of my office are not correct, and it cannot be said or supposed that they had *not* the means of *knowing* that they are not correct. Truth and justice required a different statement at their hands.

In another part of their address the Board make the following assertions with regard to me: "He appears, "moreover, to be in debt to the Institution,—to have collected monies belonging to the College estate, for doing "which no authority appears as given to him in the College books, and to have entered no account of such introductions in the Books of the Bursar." In reply to these assertions I refer to documents annexed, marked E and F. From that which is marked E, it will appear that when the Board asserted I appeared to be "in debt to "the Institution," the College owed me the sum of £616 13s. 8d.; and from that which is marked F, a copy of which has been in possession of the Board since the early part of the year 1837, it is clear that the proceeds of the *Burnside* estate belonged to me until the College should "be completed and brought into actual operation."

The College books, which contain the record of the Resolution of the *Governors* to this effect, were, moreover, before the Board, when they asserted that no authority for my collecting monies belonging to the College estate appears as given to me in the College books.

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In the "Minute from Proceedings of the Board," they go into some particulars on the subject. They assert that I gave up possession of *Burnside* estate in May 1840. But the fact is, that when the Board of the Royal Institution persuaded Sir J. Colborne, in June 1839, to adopt their favorite scheme of opening a *School* in the house at *Burnside*, although I opposed the scheme, as one to which the bequest of the Testator could not be legally applied, I nevertheless agreed to vacate the premises on the first November following, for the purpose of enabling Sir John Colborne, on his own personal responsibility, to put the aforesaid *School* into operation pending the erection of the College buildings, which it was then agreed should be created forthwith; and I took a lease of the house in which I at present reside. Before, however, I had vacated the premises of *Burnside*, circumstances induced Sir J. Colborne to abandon the *School* scheme; and, by his particular request, I retained possession of *Burnside*, although I did not occupy it after the 1st November, 1839. They were unoccupied during the ensuing winter.

The Board further assert that "a paper in Dr. Bethune's hand-writing was subsequently produced, purporting to be a statement of the sums received by him from *Burnside* estate from May 1841 to May 1843, and of the expenditure of a part thereof." The annexed document, marked G, proves that this "paper" is a regular audited account, rendered by me to the *Governors*, at their meeting in July 1843, of my receipts and disbursements on the *Burnside* estate, from 1st May 1840 (not 1841 as they assert) to 1st May 1843, shewing that my average net income from that estate during 3½ years, that is, from 1st November, 1839, when I vacated the premises, to 1st May, 1843, was £19 4s. 10½d. per annum. The Board, who allow their Secretary £100 per annum, ought surely not to object to my receiving about £20 per annum, for doing the same work, at least, for the *Governors*, that he did for them,—for I believe the whole of his work, from 1837 to 1843, began and ended in his correspondence with me. The annexed document marked H, will shew that the nett receipts of *Burnside* estate from August 1843 to May 1844 (since which payment from that quarter has ceased) have been carried in the College books, to the debit of the salary granted to me as Principal and Professor of Divinity by the *Governors*, at their meeting in July, 1843.

The Board further assert, that "from other sources of information, the Board have ascertained that Dr. Bethune has not debited himself with a sum of £15, "received by him in the year ending 1st May, 1843, nor "does his statement shew what sums have been derived "from renting the fields of *Burnside* as pasture or for "grass, while he takes credit for £40 as remaining due to "him by the Royal Institution at the period of his giving "up *Burnside*, which sum he had agreed, by his letter of "the 26th March, 1839, to allow to be deducted from his "other demand, and had accepted the residue in satisfaction of his claim."

Your Excellency will by this time perceive that it ought not to have appeared to be of any sort of consequence to the Board whether the circumstances mentioned in the foregoing statement were true or not, because they knew I was entitled to the whole of the proceeds of the *Burnside* estate by the authority of the *Governors*. And with this answer I might rest satisfied as a sufficient exculpation from any blame in the matter. But I prefer meeting every item of their charge fairly in the face. With regard to the sum of £15, the first item in the above charge, as the Board do not state what are their "sources of information" relative to that, I can make no other answer than a simple denial.

With regard to the second item, I assert that the gross amount of receipts with which I have charged myself, comprehends all rents derived from the house, garden, and fields. With regard to the third item, I have to say that in the month of December, 1838, I sent an account to the Royal Institution of disbursements which I had made on the premises at *Burnside*, amounting to £160, audited by two respectable gentlemen in the neighborhood, and ordered by the *Governors* to be paid, as certi-

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tified by the signature of Sir J. Colborne. The Board, as usual, made many objections; and finally I offered to deduct the sum of £40, if they would make an immediate settlement; but the Board refused. When, however, I was about to vacate *Burnside*, more than six months afterwards, the Board agreed to pay my account; but to my great surprise they deducted the £40 without my consent, and I received the balance on account, as my receipt will shew, and carried the £40 to my own credit. Truth and justice required a different statement, on these points also, at the hands of the Board of the Royal Institution.

The Board next assert in the "Minute from Proceedings," &c. "that possession of the *Burnside* property was given to Mr. Pelton by Dr. Bethune, under color of the arrangement for a long lease of the property begun in 1842, but never perfected with the sanction of the Board."—In reply to this assertion I shall simply refer to the annexed document marked K, Nos. 1 and 2.

The Board of the Royal Institution assert, in the "Minute," that my conduct in refusing to recognize their authority as Visitors was "contumacious," and that that ground, added to other facts, &c. would have "led them to close their inquiry by an unanimous judgment of suspension or deprivation." The other facts, &c. brought before them were not tried, and they could not have pretended to any authority under which they could have proceeded to pronounce such a judgment upon those facts as proved, unless an investigation of them had taken place in my presence; and such an investigation must necessarily have been had, if at all, in the first instance, not before the Visitors, but before the Governors. The only ground then upon which Visitors could have proceeded to pronounce judgment of suspension or deprivation upon me, must have been that of *contumacy*. And of contumacy for what? For denying, on the highest legal authority in the district, and in concert with that authority, that the members of the Royal Institution are the legal Visitors of McGill College. And here I may remark on the want of impartiality on the part of the Principal of the Board of the Royal Institution who, as a Governor of McGill College, gave it as his opinion in the month of September last, that the late Vice Principal was justified in absenting himself from the meetings of the Caput, because he denied the legality of the constitution of that body, in opposition to the opinion of the same highest legal authority in this district, and Governor of the College, the Chief Justice of Montreal.

It is also stated, in the "Minute from Proceedings of the Board of the Royal Institution," that the Acting Principal has not only wholly declined the Visitorial authority of the Board when summoned to appear before them; and give information respecting the management of the Institution, and, in particular, respecting matters in which his own conduct was impugned, but he has threatened the Board with legal proceedings as for a trespass, in entering McGill College. In reply to the first of these charges I have to say that, as a Governor of the College, I could not obey their summons without compromising a principle upon which the Chief Justice of Montreal and I had agreed to act; and which, I suppose, will be fully set forth in our reply to those parts of the Report which apply to us jointly. With respect to the second charge, the Board have themselves pronounced that some of the complaints made against me arose "from differences in points of discipline," &c., and some of them "of too trivial and vague a nature to require investigation," in short, that the "Board as Visitors, are not called upon to enquire into them." But notwithstanding all this, it is insinuated that these very complaints against me were at the bottom of my resistance to the summons of the Board; complaints, of the nature of which I was not aware until the day after I had entered my protest.

With respect to the third charge, I have to say that I did not threaten the Board with legal proceedings as for a trespass in entering the College. I protested against the whole proceeding on the ground, supposing them to be Visitors, that they had no authority to hold a meeting in Montreal.

The 6th clause of the Act 41st George III. chap. 17, authorizes the Governor of the Province "by an instrument or instruments under the Great Seal of the Province \*\*\* to fix the place, times, and manner, in which the said Corporation shall assemble." There is such an "instrument" fixing *Quebec* as the place of meeting, but no such instrument authorizes the Board of the Royal Institution to meet at Montreal.

I also protested against their whole proceeding on the ground that I did not admit them to be the legal Visitors of McGill College, "reserving my right of action against them in my capacity of a Governor of McGill College, for trespass or forcible entry." Reserving one's right of action, and threatening legal proceedings, are two very different things.

It is more than insinuated that two of the Officers of the College were influenced by me to appear before them under protest; whereas the truth is that those Officers were advised by the Chief Justice of Montreal and myself not to refuse the summons of the Board, but to give them every possible information, because they could compromise no principle thereby.—See annexed document marked I.)

I believe I have now replied to all the allegations made against me in my separate and individual capacity by the Board of the Royal Institution; and I shall abstain from any observation on the whole proceeding of the Board until an opportunity shall be afforded me of doing so in conjunction with the Chief Justice of Montreal. I cannot, however, allow the calumny uttered by the Board of the Royal Institution against the Chief Justice of Montreal to pass unnoticed by me. "The Chief Justice of Montreal" (say they) "is unwilling, as a Roman Catholic, to interfere more than he can avoid in the government of a Protestant Institution." In answer to this most uncalled for allegation, it is sufficient to say that the Chief Justice of Montreal has discharged his duty as a Governor of McGill College as fully and as impartially as he could have done had he been a member of the Church of England; and that it might have very materially advanced the interests of the College, had any one of the members of the Board of the Royal Institution exhibited the title of the *zeal*, in its behalf, which has been uniformly manifested by the Honorable the Chief Justice of Montreal. Accusations of this sort come with a peculiarly bad grace from such an inert body as the Board of the Royal Institution have ever proved themselves to be. Their object, in this case, has led them beyond the bounds of common prudence,—that object is the "practical result" which they desire to establish, viz: that the whole management of the Institution is "in the hands of Dr. Bethune."

I have the honor to be,

Your Excellency's

Most obedient humble servant,

(Signed,) JOHN BETHUNE, D. D.  
Principal McGill College.

Montreal, 5th February, 1845.

[Enclosures.]

A. No. 1.

M'GILL COLLEGE,  
31st January, 1845.

MY DEAR SIR,—With reference to the "united testimony" stated by the Board of the Royal Institution in its Address to His Excellency the Governor General, dated Quebec, December 11th, 1844, to have been given by the Officers of the College relative to the want of

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public confidence in the Principal, I beg to inform you that I gave no testimony whatever on the subject.

I remain, my dear Sir,  
Truly yours,

(Signed,) JOSEPH ABBOTT,  
Secy. M'Gill College.

The Rev. JOHN BETHUNE, D. D.  
Principal M'Gill College.

A. No. 2.

LAGAUCHETIERE STREET,  
1st February, 1845.

REV. AND DEAR SIR,—I beg to say, in answer to your enquiry, that I was not examined before the Board of the Royal Institution during their late Visitation of M'Gill College, nor was I ever asked one question on College affairs at any time, as far as I can recollect, by any Member of that Board.

I have the honor to be,  
Your most obedient servant,  
(Signed,) D. FALLOON,  
Lecturer in Divinity,  
M'Gill College.

The Rev. Dr. BETHUNE,  
&c. &c. &c.

(True Copies.)

Jos. Abbott,  
Actg. Secy. M'Gill College.

B.

(Copy.)

M'GILL COLLEGE,  
30th January, 1845.

MY DEAR SIR,—As near as I can recollect, the following was the substance of that part of my communication to the Royal Institution which related to yourself:

"Among the causes of the present unprosperous state of the College, I reckon the unpopularity of the Principal. How this unpopularity has been obtained I am not prepared to say, but that it exists to a considerable extent I have good grounds for believing. I must, however, state that I have myself seen nothing in the conduct of the Principal to justify the feelings which appear to be entertained against him in the public mind."

You doubtless are aware that this remark of mine was part of an answer given by me to the following question proposed by the Board:

What do you consider the main causes of the present unprosperous condition of this Institution?

I remain, &c.

(Signed,) W. WICKES,  
Professor of Mathematics.

The Rev. the Principal of  
M'Gill College.

(A true Copy.)

Jos. Abbott,  
Actg. Secy. M'Gill College.

C.

(Copy.)

M'GILL COLLEGE,  
1st February, 1845.

REV. SIR,—The following is a copy of a statement I made respecting yourself and furnished in writing to the Board of the Royal Institution at their late Visitation.

"The Principal of the College had not been a Member of any University, was unacquainted with University business, and thus did not enjoy that confidence at the hands of the public of which a man placed in so distinguished a position at the first starting of a new Institution ought to be possessed. The whole conduct and management was entrusted to Dr. Lundy, who at the time was very unpopular, and respecting whom very injurious reports whether justly or unjustly were in circulation."

These are to the best of my belief, the exact words I made use of; I can at least, however, be sure of their containing the sense of what I stated.

I have the honor to be, &c.

(Signed,) ED. CHAPMAN.

The Rev. the Principal  
of M'Gill College.

(A true Copy.)

Jos. Abbott,  
Actg. Secy. M'Gill College.

D. No. 1.

MONTREAL, 14th February, 1845.

I do hereby certify that at a Meeting of the Governors of M'Gill College, on the 13th July, 1843, the appointment of the Rev. John Bethune, D. D. to the Office of Principal of said College, was intended to be made and was made as permanent as it is in the power of the Governors to make that or any other appointment.

(Signed,) VALLIERES DE ST. REAL,  
Ch. J. Montreal, and  
Governor of M'Gill College.

(A true Copy.)

Jos. Abbott,  
Actg. Secy. M'Gill College.

D. No. 2.

TORONTO, 19th February, 1845.

SIR,—In reply to your letter I have to state that I considered your appointment to be Principal of M'Gill College to be permanent in the same degree as the other appointments made at the same time. I have no copy of the minutes of our proceedings in July, 1843, but I think I recollect them clearly, and I have no impression on my mind that your appointment was intended to be otherwise than permanent. It appeared to the Chief Justice of Montreal and myself, that you had been appointed in fact, seven years before, by the Lord Bishop of Quebec, Dr. Stewart, and Chief Justice Reid, and the correspondence respecting that appointment was before us. If it were clear that that had been meant as a

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merely temporary appointment, still you had under it been for seven years exerting yourself strenuously to bring the College into operation, and considering that the resources of the Institution did not enable us to offer any remuneration that would induce a stranger to come from Europe to accept the charge, it appeared to us to be fortunate that we could avail ourselves of the services of a person in your position in society as the nominal head of the College—making such arrangement for the practical conduct of the Institution, under the superintendence of a Vice Principal, as had been made in the College here.

I am, dear Sir,

Yours very faithfully,

(Signed,) JNO. B. ROBINSON.

Rev. Dr. BETHUNE,  
&c. &c. &c.

(A true Copy.)

JOS. ABBOTT,  
Actg. Secy. M'Gill College.

E.

I certify that at the time of the Visitation of the Royal Institution in November last, the College was indebted to the Rev. Dr. Bethune in the sum of (£616 13s. 8d.) six hundred and sixteen pounds thirteen shillings and eight pence currency, for monies actually paid, salary and liabilities incurred by him on account of the College.

JOS. ABBOTT,  
Actg. Bursar, M'Gill College.

M'Gill College, 3rd February, 1845.

F.

Extract from the Minutes of a Meeting of the Governors of M'Gill College, held at Quebec on the 14th November, 1836.

"Resolved, That as no certain term of lease can now be given of said premises" (to wit, Burnside estate,) "the same be put in the occupation and charge of the Principal of the College for the time being, until the College be completed and brought into actual operation, on condition that the Principal shall keep the premises in the same state of repair as he shall receive them.

"Adopted unanimously, and signed by the Chairman of the Meeting."

(Signed) GOSFORD,  
Governor in Chief.

(A true Copy.)

JOS. ABBOTT,  
Actg. Secy. M'Gill College.

3rd February 1845.

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Dr. The Burnside Farm in account with the Principal of M'Gill College.

		£	s.	d.
1839.	To balance of account not paid by Royal Institution,.....	40	0	0
May 17,	—To paid Insurance on House,.....	2	10	0
Dec. 27,	—To paid City Tax,.....	2	0	0
1840.	April 29,—To paid Insurance on House,.....	2	10	0
May 9,	—To paid Bourdon, for repairs,.....	2	12	2
Nov. 21,	—To paid Bethune and Kittson for advertizing and leasing property at auction,.....	4	19	1
1841.	April 29,—To paid Insurance on House,.....	2	10	0
June 1,	—To paid City Tax,.....	3	15	0
Dec. 24,	—To paid Bourdon, for repairs,.....	2	8	6
1842.	To paid Bourdon's account for making fences,.....	40	9	11
March,	—To paid expenses of a journey to Kingston, on the business of the University,.....	7	10	0
April 14,	—To paid City Tax,.....	7	0	0
" 29,	—To paid Insurance on House,.....	2	16	9
July 1,	—To paid Chimney money,.....	0	7	6
Sept.	—To paid expenses of a journey to Kingston, on the business of the University,.....	6	0	0
Nov.	—To paid expenses to Toronto, on the business of the University,.....	8	0	0
" 14,	—To paid Bourdon, for repairs,.....	0	11	8
1843.	To paid Pelton's account for expenses on arrears of sale to him,.....	11	7	5
May,	—To paid City Tax,.....	10	5	0
	To balance received by the Principal in 3½ years, making an average of £19 4s. 10½d. per annum,.....	67	7	0
		£225	0	0

Cr.

		£	s.	d.
1841.	May 1,—By rents to date,.....	80	0	0
1842.	May 1,—By rents to date,.....	80	0	0
1843.	May 1,—By rents to date,.....	65	0	0
		£225	0	0

I have compared this account with the original vouchers, and certify that they agree.

(Signed,) F. J. LUNDY,  
Actg. Secy. M'Gill College.

(A true Copy.)

JOS. ABBOTT,  
Actg. Bursar, M'Gill College.

3rd February, 1845.

II.

I hereby certify that the amount of the proceeds of the rent of Burnside estate, from August 1st, 1843, to May 1st 1844, viz: for three quarters of a year, has been carried to the debit of Dr. Bethune's account in the College Books.

JOS. ABBOTT,  
Actg. Bursar, M'Gill College.

February 3rd, 1845.

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I.

M'GILL COLLEGE,  
4th February, 1845.

We, the undersigned, hereby declare that we were not influenced, either directly or indirectly, by the Principal of the College, in going before the Board of the Royal Institution *under protest*, at their Visitation in November last.

(Signed,) W. WICKES,  
*Prof. of Mathematics.*  
E. CHAPMAN,  
*Lecturer M'Gill College.*

(A true copy.)

JOS. ABBOTT,  
Acting Secretary.

K. No. 1.

(Copy.)

MONTREAL,  
5th February, 1845.

REV'D SIR,—I have to acknowledge the receipt of your letter of the 31st ulto., requesting to be informed, 1stly, by whose authority I consider myself to have been put in possession of *Burnside*; and 2ndly, the period up to which I have paid rent.

In reply to the first question, I have to state that the sale of *Burnside* in 1842, was, after mature consideration, effected by the authority of the Board of the Royal Institution. A plan of the ground, the conditions of sale, and every particular relative thereto having been previously submitted to the said Board for its approbation; and that directions for the sale of the said property were finally forwarded to the Governors of M'Gill College in a letter written by the authority of the said Board, dated April, 1842, and signed by the Rev. Mr. Burrage, Secretary to the Royal Institution.

The sale took place on the premises on the day advertised, in the presence of a number of citizens, and was conducted throughout under the direction of the Governors of M'Gill College, represented by the Principal of said College on behalf of himself and remaining Governors, whose sanction to the sale had previously been obtained; and it was duly awarded to me as the highest bidder, and the possession of the property was, by virtue of the conditions of the said sale, vested in me instantler.

And I beg to observe that neither the Governors of M'Gill College nor the Board of the Royal Institution have presumed to question my right, not only as regards the quiet possession of the property but my claim upon both of those Institutions for the completion of the conditions of the sale, as soon as they were in a position to do so. Indeed the Royal Institution has, by letter to their Attorney, signified their desire to watch over *my interests* in this matter.

The sale, therefore, took place with the sanction of both the Governors of M'Gill College and the Board of the Royal Institution; and if the sale, which was made in perfect good faith by all the parties concerned, has not been completed, the fault lies not with the purchaser but with the Royal Institution and Governors of the College.

The amount of rent paid to you from the 1st May, 1842, to the 1st May, 1844, is £200, which includes sundry repairs of the house, fences, &c.

I remain, Rev'd Sir, &amp;c.

(Signed,) J. PELTON.

The Rev. Dr. Bethune, &amp;c. &amp;c. &amp;c.

(A true copy.)

JOS. ABBOTT,  
Acting Secretary.

K. No. 2.

ROYAL INSTITUTION OFFICE,  
Quebec, 19th April, 1842.

To the Rev'd Dr. BETHUNE, D. D.,  
Principal M'Gill College,  
Montreal.

SIR,—Your letter of 15th instant has been laid before a Special Meeting of the Board of the Royal Institution held this day. I am directed to inform you, in reply, that the Board concur in the arrangement and valuation proposed in your letter with respect to the disposal of 25½ acres of the *Burnside* estate. The Board suggest that it should be ascertained previously to the sale, what terms can be made with the Seminary for the adjustment of any claim that they may have in respect to the property to be so disposed of. The Board propose to communicate further with you in regard to the other property in time for the sale of the 28th instant.

I have the honor to be, Sir,  
Your most obedient serv't,

(Signed,) R. R. BURRAGE,  
*Secretary R. I.*

(True copy.)

(Signed,) JOSHUA PELTON.

(A true copy,)

JOS. ABBOTT,  
Acting Sec'y, M'Gill College.

## APPENDIX No 8.

Extract from Minutes of the Proceedings of the Board of the Royal Institution for the advancement of Learning, under date of 7th July, 1843.

“The following Letter from Reverend F. J. Lundy was read:—

M'GILL COLLEGE,  
1st July, 1843.

REV'D SIR,—In reply to the first part of your letter of the 28th ultimo, I am directed by the Governors of M'Gill College to say, that it is impossible for them to form any precise estimate of the expenditure which may be required in making the necessary preparations for the opening of the College.

It may be generally stated, that, besides urniture and fittings for the College-Hall and Class-Rooms, some out-buildings are required, as well as some meliorations of the College grounds; but, if the Board will inform the Governors what amount can be spared for that purpose, without prejudice to the annual income before stated, they will restrict the expenditure to that amount as nearly as possible.

I am also directed to say on this subject, that £500 was placed at the disposal of the Vice Principal of King's College, Canada West, for a similar purpose, and that the Governors of M'Gill College are of opinion, that an equal sum, at least, will be required here, without including the expense of a philosophical apparatus and mathematical instruments, books, &c. &c.

In reply to the second part of your letter I am directed to state, that the Governors of M'Gill College cannot recognize the right of the Board of the Royal Institution to demand from them any account of monies which they have not received from the Board; nor can they acknowledge the principle of making the payment of the salaries of the Officers of the University contingent upon any such demand; but in mere courtesy to the Board, they

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refer them to the Minute of a Meeting held at Quebec on the 14th day of November, 1836, a copy of which is in possession of the Board, by which the *Burnside* property was placed in the occupation and charge of the Principal, until the College should be brought into actual operation; and to say, that the Governors consider the nett proceeds of that property during the above stated period to belong to the Principal, as a small remuneration for his services in that capacity.

I am directed to add that they have received no money from Government at any time.

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

(Signed,) F. J. LUNDY,  
Secy. to Governors M'Gill College.

The Rev. R. R. BURRAGE, &c. &c.  
Secy. Royal Institution.

(A true copy.)

R. R. BURRAGE,  
Secretary R. I.

Quebec, 3rd February, 1845.

Whereupon the following Letter was read and adopted, and ordered to be sent in reply:—

ROYAL INSTITUTION OFFICE,  
Quebec, 7th July, 1843.

REV'D SIR,—Having laid before the Board of the Royal Institution your letter of the 1st instant, I am directed by them to acquaint you in answer thereto, for the information of the Governors,—1st. That they do not imagine it can be difficult for the Governors to state what furniture and fittings or other preparations are required for the College-Hall and Class-Rooms, or to procure from a carpenter or other mechanic or tradesman an estimate of the *probable expense*, which is all the Board require; and that, until this is done, the Board can come to no determination on the subject.

2ndly. That the Board do not feel themselves justified in the present state of the funds of the Trust, in expending any part of them in improving the College grounds, or in erecting out-buildings, unless such as are indispensably required, in order that the building may be opened for the reception of students.

3rdly. That the sum of £559 odd, heretofore stated by the Board as the annual income of the unexpended funds of the Trust, is only the gross income, subject, as the Governors must be aware, to various deductions for insurance, repairs, agency, and other contingencies.

4thly. That the Board do not intend, that the payment of the salaries of the Officers of the University regularly appointed and employed in their duties should be contingent, on an account being rendered by the Governors to the Board of monies received by the Principal for the rent or use of *Burnside* estate; but the Board, claiming, as Visitors, a right to inquire into the expenditure of monies received by one of the Governors from the estate of the Testator have declined, and will decline, until such account is rendered, to accede to the demand made by the Governors resident at Montreal, for payment out of the other funds of the Trust, of a sum of money for a back period to a Professor, who has never been regularly appointed and who has done no duty as such.

5thly. That the Board still insist upon, and will by all lawful means enforce their right, as Visitors, to enquire into the expenditure by the Governors of all monies that pass into their hands, arising in any way from the estate and funds given in trust to the Board by the Testator.

6thly. That the Minute of the Board of the 14th November, 1836, did not place the *Burnside* property in the occupation and charge of the Principal.

7thly. That by that Minute it appears that the Governors then recognized and admitted the control of the Board over the rents of *Burnside* estate, by applying to the Board for a grant of monies from that source, which they received.

8thly. That the Board deny the right of the Principal to divert to his own use the nett proceeds of that property during his occupation of it, and to cover that misapplication by alleging *now*, that the *Governors* consider it a small remuneration for his services in that capacity;—first, because the Principal never advanced any claim, or intimated any claim for remuneration, until he was called upon to account for the sums he had received; and that before Dr. Bethune vacated the premises, the Board were induced, in order to get possession of them, to pay him by way of compromise a considerable sum for the improvements he had made, while in occupation; but that he then made no claim on account of personal remuneration: Secondly, because, if he really considered himself entitled to such remuneration, the proper way to obtain it was, not by paying himself: Thirdly, because the ground on which he was allowed to go into possession of *Burnside* was to take care of the house and estate, and the benefit he derived from the farm and house was more than a remuneration for his services as Principal: Fourthly, because the claim of the Principal to retain the rents as a personal remuneration is inconsistent with the statement before made by him in his letter of 26th July, 1839, when the Board called for an account of the rents.

9thly. That, whatever may have been the amount of those proceeds, and however they may have been applied, the Board only ask an account of them, when called upon to advance monies from another fund, and claim that account as a matter both of right and of just dealing.

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

(Signed,) R. R. BURRAGE,  
Secy. R. I.

The Reverend  
F. J. LUNDY, S.C.L.  
M'Gill College, Montreal."

(A true Copy.)

R. R. BURRAGE,  
Secy. R. I.

Quebec, 3rd February, 1845.

## APPENDIX No. 9.

Extract from Minutes of the Proceedings of the Board of Royal Institution for the advancement of Learning under date of 15th January, 1844.

"The following Letters from Mr. Abbott, Acting Secretary of M'Gill College, were read:—

M'GILL COLLEGE, 15th December, 1843.

REV. SIR,—I am directed by the Governors of M'Gill College to request the favor of your laying before the Board of the Royal Institution, the accompanying accounts of expenses incurred in making the necessary preparations for opening and carrying on the College, as well as a statement of monies due to the Professors and other Officers thereof.

I am further desired to request you to express to the Board, the desire of the Governors that they be furnish-

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ed with the means of defraying these sums, out of the property of the College in the hands of the Board, at their earliest convenience.

I am further desired by the Governors to request the favor of being informed, at what time it will suit the convenience of the Board, to invest the Governors with the whole of the property of the College now held by the Board.

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

(Signed,) JOS. ABBOTT,  
*Actg. Secy. M'Gill College,*

Rev. R. R. BURRAGE,  
Secy. Board of Royal Institution, &c. &c. &c.,  
Quebec.

(A true Copy.)

R. R. BURRAGE,  
*Secy. R. I.*

Quebec, 3rd February, 1845.

M'GILL COLLEGE, 12th January, 1844.

REV. SIR,—I am directed to inquire whether it is the intention of the Board of the Royal Institution to return an answer to my communication of the 15th December last.

I have the honor to be, Rev'd Sir,  
Your obedient servant,

(Signed,) JOS. ABBOTT,  
*Actg. Secy. of M'Gill College.*

REV. R. R. BURRAGE,  
Secy. Royal Institution,  
&c. &c. &c.,  
Quebec.

(A true Copy.)

R. R. BURRAGE,  
*Secy. R. I.*

Quebec, 3rd February, 1845.

Whereupon it was ordered, that the following communication be sent in reply, and that a copy also be transmitted to the Provincial Secretary to be laid before His Excellency the Governor General with the respectful request of the Board, that His Excellency will take into consideration the suggestion of the Board, that the points of difference between the resident Governors and the Board should be submitted to the Law Officers of the Crown, with a view to the Board being furnished with their opinion thereon for their guidance.

#### COMMUNICATION.

The Board have received from Mr. Abbott a list of debts stated to have been contracted by the Governors of M'Gill College, to the amount of £1736 7s. 2½d, accompanied by a demand on the part of the Governors of M'Gill College resident in Montreal for immediate payment of the amount, and by a call upon the Board to state to the resident Governors, when they will be prepared to transfer to the Governors all the funds in their possession.

Answering the last inquiry first, the Board have to state, that the funds in their possession, having been bequeathed to them by the Testator in trust, not only for erecting and establishing, but for maintaining a College or University, they are advised that they are not authorized to transfer these funds to any other person or authority.

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With respect to the payment of the sum now demanded of them the Board observe, that it consists in part of salaries assigned by the resident Governors to the Professors of the College, and in part of expenses incurred by the resident Governors or the Vice-Principal for other purposes.

The Board have already recognized on a former occasion their obligation to provide the Governors with funds to meet the salaries of the Professors, when actually appointed, and employed in teaching, as far as the income of the funds entrusted to the Board will suffice, having regard also to the necessity of providing for other expenses necessary for maintaining the College.

The Board intimated to the resident Governors on a former occasion that the gross income at their disposal (subject however to deductions for agency, repairs, &c.) did not exceed £559 per annum, to which an addition has since been made by a further investment, producing about £30 per annum: The Board observe, however, that the salaries stated to be assigned by the Governors to the Professors and to a Secretary, and other fixed annual charges, amount to £730 per annum.

With respect to the remaining items of the sum demanded by the resident Governors, amounting to about £1300, and consisting, as stated in the heading of the account, "of expenses incurred in making the necessary preparations for opening and carrying on M'Gill College," the Board observe,—1st. That some of the expenses incurred do not appear to have had any connection with the opening or carrying on of M'Gill College.—2ndly. That many of them were wholly unnecessary, and many more excessive in amount.—3rdly. That this expenditure for contingencies amounts in one year (and the greater part of it incurred within five months) to much more than three years' income of the funds in possession of the Board; an expenditure so wasteful, without precedent or principle, the Board feel it their duty to reject and resist, when called upon to provide for it out of the insufficient fund which they hold in trust.

They cannot defray it, nor can they meet the excess of the fixed salaries and charges sanctioned by the resident Governors over the actual available income without sacrificing a large portion of the remaining amount (already but too inadequate) of the bequest made to them by the Testator for the permanent support of the Institution. This sacrifice they find it their duty not to make, and they must refer the resident Governors to the various Minutes of the Board already transmitted to them bearing date of 7th July last, &c. &c.

It is obvious that the Board and the Governors of M'Gill College entertain views entirely opposite, as to the nature of the trust committed to the Board, and the duties which that trust imposes.

The Governors appear to understand, that the whole funds of the College are at their disposal without check or control on the part of the Board; that these funds ought to be in their possession, not in possession of the Board; and, meanwhile, that they have an equal title to draw upon the Board for any sum of money they may choose to expend, as an individual has to draw on a bank in which he has funds lodged; and that it is not in any degree more competent for the Royal Institution to control or regulate their expenditure, than it is for a banker to interfere with the expenditure of persons having made deposits with him. It is clearly only on these principles that a demand should now be made for £1720, which the Board never authorized to be expended, for the expenditure of which its consent was never asked, and of which its approbation is evidently not considered at all necessary.

The view which the members of the Board entertain of the functions and duties of the Board is very different: They consider that it belongs to the Board, in the first instance, to establish the general expenditure, and then to ascertain, that the sums voted for special purposes are properly applied: They conceive the Board responsible

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for the right application of the funds; that the duty of the Board is not simply ministerial, for the purpose of honoring drafts made on it by the Governors, but that it has a right both fiduciary and visitatorial, to judge of the uses to which the money is to be applied, and to refuse any demand that appears unnecessary or extravagant. Nor are the members of the Board, as they apprehend, at liberty to transfer to others a responsibility which is laid upon themselves.

There can be no proper understanding between the Board and the Governors, till it be authoritatively settled, which view of the functions and duties of the Board is right and according to law. The Board are guided in the view they take by the advice of eminent Counsel; and on general principles they consider it in the highest degree undesirable, that the sole control of the funds should be vested in the Governors without some such check as the Board believe they are entitled to exercise; and *prima facie* the expenditure by the resident Governors in one year of more than a fifth of the whole funds, and more than the amount of the interest of three years, would seem to be a proof of this. The members of the Board have not, and cannot have any personal interest in upholding the view they entertain. It would be an easy duty, and one, which they are persuaded, would be brought to a conclusion in a very short period, simply to hand out without question or remark, whatever funds might be demanded of them; but this is not the duty which the Law and the Will of the late Mr. Gill do, as they think, impose on the Board, and till they are assured otherwise by competent authority, the Board will refuse the payment of all debts, except such as have been contracted with their sanction, or as they can on examination approve.

To prevent all misunderstanding, it may be necessary to state, that, if the general principle maintained by the Board were admitted, there never could be any unwillingness on the part of the Board to sanction such casual expenses as circumstances might render necessary or expedient before the Board could be consulted: And to put an end to the difference of opinion between the Governors and the Board as to the extent of their duties and responsibilities, it would be highly satisfactory to the Board, if the authoritative opinion of the Law Officers of the Crown could be obtained upon the points at issue, or the decision of a competent Court of Justice in an amicable suit."

(A true copy.)

R. R. BURLAGE,  
Secretary R. I.

Quebec, 3d February, 1845.

## APPENDIX No. 10.

Minute of the Board of the Royal Institution on their  
Visitation of McGill College, in November, 1844.

The Board of the Royal Institution in proceeding to record upon their Minutes the result of the Visitatorial inquiry lately instituted by them into the affairs of McGill College, cannot but premise that they have perceived with regret that the differences existing or supposed to exist between the Governors of the College resident at Montreal and the Board have, in the course of that inquiry, been stated by the Professors as one cause of the want of confidence in the Institution and, consequently, of its want of efficiency and success.

While the Board are not disposed to deny that this may, to some limited extent, be true, they feel that there is no part of the duty which they have now to perform towards the College, to which they will more cheerfully and earnestly address themselves than to obtain, so far as in them lies, an amicable and definitive settlement of these differences.

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This disposition the Board has already shown, by the resolve adopted and communicated to the Governors on the 14th November, to which the Board still adheres.

If the Governors ought rightfully to be in possession of all the funds and property now held in trust by the Board for the College, the Board declare, as they have before declared, their readiness to submit this question to the decision of a Court of Law in an amicable suit.

If such a decision cannot be had, and the Royal Institution continue in possession of the property, they are bound, under the eminent legal counsel they have taken, to hold, administer and apply the property and funds to the best of their judgment for the benefit of the Institution; but in doing so, they will meet the wishes of the Governors to the utmost of their power; they will take every competent step to render the property available for the support of the College; they will co-operate with all concerned in seeking such Legislative aid as may be thought necessary; and while they hold it their duty to see, that the capital of the Trust-fund and property in their hands shall not, after the payment of present liabilities, be touched, they will annually pay into the hands of the Governors the whole net revenue, to be disposed of by them, according to their judgment, for the benefit of the College, claiming for themselves only, as Visitors and Trustees, the power which they are legally advised belongs to them, under the Charter and the Will, to examine and check the accounts of the expenditure from time to time, as they may see meet; nor does there exist the slightest desire on the part of the Board to exercise this right in any way that could justly be deemed vexatious. It appears indeed to the Board, that, if there were an efficient body of Governors appointed residing at Montreal, the necessity of an interference on the part of the Board would be but small, nor, in that case, could the Board see any reason to fear any future want of harmony between themselves and the Governors.

The Board would only observe further with respect to these difficulties between the Governors and the Board that, apart from the general question of the possession and management of the property, the main ground of difference has been as to the application of the rents and proceeds of *Burnside* estate; the Board claiming to be informed of such application, and the Acting Principal, on the part of the Governors, refusing such information. On this point the Board will only, in this preliminary part of their Minute, observe that, it appears to them, nothing was wanting, if not to settle the question of right, at least to satisfy the Board and maintain that full confidence which is necessary between them and the Governors, but that the latter (or the Acting Principal) should have given, under protest, if they saw fit, the required information;—a course which the Board cannot but think that, in a matter concerning the expenditure of a part of the funds of a public Trust, it would have been but natural and reasonable for the Governors to adopt.

In closing these general preliminary considerations the Board will only further record the deep regret and astonishment with which they have learned, in the course of their inquiries, that an impression very generally has prevailed at Montreal, that the Board have vexatiously interfered to prevent the College from going into operation, and that credit is given to the Acting Principal of the College for contending with and counteracting such interference; but the Board appeal to their frequent resolutions and representations, recorded in their Minutes, for proof that the case has been precisely the reverse; that the Board has always been most desirous and urgent that the Institution should be put into speedy operation, and that but for obstacles in other quarters the Institution would have been opened years ago to the full extent in which it has ever yet been in operation for Collegiate Instruction.

In pursuing their inquiry into the general state and management of the College, the Board found among the principal causes of its low and unsatisfactory condition the imperfection of the Charter, particularly with respect to the immediate governing body, and the want of a body of Statutes.

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The Board perceive, with deep regret, that no amendments of the original Charter have yet been obtained from the Crown; and they are impressed with the necessity of soliciting His Excellency the Governor General to recommend to Her Majesty's Government in England to grant the amended Charter, of which a draft was sent to England by the Governors in 1839, but not without the alterations suggested by this Board, and communicated to the Provincial Government by their resolutions of the 2nd February, 1841.

The most essential amendment of the Charter would be to create a body of Governors competent to act. The abstinence of His Excellency the Governor General from taking any part as a Governor of the College,—the residence of the Chief Justice of Upper Canada at Toronto, and of the Bishop of Montreal at Quebec, leave the local management of the affairs of the College in the hands of the two resident Governors,—the Chief Justice of Montreal and the Acting Principal of the College; and even, if the acts of these members, being a minority of the whole Board of Governors, who may occasionally assemble, could be deemed regular, the honorable and delicate reluctance of the present Chief Justice of Montreal to take an active part in the affairs of a Protestant Foundation, his infirmity of health, and his regular judicial duties, all combine to throw nearly the entire management of the Institution into the hands of the Acting Principal;—a result which, the Board have ample cause to know, has been most injurious to the interests of the College.

Seeing that, with every disposition on the part of Her Majesty's Government to expedite the Charter, amended to the full extent necessary, a considerable delay may occur before this can be accomplished, the Board deem it expedient to represent, in the mean while, to Her Majesty's Government the absolute necessity of, at least, providing immediately, by a supplementary Charter, for an addition to the number of Governors of, at least, four gentlemen resident at Montreal.

To the want of an efficient Board of Governors has been added that of a code of internal regulations! The Statutes adopted by the Governors in July, 1843, not having received, as yet, Her Majesty's confirmation, there is, in fact no written rule, under the Charter, by which duty is to be measured or delinquency punished. It has been declared, indeed, before the Board, by the Officers of the College, that they have entered into a voluntary obligation to abide by the Statutes as originally passed, while waiting Her Majesty's confirmation; but it also appears, that they justly do not consider themselves bound by the alterations of the original code subsequently adopted by the Governors resident at Montreal (being a minority of the whole) which affect the discipline of the College and the duties of the Officers.

An Institution without efficient external government and with disputed internal regulations could not fail to fall into the state of disorganization, confusion and dissension, which the Board have found to exist in M'Gill College.

In attempting to execute their undoubted duties as Visitors under the Charter the Board have encountered a refusal by the two resident Governors above mentioned to render them any assistance in their inquiry, or even to recognize their authority; although a direct admission of that authority is to be found in the proceedings of the same Governors on the 17th July, 1843, when assisted by the Chief Justice of Upper Canada; and the Acting Principal has not only wholly declined the Visitatorial authority of the Board when summoned to appear before them and give information respecting the management of the Institution, and, in particular respecting matters in which his own conduct was impugned, but he has threatened the Board with legal proceedings, as for a trespass, in entering M'Gill College.

From the other Officers of the College, however,—although two of them, acting, no doubt, under the influence of the example of the Acting Principal, appeared

before the Board under protest against its authority,—the Board have received sufficient information to justify them in coming to the conclusion that the Institution, now only little more than a year in operation, has been rapidly declining, and has lost public confidence and respect. In that period more than half the students, at one time on the books, have left the College; and, at present, but nine remain, although, with the mistaken view of keeping up the numbers, the qualification for admission has been lowered, so as to be inferior to the ordinary standard of attainment in a third rate Grammar School.

For this number of students, although the whole amount of income accruing from the Foundation is less than £550, an establishment of five Instructors and other Officers has been provided at an expense for salaries alone of £800, besides the contingent expenses of the College.

While different causes have been assigned for the unprosperous state of the College, by different persons from whom the Board have received information, one chief cause has been stated to be, that the Acting Principal does not enjoy that confidence on the part of the public, of which an individual standing in his position ought to be possessed; and from all that has come to the knowledge of the Board, they are satisfied that the Institution is not likely to prosper while he is at the head of it. The contumacious conduct of this Officer towards the Board, added to other facts brought before them and to this general unfavorable estimation of his fitness for the situation he fills, would have led the Board to close their inquiry by a unanimous judgment of suspension or deprivation under the powers vested in them; but that such a measure, while it would certainly have been disregarded by Dr. Bethune, would, in the absence of a competent body of Governors, have created difficulties and embarrassments in the conducting of the College, which would have increased the existing disorganization and dissension, and have issued in the speedy suspension of the operations of the Institution.

In some of the statements made before the Board, a want of confidence in the Vice Principal has been mentioned as influencing unfavorably the prosperity of the College, and by the complaints and other evidence placed before the Board, it is but too plain that there is a deplorable want of that cordial co-operation and harmonious intercourse between the Officers of the College which is essential to the success of the Institution; but as regards the Vice Principal, the objection appears to be rather against his personal demeanour, as Vice Principal, (to which they think that well founded exceptions are made,) than to his qualifications or his conduct as a Teacher in his particular department; but the Board consider, that it would be for the benefit of the Institution, on the whole, that no such Office as that of Vice Principal should exist.

Adverting to the fact, which is established by the Minutes of the Proceedings of the Governors on the 18th November, 1835, and 15th July, 1843, that Dr. Bethune's appointment as Principal was, and is only *pro tempore*, and is determinable at the pleasure of the Governors, the Board here record their opinion, that the prosperity of the Institution requires that another Principal should forthwith be sought, who should reside in the College, and have the general immediate oversight of the Institution, and take a large share in the business of instruction; that the Office of Vice Principal should be abolished, and the duties of the Professor of Classical Literature enlarged; and that the Tutorship should be discontinued, as wholly unnecessary in the present circumstances of the Institution.

The Board have not thought it advisable to institute any particular inquiry into the complaints addressed to them by Professor Lundy in his letters of the 17th June and 1st November of this year, because they have found that cross charges have been made against him to the Board of Governors relating, in part, to the same transactions, into which the Royal Institution, as Visitors, are not called upon to inquire; because also the complaints made by him arise, in part, from differences on points of

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discipline and in the internal economy of the College, occasioned, principally, by the want of a recognized Code of Statutes, and by the inconvenient relative position of the Principal and Vice Principal; and, in great part owe their origin to that want of cordiality among the Officers to which the Board have already adverted, and the remedy and correction of which may better be left to time and returning good-feeling among the Officers themselves, than sought for by an investigation that would, in itself, enhance existing irritation.

Several also of those complaints are of too trivial and vague a nature to require investigation; but the Board are of opinion, that Professor Lundy has just reason to complain of the proceedings by which the two Governors resident at Montreal undertook to diminish the casual emoluments which had been formally ensured to him by a resolution of a competent meeting of a majority of the Governors on the 13th July preceding.

The Board are of opinion that this resolution of a minority of the Governors was unjust, irregular and informal, and of no force as against Professor Lundy; but they deem it inadvisable to adopt any further resolution with respect to it, as Professor Lundy intimated before them his conditional acquiescence in an arrangement which had been proposed to him by the resident Governors at Montreal, by which he would receive a fixed salary, out of the Fee fund, in lieu of the contingent emoluments in question.

The result of an examination into the financial concerns of the Institution exhibited a state of things too much in unison with the disordered condition of its other interests:—not only is the scale of permanent expenditure for the College establishment, in salaries and contingent charges, two-fold of the income applicable to it, but a debt has been incurred by the Governors in the course of a few months of 1843, in making preparations to open the College, to the amount of £1550,—equal to three years' net revenue of the whole property of the College. Among the items of expense thus incurred are the travelling charges of the Principal and Vice Principal in going to Kingston and Toronto; and the character of the whole is that of wasteful expenditure beyond the necessity of the case.

The Board, however, feeling that innocent third parties, to whom the larger part of this debt is due, ought not to be made to suffer, have reluctantly come to the resolution of sacrificing a part of the capital of the Trust to discharge this demand, although, by so doing, they further diminish, by nearly £90 the annual income, already insufficient.

On examining the Bursar and inspecting his books, the Board could not but remark the defective way in which the accounts are kept, and the Bursar's imperfect acquaintance with the pecuniary affairs of the Institution; nor can they admit that any excuse for these deficiencies is afforded by the fact acknowledged by that Officer, that he has no knowledge of matters of account; that he has not been himself personally resident and performing his duties, but has left them to a deputy.

The Board conceive that every shilling received from the property of the Institution or on its account or for its support, and every item of the expenditure, should appear fairly and intelligibly stated in the College Books of Account; but the Board must also record their opinion that neither this duty nor that of Secretary requires the appointment of a separate Officer; that the office of Bursar and Secretary should be abolished, and the salary of £100 saved the College; and that the duties now performed by the Bursar and Secretary and Registrar should be divided between two of the Professors.

Among other objects of inquiry the attention of the Board has been particularly turned to the receipts and expenditure of the revenues, rents or proceeds of the Burnside estate since May, 1840, when Dr. Bethune gave up possession of that property. Upon this matter, which forms a necessary part of the College accounts, the Bursar's

books afford no information; and it was with some difficulty that the Board ascertained from the Bursar that the monies in question had been received by the Acting Principal. A paper in Dr. Bethune's handwriting was subsequently produced purporting to be a statement of the sums so received by him from Burnside, from May, 1841, to May, 1843, and of the expenditure of part thereof.

From other sources of information the Board have ascertained that Dr. Bethune has not debited himself with a sum of £15 received by him in the year ending 1st May, 1843, nor does his statement shew what sums have been derived from renting the fields of Burnside as pasture or for grass, while he takes credit for £40 as remaining due to him by the Royal Institution at the period of his giving up possession of Burnside, which sum he had agreed, by his letter of the 26th March, 1839, to allow to be deducted from his then demand; and had accepted the residue in satisfaction of his claim; and he also states the balance of £88, upon the present statement as retained by him.

But as no authority appears by the Minutes of the Proceedings of the Governors to have been ever given by them for Dr. Bethune's appropriation of this balance to his own remuneration, the Board declare it to be the duty of the Bursar to call upon the Acting Principal to pay over to him this balance together with that of £40, for which Dr. Bethune has improperly taken credit, and also the sum of £100 received by him from the actual tenant of Burnside for rent since the date of his statement; and that the Bursar should demand payment from that tenant of the current and future accruing rents. But the Board do not hereby intend to recognize, in any way, the right of Mr. Felton, from whom the present tenant appears to hold the property, to be in possession of it, although delivered to him by Dr. Bethune under color of the arrangement for a long lease of the property begun in 1842, but never perfected by the sanction of the Board. On the contrary, the Board hold it to be the duty of the Governors and themselves to take immediate measures for ousting any persons holding adverse possession, in order that the property may be turned to the best account for the benefit of the College, so soon as the legal difficulties in the way are surmounted; which, at present, are considered by the Counsel of the Board at Montreal to prevent the Board from giving a title for more than twenty-one years.

Upon the application of the Medical Faculty of the College to the Board for the grant of a lot of ground on which to erect a building suitable for their purposes, Professor Holmes, representing the Faculty, was informed that the Board will take the necessary steps for assigning to the Faculty a lot of ground adequate to the erection of such buildings as they may require, subject only to the condition, that the College shall, at any time, have the liberty to assume the possession of such lot and the buildings thereon erected on repaying to the Faculty the expenses incurred in erecting the same.

The Directors of the High School of Montreal having also applied to the Board for the grant of a piece of ground for the erection of suitable buildings for that Institution, the Directors were informed in a personal conference that they, not being a branch of the College, the legal difficulties, above adverted to, would prevent the Board, at present, from meeting their wishes to their full extent, as they should otherwise have desired to do; but that the Board will engage (as far as upon further advice it may be deemed competent to them, so to do) to transfer, on favorable terms, to the Directors of the High School the lots of land for which they have applied.

(A true Copy.)

R. R. BURRAGE,  
Secy. R. I.

Quebec, 3rd February, 1845.

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APPENDIX No. 11.

14th March.

Address from the Board of the Royal Institution to His Excellency the Governor General, after their Visitation.

*To His Excellency, the Right Honorable SIR CHARLES THROPHILUS METCALFE, Baronet, Knight Grand Cross of the Most Honorable Order of the Bath, one of Her Majesty's Most Honorable Privy Council, Governor General of British North America, and Captain General and Governor in Chief in and over the Provinces of Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice Admiral of the same, &c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY,

The Board of the Royal Institution, at the request of Professor Lundy, Vice-Principal of McGill College, and in consequence of a variety of circumstances leading them to believe such a step expedient and necessary, met at Montreal on the 14th November, and as Visitors of McGill College under the Royal Charter, entered into an examination of the whole affairs of that Institution. The general result of their investigation they are now desirous of laying before Your Excellency, both because it is of importance to the Province, and because it is to Your Excellency's interposition that the Board look for obtaining certain important measures, which appear to them indispensable to the prosperity of the College, of which they are Visitors and Trustees.

When the Visitation of McGill College took place, the Visitors found in it nine students, fewer by half than at the same period last year; and these, with one or two exceptions, boys, under the tuition of a Principal, who is also Professor of Divinity; a Lecturer on Divinity; a Vice-Principal, who is also Professor of Classical Literature; a Professor of Mathematics, and a Classical Tutor; the Establishment having also the services of a Bursar, Beadle and others. The regular expenditure for the College Establishment in salaries and contingent charges is two-fold of the income applicable to it; and the Governors have contracted a debt of £1550 in opening the College, the various items of which expenditure appeared to the Board to be on a scale of extravagance and wastefulness entirely unsuitable to the pecuniary resources of the Institution. There is a great want of cordiality and harmony among the Professors and Officers of the College, some not even speaking to others. There are no Statutes in operation which are binding in law. The Principal refused to acknowledge the authority of the Visitors, or to furnish them with any information. The united testimony of the College Officers induces the Board to believe that one main reason of the College having received so little support is, that the Acting Principal does not enjoy that confidence of which an individual standing in his position ought to be possessed: He appears, moreover, to be in debt to the Institution; to have collected monies belonging to the College estate, for doing which no authority appears as given to him on the College Books; and to have entered no account of such intrusions in the Books of the Bursar.

The Board also had the testimony of the College Officers that the inefficiency and unpopularity of the College are also, in part owing to the general want of confidence, rightly or wrongly entertained, in the Vice-Principal, Professor Lundy.

The Bursar is the Rev. Mr. Abbott, who has a salary of £100 a-year, and is permitted to do his duty by deputy. He does not, he says, understand accounts; nor do those of his deputy appear to be regularly and correctly kept.

There are only two Governors resident in Montreal.—The Chief Justice of the District, and Dr. Bethune,

who is a Governor in consequence of holding the interim appointment of Principal. The other Governors, who occasionally act, are the Chief Justice of Upper Canada, and the Bishop of Montreal,—both too distant from the College to take much part in the management of its affairs; and the latter having only very recently a title to do so. The Chief Justice of Montreal is unwilling, as a Roman Catholic, to interfere more than he can avoid in the government of a Protestant Institution; and the practical result of this state of things in the governing body is to throw almost the whole management of the Institution into the hands of Dr. Bethune, the Acting Principal. Both the resident Governors resisted the authority of the Visitors, and refused to co-operate with them.

Between the Governors and the Board of Royal Institution, certain differences do also exist in respect of the possession of the funds of the College now held in trust by the Board. The Governors are of opinion that such funds should be unreservedly handed over to them; the Royal Institution, acting on the opinion of eminent Counsel, and holding that, in this course, they are supported by manifest expediency, as well as law, decline to make such transfer. The knowledge of the public that such differences exist, is also stated as one ground of the want of public confidence in the Institution.

A more full and accurate account of the whole investigation, contained in the Minute of the Board, is herewith respectfully submitted for Your Excellency's information; but such we have to state to Your Excellency is generally the disorderly and inefficient state of an Institution, from which the public looked, and were justly entitled to look for great benefits.

The remedy for existing evils is, it appears to the Board of Visitors, to be sought in various quarters. In part it rests with the Board itself to apply a remedy; and, in so far, they are prepared to act without delay.

The differences between the Board and the Governors may be settled by an amicable suit in a Court of Law, or by the opinion of the Law Officers of the Crown. The Board have repeatedly expressed to the Governors their desire to have the matter so decided. And the debts of the Institution, the Board are also prepared to liquidate, though, in doing so, they must, of necessity, trench deeply on the capital in their possession.

The changes in the Institution itself which the Board consider necessary, and which it is more immediately the province of the Governors to carry into execution are these:—

1st. To obtain the services of an able and efficient Principal, possessing the public confidence, who should reside in the College, and take an active part in the education of the Students.

2ndly. To dispense with the office of Vice-Principal altogether, which, in that case, would be unnecessary; and to confine Professor Lundy's duties entirely to the work of Classical Instruction.

3rdly. To dispense with the office of Bursar, and require the no-wise onerous duties thereof to be performed by some of the resident Officers of the College.

4thly. To dispense with the services of a Classical Tutor till the attendance of Students render them necessary, which, at present, is manifestly not the case.

Preparatory, however, to these changes, and without which, indeed, they cannot be carried into effect, there needs (the Board would humbly represent) an interposition of Her Majesty's Government for the removal of the present Principal, and for an addition to the number of Governors resident in Montreal.

The Board of Visitors believe they are entitled by Law to remove the Principal from his office, on the sole

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ground of his contumacy in refusing to appear before them; and they have been restrained from depriving him of his office by their own authority, simply by a consideration of the still greater disorder which must have been the result in the College.

The Board of Visitors would, however, represent to Your Excellency that, in their judgment, such removal is indispensable to the well-being of the College, and that as Dr. Bethune was never appointed, except temporarily, and his appointment has never received the sanction of Her Majesty's Government, if that sanction were refused, the office would be forthwith vacant, and it would be competent for the Governors to appoint an able and efficient Principal in his stead.

Even such removal, however, would serve but little purpose—greatly as the Board believe it would contribute to restore public confidence,—unless an addition were made to the number of Governors resident in Montreal. If three or four enlightened and intelligent men, united in the government of this Institution, who from their residence in Montreal could give a fair share of their attention to its interests, the most beneficial consequences might be expected; and the public confidence would be greater if, in the selection of these Governors, regard should be had to different Protestant bodies in the Province, none of which (except by such limitation as may be conceived to exist in the words "sound Religion,") are, by any clause either of Mr. Gill's Will, or of the Royal Charter, excluded from the offices, honors, or benefits of the College.

May it therefore please Your Excellency to use your influence with Her Majesty's Government to refuse the sanction of Dr. Bethune's appointment; and to grant, as speedily as possible, a supplementary Charter, making an addition to the number of Governors resident in Montreal. The Board are persuaded that the result of such action on the part of Her Majesty's Government would be to rescue the College from its present disorderly and inefficient state, and to render it, according to the intentions of the benevolent founder, a public benefit.

In closing this communication the Board of Royal Institution would respectfully state to Your Excellency, that it has come to the knowledge of the Board that a motion has been made in the Legislative Assembly for leave to introduce a Bill to repeal the Act under which the Board exists.

The Members of this Board have no personal interest in its continued existence. The duties are and always have been performed by them without fee or reward, and the Board have already recommended the reconstruction of the Board, to give greater facilities to the discharge of its duties. But they would humbly submit to Your Excellency, before Your Excellency's Government countenance the proposed Bill, or Your Excellency give it the Royal sanction, that it would be expedient to enquire:—

1st. How far the bequest of the late Mr. McGill may not be affected by the extinction of this Board; and 2ndly, whether either general principles or the special experience of this Trust would warrant the extinction of this Board without vesting the authority, which it now exercises, in some other body equally or better qualified to use it for the public good

(Signed,) G. J. MONTREAL,  
Principal of the Royal Institution.

(A true copy.)

R. R. BURRAGE,  
Secretary R. I.

Quebec, 3rd February, 1845.

APPENDIX No. 12.

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14th March.

Letter from the Secretary of the Royal Institution, with a Statement of Monies and Property held by that Institution in trust for McGill College, and two other Enclosures.

ROYAL INSTITUTION OFFICE,  
Quebec, 3rd February, 1845.

SIR,—In compliance with the desire of the Committee of the House of Assembly on the Petition of the Governors of McGill College, I have the honor to transmit herewith a statement of monies and property held by the Board of the Royal Institution in trust for the maintenance of McGill College, and am instructed to submit therewith the following observations:

In the execution of this trust the Board have expended the sum of £10,128 19s. 2d. in the Buildings of the College, according to plans approved of by the Governors, adopted by the Board, and executed under the immediate superintendence of the Rev. Dr. Bethune, the Hon'ble Mr. Moffatt, and Mr. Ostell, the Architect, whose plan was selected: This amount, however, exceeded by £5,128 19s. 2d. the sum intended by the Board of Royal Institution to have been expended thereupon in the first instance: The Board yielded in this to the desires of the Governors of the College, His Excellency Lord Seaton, acting in that capacity, having promised aid from the public funds, which has not been realized.

Before the final settlement of the Contractors' accounts, the Board applied to the then Governor General to allow the work to be examined by the Chairman of the Board of Works, which being complied with, and a satisfactory report received, the parties were severally paid the amount due on their several contracts.

Since the opening of the College in September 1843, the Board have paid over to the Governors different sums amounting in all to £2,475, for the payment of the Professors and the College expenses.

The Board have considered the scale of expenditure as extravagant in the present circumstances of the Institution; and in the execution of their trust to apply the funds to the permanent maintenance of the College, have pressed on the Governors the necessity of reducing the expenses to an amount more consistent with its permanent resources. In the exercise of the duty of Visitors of the College under the Charter, the Board held a meeting there in November last, and found the finances of the College under serious embarrassment. Having required of the proper Officer a statement of the College liabilities, a list was furnished amounting to £1,545 9s. 3 $\frac{1}{4}$ d, and the Board, though with much reluctance, finally agreed to an appropriation of funds to pay the same upon the list being certified by the Principal as containing the whole debts of the College, which the Board had been given to understand was the case.

This certificate was for some time withheld, and when ultimately obtained, it was appended to a list, shewing the amount to be £2,596 2s. 9d. instead of that originally given to the Board.

Under the pressure of circumstances represented in the communication, of which a copy is enclosed, (No. 1,) the Board thought it right to fulfil a pledge they had given under very different impressions by the payment of £1,550 for the debts exhibited to them in the original statement, and actually then incurred and claimed, which statement is herewith enclosed, (No. 2,) in order that it may be ascertained, how far the large sum so advanced has been applied for the purposes at first expressed; for the Board have since learnt, that a claim has been preferred by Dr. Bethune for £246, as a "balance due" to him, as Professor of Divinity; a charge which has now for the first time been promulgated. It will be obvious, that the limited amount of Mr. McGill's bequest must soon be exhausted under such a management as is now disclosed. The Board have pointed out in the Report of their Visitation the remedies immediately called for.

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The Board have also petitioned the Legislature to pass a Bill to enable them to render the lands now unproductive, available for the future support of the College; which, however, can only be rendered of permanent advantage to the country by improved management under an effective controlling authority.

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

R. R. BURRAGE,  
Secretary R. I.

STATEMENT of Monies and Property held by the Board of Royal Institution in trust for M'Gill College. Quebec, 31st January, 1845.

	Capital or Value.		Annual Income.	
	£	s. d.	£	s. d.
1. Mortgage on property of J. Redpath, Esquire, 6 per cent,.....	1000	0 0	60	0 0
2. Rente constitue on property of R. Gillespie, Esquire, 5 per cent,.....	666	13 4	33	6 8
3. Rente constitue on property of A. Cuvillier, Esquire, 6 per cent,.....	1600	0 0	96	0 0
4. Twenty shares of Montreal Bank Stock,...	1000	0 0	70	0 0
5. Balance in Bank of British North America, Montreal,.....	71	19 2	0	0 0
6. Balance in hands of B. Griffin, Esquire, Board's Agent, Montreal,.....	8	10 1	0	0 0
7. House in New Market, leased to J. Mack, to 1st May, 1844,.....	3000	0 0	250	0 0
8. Land joining Burnside and heirs Lamothe, 17 arpens, 8 perches, 2 feet superficies,...	1500	0 0	0	0 0
	£ 8847	2 7	509	6 8

N. B.—The value stated for Nos. 7 and 8 is that at which they were assigned to the Board, under a Judgment of the Court of Queen's Bench, Montreal. The value of No. 8 is now greatly enhanced; the Board commuted the Seigniorial Rights thereon, and adopted plans for its disposal in Building Lots, when their proceedings were stopped by want of sufficient authority for its disposal, and, for which authority, application has been made to the Legislature.

R. R. BURRAGE,  
Secy., R. I.

(Enclosure No. 1.)

MONTREAL, M'GILL COLLEGE,  
8th January, 1845.

REV. SIR,—I am directed by the Governors of M'Gill College, resident in Montreal, to inform you, that one action has been instituted against them on account of the furniture of the College; that they have received notice, that another for the amount of the out-buildings will be taken out for the coming Term, and that three other Lawyer's letters for smaller amounts have also been received, thus creating a very great expense to the Institution, unless they be immediately put into possession of the funds which the Royal Institution have agreed to appropriate towards the liquidation of the debts of the College; for although the sum of £1550 will not cover the debts by something more than £500, yet a judicious application of that amount to the purpose intended will prevent further expense, and will satisfy creditors, until means can be obtained from other sources to discharge the whole.

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

(Signed,) JOS. ABBOTT,  
Actg. Secy.

Rev. R. R. BURRAGE,  
Secy. R. I.

(A true Copy.)

R. R. BURRAGE,  
Secy. R. I.

Quebec, 3rd February, 1845.

(Enclosure No. 2.)

List of Accounts appearing to be owing by M'Gill College.

Lovell & Gibson,.....	No. 2	£25	3	10½
The Estate of Robert Weir,.....	3	9	2	1
Ludger Duvernay,.....	4	4	8	11
Robert Graham, (sued).....	5	70	10	6
William Don,.....	6	11	10	6
R. Slack,.....	7	8	3	8
John Sproston,.....	8	0	2	6
B. Brewster & Co., £18 5s. 6d. Cr. £16 9s. 2d.,.....	9	1	6	4
Scott, Shaw & Co.,.....	10	20	10	2
Mrs. Skinner,.....	12	3	13	0
Hilton & Baird,.....	13	180	11	9
Benjamin & Brothers,.....	15	17	3	5
John Andrews,.....	16	7	1	2
John Keller,.....	19	18	15	6
Wyman & Rice,.....	20	1	16	0
A. Bourne,.....	26	0	15	0
Bethune & Kittson,.....	24	195	19	0
John Smith,.....	25	7	0	0
The Proprietors Morning Courier,.....	28	7	11	3
Hugh M'Culloch,.....	29	3	0	0
Alex. M'Donald,.....	30	17	10	0
William Ludlam,.....	32	80	13	11
Thos. Cary & Co.,.....	38	4	9	3
J. W. Dunscomb & Co.,.....	40	6	0	0
W. A. Townsend,.....	41	4	19	6
James A. Dwight,.....	42	7	17	6
The Rev'd Mr. Lundy,.....	44	83	6	0
M. A. Skinner,.....	A	12	10	6
R. Campbell,.....	B	15	9	0
Charles Wilson,.....	C	4	0	0
The Diocesan Press,.....	D	0	15	6
— Ward,.....	E	1	12	6
		£841	19	3½

Besides the above accounts, notes of hand which will fall due, I believe, about Christmas, have been given by the Governors resident in Montreal for the undermentioned sums, to wit:—

For the out-buildings,.....	205	0	0
For double Windows to the centre building,.....	186	0	0

Applications have been made to the Royal Institution for the following sums:—

1844.			
Sept. 5. For fuel for 1842-'3,.....	£100	0	0
For fuel for 1843-'4,.....	100	0	0
Sept. 27. For Mr. Chapman's salary,.....	37	10	0
Nov. 12. For other salaries,.....	175	0	0
		412	10 0
		£1545	9 3½

E. E.

(Signed,) J. ABBOTT,  
Bursar M'Gill College.

Handed in on the 15th November, 1844.

(A true copy.)

R. R. BURRAGE,  
Secretary R. I.

Quebec, 3rd February, 1845.

APPENDIX No. 13.

Address to His Excellency the Governor General from the Governors of M'Gill College, in answer to the Report of a Visitation of the Board of the Royal Institution in November, 1844.

To His Excellency, the Right Honorable SIR CHARLES THEOPHILUS METCALFE, Baronet, Knight Grand Cross of the Most Honorable Order of the Bath, one of Her Majesty's Most Honorable Privy Council, Governor General of British North America, and Captain General and Governor in Chief in and over the Provinces of Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice Admiral of the same, &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY,

We beg leave to thank Your Excellency for the communication of a copy of the Report of a Visitation by



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the Board of the Royal Institution for the advancement of Learning in the month of November last, addressed to Your Excellency, and contained in "a Minute of Proceedings of the Board of the Royal Institution for the advancement of Learning held on the 10th day of December, 1844," and in an Address founded thereon. On that part of the Report which has relation to us and the College generally we request the favor of being permitted to offer some remarks.

The Board of the Royal Institution, in their Address to Your Excellency, and in the "Minute" from proceedings of the Board, assign as the first cause of their visit to McGill College, the request of Dr. Lundy, then Vice Principal, to come and investigate certain complaints preferred by him against the Principal; and they afterwards, in the "Minute," themselves pronounce those complaints to be of too *trivial* and *vague* a nature to require investigation.

They, however, speak of other circumstances as inducing them to make the visit,—circumstances which we trust we shall be able to shew Your Excellency have proved to be of no greater weight than the first cause assigned.

That other circumstance which related to their desire of involving the Principal in charges amounting to something very nearly approaching to *peculation* has been already disposed of in the letter of that Officer to Your Excellency. What the other circumstances were which induced the visit, is only to be gathered from the things of which, after examination had, they complain.

They complain that there is a very small number of students—less than half the number on the books last year, and they endeavour to account for this diminution in their own way. They state that number to be seven, whereas it is ten.

But the true cause of these removals of so many students are the following: Three found they could not attend the College Lectures in consequence of their private avocations. One got a Commission in the Army. One was removed by his father because he chose to find fault with the judgment of the Caput in a case of gross misconduct on the part of his son, and was moreover incited to the course he took by Dr. Lundy. Another was removed by his father who quarrelled with Dr. Lundy. Two on account of Dr. Lundy's treatment of them. Two were removed because, having been admitted by the Vice Principal, Dr. Lundy, at too low a qualification, they found themselves in a false position. And two were removed without cause assigned, but supposed to have been occasioned by Dr. Lundy. In truth it soon became manifest that if Dr. Lundy continued to hold his Offices in the College it could not prosper.

The Board of the Royal Institution having stated the number of matriculated students, proceed, with extraordinary hardihood, to assert that for this small number of students "an establishment of five Instructors and other Officers has been created." Whereas it is manifest that this could not be the case. An establishment of Professors, &c. was created by the Governors before it was known or could be known what number of students would matriculate. Establishments of this description cannot be and are not made for any given number of students; and we feel confident it will be allowed that a College could not be put into operation with a smaller number of Professors and Teachers than that which constituted the Establishment of McGill College at its first opening. It could not be expected that in this country, where the education of youth is generally considered to be finished at the age of sixteen or seventeen years, when they almost uniformly go to the Counting house, the Lawyer's Office, or the Surgery of the Medical man;—it could not, we say, be expected that an University into which the youth are not properly fit to enter until the time arrives when they go directly from the Grammar School to their Trades or Professions, can receive many

students at the outset,—at least any number at all proportionate to the necessary establishment of Professors, Teachers and Officers, until the public taste, and the custom of the country, in this respect undergo a change. But what is to effect this change? The bringing into operation and maintaining Universities, although at a cost altogether disproportionate to the number of students for probably a number of years. We are credibly informed that Windsor College, Nova Scotia, although established for many years, has sometimes had only twelve matriculated students at one time; within the last ten years.

This complaint then of the Board of the Royal Institution appears to be unreasonable. But the Board of the Royal Institution say that the establishment of McGill College is beyond the means of the College. This we must take leave for the present simply to deny; for we shall shew in the sequel that the College possesses ample means for more than double its present establishment, and that had the Board done their duty in the management of the property, or handed it over to the Governors, the annual income of the College might have now trebled its present amount. The Board of the Royal Institution assert that what was done by the Governors in providing furniture, &c., for the opening of the College, was extravagant and wasteful, "and unsuitable to the pecuniary resources of the Institution." The whole amount of expenditure incurred for the necessary out-buildings, levelling grounds, making a road to the College, furniture, books, apparatus, finishing the centre building, &c. &c. was about £2500. The Board refused for more than twelve months to pay any portion of that amount because they had not previously given their sanction to the expenditure, item by item,—a principle which they have lately had the good sense to renounce as untenable. The necessity of some outlay for the objects above stated is undeniable and undenied—the amount is the question; and if we consider that the Board themselves expended, in the erection of the College buildings, nearly £11,000, and that the expenditure made by the Governors was merely a continuation of that which was left unfinished by the Board for the purposes for which the original expenditure was made, the complaint of the Board on this head must appear rather extraordinary. This complaint, as well as most of the others, is aimed ostensibly at the Governors resident in Montreal, but really at the Principal. The following Resolution will shew with what justice:

At a meeting of the Governors held July 14th, 1843, —Present, the Honbles. Chief Justice of Montreal, and the Chief Justice of Upper Canada, and the Principal.

"Resolved, 6th. That the Principal and Vice-Principal be requested to take such preliminary steps as may be required for opening the College on the 6th day of September next, being the first day of Michaelmas Term."

The Board had expended more than half the realized amount of the bequest, and at that time expected little from the Burnside estate. Was that sum to be sunk for want of an expenditure of £2500 more? Moreover, when the Governors expended £2500, they were informed that £1550 of accumulated annual income was available. They had good reason to expect to receive a vote of £500 which had been passed in their favor in the previous Session of the Legislature, and of a like sum from the next Session then close at hand, making in all £2550. The Governors had moreover a right to expect that, although the annual income of the whole property was then not more than £650, such measures would be speedily adopted by the Royal Institution as would have enabled them to have increased that revenue, in the course of the last summer, to more than double that amount; and in the course of three years to not less than £2000. Property has been disposed of adjoining Burnside, during the years 1843 and 1844, at rates which fully warrant this assertion of ours. But the Board would neither do, nor let do; and their present

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proceedings prove that they still adhere to the same system. Fully expecting that the Governors would introduce the Bill for the repeal of 41 Geo. III. chap. 17, during the present Session, they got up the *scheme* of the Visitation, with the view of trumping up some shew of reason why they should not be destroyed, and thus, if possible, still further delay the prosperity of the College finances, and still further add to the difficulties and embarrassments of the College itself. True it is, they speak of a measure to be brought by them before the present Session of Parliament. If it should appear, we may ask, would it have appeared at all, or have been thought of, but for the measure of the Governors now before Parliament?

When we consider that the necessity of obtaining additional powers in the management of the College property was as apparent, years ago, as now, there does not appear to be any want of charity in supposing that they would have rested as quietly on their oars now, in this respect, as they have heretofore done, if they had not been aroused from their lethargy by the imminent danger of annihilation.

The Board of the Royal Institution assert that they found "a great want of cordiality and harmony among the Professors and Officers of the College, some not even speaking to others." What will Your Excellency think of this assertion when we assure you that the utmost cordiality and harmony has ever existed, with one exception, and still exists among the Officers of the College,—Dr. Lundy, the late Vice-Principal and Professor of Classical Literature, has not been on speaking terms with any one Officer of the College, except the Principal, for nearly nine months: his own conduct has been the exclusive cause of this state of relations between him and them. But surely this does not justify the assertion of "some not even speaking to others," and "of a great want of cordiality and harmony among the Professors and Officers of the College."

The Bursar, the Board of the Royal Institution say, does his duty by deputy; and moreover has so little to do that they advise the abolition of the office. It is quite true that the Bursar has been allowed to do his duty by deputy, until his arrangements for removing his family to Montreal are completed, that his books were in arrear at the time of the Visitation of the Board is also true,—but it is equally true that when he urged before the Board, a severe family affliction as the cause, he was told that was quite sufficient. That he has had little to do as Bursar, no one can have a better right to know than the members of the Board of the Royal Institution who took *precious* good care that he *should* have little to do, by withholding the means of even paying our debts, and by taking no measures to bring the property of the College into a productive state. But the same gentleman, in addition to his office of Bursar, fills those of Registrar to the University and Secretary to the Governors, Caput, &c., and has lately accepted the office of Librarian without any addition to his former small salary of £100 per annum. Besides doing the current duties of these offices, since his appointment in July, 1843, he has entered upon the College Records all the correspondence, &c. which had been accumulating for the last ten years. His books have always been regularly and correctly kept (with the above mentioned exception,) and we have every reason to be satisfied with the manner in which he has performed his duties: these are even now by no means few in number; and were the College relieved from the paralyzing influence of the Royal Institution, we have no doubt they would soon become too arduous for one person to discharge.

In the "Minute of Proceedings" the Board of the Royal Institution express great astonishment at having heard of a general impression at Montreal, "that the Board have vexatiously interfered to prevent the College from going into operation, and that credit is given to the Acting-Principal of the College for contending with and counteracting such interference." We shall now proceed to shew that this general impression is exceedingly well founded in all its parts, notwithstanding

the confident appeal of the Board to their "resolutions and representations. (See document attached, marked A.)

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Evidence of the neglect of the Board of the Royal Institution in the performance of their duty towards McGill College.

The Board was first constituted on the 8th October, 1818, and most of its members were the most influential men in Quebec, and all of them Executive Councillors; and consequently, it may be presumed, could have procured the construction of the Board immediately after the decease of Mr. McGill in 1813, especially as they knew, that there was a clause in that gentleman's Will which stated that unless a College were erected within ten years after his demise his whole bequest must revert to his legatees. Yet half the limited period was allowed to expire, before the Institution, to which the bequest was intrusted, was constituted.

It is possible, but by no means probable, this might not be their fault; but be this as it may, they knew that at the time of their appointment half the limited time had passed away, and yet they suffered more than fifteen months to expire before they applied to Mr. McGill's trustees to be invested with the legacy in the terms of the Will, viz: on the 18th January, 1820. The Trustees acted with all possible promptitude, for we find them applying to Mr. Desrivieres for the Burnside property on the 20th of the same month, and after some correspondence with that gentleman, and at length getting his refusal, they made over the property to the Royal Institution on the 20th June following.

This latter body, with its usual snail's pace, did not apply to the Trustees for the bequest of £10,000 until the 18th November, 1821, about ten months after their application for the estate. A Despatch was sent by Lord Bathurst (then Colonial Secretary) to the Duke of Richmond, Governor in Chief, dated 9th March, 1819, directing His Grace to adopt, with as little delay as possible, the necessary "measures for erecting upon the lands left for that purpose by Mr. McGill, an adequate building for the instruction of youth," and authorizing him "to defray the expense which it may be necessary, in the first instance to incur, from the funds which may be in the hands of the Receiver of the Jesuits' Estates." It will be recollected that the Board of the Royal Institution was constituted 8th October, 1818, so that it may be supposed the object of this Despatch was to enable them to fulfil the condition in Mr. McGill's Will already stated; and yet the Royal Institution made no move to enable the Government to execute this most important measure, by affording them access to the premises, until the 18th January, 1820, about nine months after the receipt of the Despatch. Thus on the whole we find that nearly seven of the ten years had passed away before any step was taken to secure Mr. McGill's legacy.

Finding they could not get possession of Burnside property without process of Law, the Royal Institution procured the erection of the College by Charter in 1821, and in that invisible erection, it will appear in the sequel, they seem to have been quite satisfied that the College should remain for ever; for when they got possession of Burnside in 1829, they took no step that we ever heard of, to procure the erection of the necessary buildings by means of the funds provided for that purpose in the above mentioned Despatch to the Duke of Richmond, and thus they lost forever the chance of the erection of the College buildings, at a cost probably of £20,000, out of the Jesuits' Estates fund, and also lost an annual income of £660, in addition to what the College now has from the estate, namely, the interest of the money which they laid out on the buildings, say £11,000. Instead of doing this they laid on their oars, quietly awaiting the issue of their suit for the recovery from the legatees of the £10,000 bequeathed by Mr. McGill,—a suit which they suffered to languish nearly fifteen years.

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They amused themselves in the interim with various schemes for establishing a *Grammar School*, instead of a College, in the old house at Burnside. But these schemes were happily frustrated by some means or other, probably by their own apathy; we say happily frustrated, for if they had succeeded, such a diversion of Mr. McGill's bequest from his intentions would have been the means of losing it altogether. In 1836, the suit for £10,000 was decided in their favor, but they took no step towards the erection of the College buildings (although repeatedly urged on the subject by the Governors of the College of whom the present Principal was one,) until the 9th May, 1837, when they notified the Governors of their intention to proceed immediately to the erection of the necessary buildings, &c.; but it was not until the 7th July, 1838, that they finally agreed to erect them to a certain extent, and advertized for designs which they received in October following. After they had received those designs, they revived the scheme of putting into operation some kind of *Scholastic Institution* in Burnside house, and proposed it to the Governors of the College, who rejected it and endeavoured to persuade the Royal Institution that unless suitable buildings for a College were erected not later than 1839, *i. e.* within ten years after possession was had of Burnside estate, they might have another tedious suit with the Legatees of Mr. McGill. This was answered by a resolution of the Board, 21st November, 1838, to proceed to the opening of a *School* in Burnside house as a sufficient fulfilment of the Will; and reiterated this intention on the 10th December; following to which the Governors sent an absolute refusal on the 17th of the same month, but urged again the erection of the necessary buildings for putting the College into operation. On the 15th January, 1839, the Royal Institution resolved to go to the extent of £15,000 in the erection of buildings; but on the 5th of the following month, they returned to their old scheme of a *School* in Burnside house. The Governors again refused, and once more urged the erection of suitable buildings. The Royal Institution then re-advertized for designs, and finally agreed to a meeting with the Governors in Montreal, in the month of June, 1839, for the purpose of deciding on the best design. At this meeting, instead of proceeding at once to the examination of the designs, they persuaded Sir J. Colborne to adopt their old favorite scheme of a *School* at Burnside; but as the Principal refused his concurrence it was defeated. The designs were then examined, and the buildings commenced in the month of August following; but were not ready for the reception of students until September, 1843. Thus they allowed fully three years to elapse, after they had the means of erecting the College buildings, before the first stone was laid, and four years more in their erection,—in all seven years, to do that which might easily have been effected in two years! Pending the erection of the buildings, instead of taking any steps for procuring aid from Government, or for increasing the revenues of the estate while they withheld the promised title to it from the Governors under various pretences, the Royal Institution remained in these respects in a state of perfect inertness.

Obstacles thrown in the way of the Governors of McGill College, and attempted usurpation of their authority, by the Royal Institution for the advancement of Learning.

The Royal Institution put the Governors of McGill College in possession of Burnside, so soon as it was recovered by action of ejectment from the Legatees of Mr. McGill, namely, in the year 1829, and they made the following Minute of that proceeding:—

"That inasmuch as it appears to the Board that formal possession was duly taken by the Governors of the College at Montreal, on the 29th June, 1829, of the house and estate of Burnside, with the knowledge and consent of a sufficient quorum of the Board of the Royal Institution then being also present at Montreal, but of which delivery of possession no formal record

"has been made in the Register of the Proceedings of the Royal Institution, this Board doth agree to cause an Entry to be made in the Minute of its Proceedings in confirmation of the act of possession so granted and taken at Montreal on the 29th June, 1829, and that the Board will hold itself ready to grant such further instrument or assurance as the Governors, upon legal advice, shall find necessary in order to invest the Governors with full and legal possession of the Burnside estate."

Yet notwithstanding this solemn declaration of the Board of the Royal Institution, "such further instrument for assurance" was *not* given to the Governors of the College. When the above resolution was recorded, the Board had recently recovered the bequest of £10,000, with interest, from the Legatees of Mr. McGill, and the Governors about the same time requested to be put in possession of the funds as well as the Burnside property, in order that they might proceed to the erection of the necessary buildings for the purpose of bringing the College into actual operation as speedily as possible. This request was refused by the Board of the Royal Institution, alleging that the duty of erecting the buildings devolved upon them, but that so soon as that duty should be discharged, the Board would then formally convey the whole bequest to the Governors and thus enable them to bring the College into operation. The Governors, for the sake of peace and expedition, consented, and urged the erection of the buildings without delay. The Board of the Royal Institution notified the Governors of their intention to erect buildings, on the 9th May following. But instead of acting in accordance with that notification, the Board repeatedly endeavoured to force the Governors to acquiesce in its scheme of establishing a *School* in Burnside house, (a scheme which, if had not been thwarted by the Governors, might have vitiated the whole bequest which was made for an *University*, not for a *School*) and even went the length of resolving, on the 7th of July, 1838, what Professorships should be established in the College, although the power of doing so is clearly given to the Governors by the Charter. After the Board of the Royal Institution had determined upon the erection of the necessary College buildings, although they were willing and desirous, in 1839, of expending the whole of the realized annual income in carrying out their scheme of a *School* in Burnside house, yet when this scheme was frustrated, and when the Governors resolved that pending the erection of the buildings the sum of £500 per annum, should be appropriated to the revival of the operation of the Medical Faculty of the College, (which had been in abeyance for want of funds and thus endangering the whole bequest) the Board refused to pay the money for that purpose. Whereupon Sir J. Colborne told them, on the 15th October, 1839, that had he remained longer in the Government (he was then superseded and on the point of departure,) he would have "remodelled that body so as to have rendered it a useful and active promoter of the public interests." Provision for the Medical Faculty was consequently made by the authority of His Excellency from the public funds, and was sanctioned subsequently by the Special Council.

The College buildings were commenced in the autumn of 1839, and when they were supposed to be approaching to their completion in the summer of 1842, the Governors applied to the Board of the Royal Institution for the possession of the property by the "instrument or assurance" which had been promised. The Board, after some delay, sent instructions to their Agent and Attorney in Montreal to prepare an Act of *mise en possession* of Burnside estate and the buildings thereon to the Governors of McGill College. In this "Act" they instructed their Agent to insert certain conditions involving certain claims to authority over the Governors which they (the Governors) had before refused to recognize as inconsistent with the provisions of the Charter: "The Governors to be put in possession for the trusts and purposes of the Will and Charter, subject to and with the reservation of the rights and powers of the Royal Institution as Trustees under the Will, and as

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"Visitors, viz.: the power of *establishing Statutes and By-Laws* for the government of the College or Colleges erected and to be erected, &c. &c. on the estate, and to *repeal or annul any By-Laws, &c.* which may be made for that purpose by the Governors of the College. To enquire from time to time touching the execution of the Statutes or the compliance of the Governors with the Charter. To remove as need may be the Officers of the College for misconduct or neglect of duty, to correct abuses, and generally to *superintend the management* of the Trust created by the Will of the Testator, and the provisions of the Law and the Charter. To *superintend, manage and administer* the property devised and bequeathed by the Testator's Will, or otherwise given for the maintenance and support of McGill College as an Institution of Royal Foundation; and for the above purposes generally to *enter upon and into the estate, buildings, and premises*, by themselves or their lawful Agents or Attornies."

The Governors, of course, refused to accept such an "Act" as inconsistent with the provisions of the Charter, and as reducing them to the condition of mere instruments in the hands of the Royal Institution.

Circumstances over which the Governors had no control prevented them from bringing the Institution into operation as soon as they anticipated. But when they found the way clear, as they supposed, for doing so, they informed the Board of the Royal Institution, on the 22nd June, 1843, of their intention to open the College early in the month of September following, and requested to know what sum could be placed at their disposal for making the necessary preparations for that purpose without prejudice to the realized annual income. The Board so far from shewing any disposition to fulfil its promise before mentioned, refused to make any appropriation for the required purpose unless a detailed statement of the articles of furniture, &c. which might be required, and a particular estimate of their cost should be previously furnished by the Governors; and in answer to an application for a portion of the salary due to Dr. Lundy, the Board stated (same date viz.: June 28th, 1843,) that they were "quite willing to take into consideration the propriety of an advance for the purpose specified, so soon as they should receive a statement of the sums received by the Governors of the McGill College from the Burnside estate, and from the Government, and application thereof, without which the Board feel themselves precluded from entering upon the consideration of your request." In reply to this extraordinary communication the Governors informed the Board that they could not furnish a detailed statement or estimate, but would lay out whatever sum could be appropriated as above stated to the best advantage as far as it would go; that the proceeds of Burnside belonged to the Principal, by a resolution of the Governors on the 14th November 1836, and that they considered that, "a small remuneration for his services in that capacity." The Governors also stated in the same communication (1st July, 1843) that they "cannot recognize the right of the Board of the Royal Institution to demand from them any account of monies which they have not received from the Board, nor can they acknowledge the principle of making the payment of the salaries of the Officers of the University contingent upon any such demand." The Board persisted in their refusal, and re-asserted the rights and powers already stated. The Governors were then reduced to the necessity of borrowing £500 on their own personal responsibility, and of procuring furniture, &c. on credit. It was on this occasion that the Governors of the College agreed to the draft of the Bill now before a Committee of the House of Assembly, in July 1843, and the Government consented to its introduction as a Government measure; but the announcement of the disruption of the late Ministry took place on the very day on which the Bill was to have been introduced by one of the members of that Cabinet. Finding that the proposed Bill must be postponed for at least twelve months, the Governors were induced to try once more what could be done with the Board of the Royal Institution, and they accordingly sent the accounts of the expenditure to the Royal Institution on the 15th December, 1843, and again request-

ed to be invested with all the property of the College then held by the Board. Payment of the accounts was then absolutely refused on the 16th January, 1844, on the general ground that the expenditure was "wasteful without precedent or principle," and on the special ground, that "it belongs to the Board in the first instance to establish the general expenditure, and then to ascertain that the sums voted for special purposes are properly applied, and to refuse any demand that appears unnecessary or extravagant." The Governors replied to this communication on the 29th of the same month, that,

"1st. The Board of the Royal Institution assume that the sum demanded in my communication of the 15th December last, consists of salaries assigned and expenses incurred by the resident Governors; whereas the Board were well aware that those salaries were assigned, and those expenses authorized, at a meeting of the majority of the whole number of Governors in the month of July last.

"2ndly. It is stated in one part of your letter that 'the Board have already recognized on a former occasion, their obligation to provide the Governors with funds to meet the salaries of the Professors;' and in another part of the same letter it is stated 'that the Board will refuse the payment of all debts except such as shall have been contracted with their sanction, or as they can on examination approve.' These two clauses are not only diametrically opposed to each other, but the latter is also opposed to those provisions of the Charter which give to the Governors the authority to regulate the 'salaries, stipends and provisions, for the Principal, Professors, Fellows and Scholars, and Officers of the said College.'

"3rdly. The Board have undertaken without any enquiry on the spot, without any personal inspection, and consequently without any knowledge of the subject in hand, to pronounce 'that some of the expenses incurred (by the Governors) do not appear to have any connection with the opening or carrying on of the College; that many of them are wholly unnecessary, and many more excessive in amount,'—and to characterize the whole as an expenditure, 'wasteful without precedent or principle.'

"4thly. The Board assert the whole income of the realized property of the College to be about £589, while the annual charge for salaries, &c. amounts to £730, and this assertion is made for the purpose of shewing that the Governors have established an annual expenditure beyond their annual income; whereas the Board are well aware that in establishing this annual expenditure, the Governors had in view a grant from the Legislature and an increasing revenue from the property of the College, if the Board had done their duty in this respect, and in the meantime, a more than sufficient sum deposited by the Board in the British North American Bank, together with forthcoming income, to pay the salaries, &c. of the current year.

"5thly. It is admitted in one part of your letter, that the Board perfectly well understood that the sum of £1300 was expended 'in making the necessary preparations for opening and carrying on McGill College,' and yet in two other places assume, that this sum is to constitute a part of the annual expenditure, and hence conclude 'that it would be an easy duty, and one which they are persuaded would be brought to a conclusion in a very short period,'—simply to hand out, without question or remark, whatever funds might be demanded of them!

"The Governors of McGill College consider the foregoing proceedings of the Board as finally settling what the Governors had been led to believe, from former communications of the Board, namely, that the Board are fully determined to do what they can to embarrass the Governors in their management of the College, if not entirely to arrest its progress; the Governors are consequently now driven to the necessity of adopting such measures as they may deem the most speedy and

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"effective for ridding themselves of the chief obstacle to their successful efforts."

The Governors accordingly petitioned Your Excellency to revoke the Commissions of the present members of the Board and appoint members resident at Montreal, and fix this city as the place of meeting, but not having received any answer to the Petition, they have been compelled again to resort to the measure now petitioned for to the Legislative Assembly to relieve them from the embarrassments into which they have been thrown by the Board of the Royal Institution.

The Board of the Royal Institution assert, with reference to the Statutes of the College, that it appears the Officers of the College "do not consider themselves bound by alterations of the original code subsequently adopted by the Governors resident at Montreal (being a minority of the whole,) which affect the discipline of the College and the duties of the Officers." In reply to these assertions, we say: 1st, that when those alterations were made two of the five Governors had declared their determination not to act in that capacity, consequently two were then a majority of the whole number who could, to the intents and purposes of the office, be considered as Governors. Should three of the five Governors at any time refuse to act, (a very possible case,) and should the remaining number be thereby rendered incompetent to do the acts of a majority, it would follow that the business of the College might at any time be brought to a stand still at the pleasure of those who would not act.

2ndly, One of the "alterations" was made necessary—that of adding to the *Caput*—by the attempt of Dr. Lundy to paralyze that body by absenting himself from its meetings, and thus leaving it without a quorum.

3rdly, Not one of the Officers of the College has expressed or exhibited, in any way, any unwillingness to consider themselves bound by those "alterations," with the exception of Dr. Lundy who has uniformly refused obedience to them.

The Board of the Royal Institution assert that they found McGill College in a state of "disorganization, confusion and dissension," a state of things which we utterly deny as having existed at any time within the College, and a state of things not represented to them by any one Officer of the College, unless by Dr. Lundy, whose constant endeavour we freely admit it ever has been to produce such a state of things.

The Board of the Royal Institution accuse us of refusing them "any assistance in their enquiry," as Visitors, "or even to recognize their authority," although "direct admission of that authority is to be found in the proceedings of the same Governors on the 15th July, 1843." We must express our very great surprize that the Board could have seriously expected us to assist them in *visiting ourselves*. True it is they had a notable example of a person in his capacity of Principal of the Royal Institution visiting *himself* in his capacity of Governor of McGill College. We must, notwithstanding, claim the privilege of declining, and that without blame, to follow such an example. With reference to the authority of the Royal Institution as Visitors, we humbly conceive, if we were in error in July, 1843, that is no reason why we should continue to be in error. The Right Reverend Principal of the Royal Institution could not surely recognize such a doctrine in his other capacity.

We are at a loss to know from what quarter the Board of the Royal Institution obtained the information on which they found their information of "a deplorable want of that cordial co-operation and harmonious intercourse between the Officers of the College, which are essential to the success of the Institution," or on which they found their evidently strong leaning in favor of the late Vice Principal, unless it was obtained from Dr. Lundy himself, in whom alone existed "a want of cordial co-operation and harmonious intercourse" with the other Officers of the College.

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With reference to certain alterations made by us in the Table of Fees, the Board state it to be their opinion "that the resolution of a minority of the Governors was unjust, irregular and informal, and of no force as against Professor Lundy;" and yet in the very next sentence, acknowledge Professor Lundy's acquiescence in an arrangement whereby "he would receive a fixed salary in lieu of the contingent emoluments in question." Here then we might be satisfied to stop, adding nothing more than the fact that it was at Dr. Lundy's own particular desire that the aforesaid arrangement was made. He stated that he preferred a fixed salary to the contingency of fees. But in justice to ourselves, we must add still further that, notwithstanding this request and acquiescence of Dr. Lundy, he complained of what had been done in this respect by us, to the meeting of Governors which took place in September last, at which the Lord Bishop of Montreal and the Chief Justice of Upper Canada were present. At that meeting it was unanimously stated that the two resident Governors had a right to make the alterations in question, *being a sufficient quorum* for such a purpose.

The Board of the Royal Institution assert it "to be the duty of the Governors and themselves, to take immediate measures for expelling any persons holding adverse possession of Burnside house." The Governors have long since taken the necessary preliminary step for that object, but are not aware of any movement on the part of the Board in discharge of that duty.

With reference to the promise of the Board to the Directors of the High School "to transfer, on favorable terms, to the Directors of the High School, the lot of land for which they have applied," we feel it our duty solemnly to declare that the Board could not make such a promise consistently with the interests of the College.

The site applied for by the Directors of the High School is the most valuable portion of the property of the College in that quarter of the City. They asked, we understand, for about six acres, which, judging by the sales effected on the adjoining property, are worth £14,000.

The sacrifice of the College property must be great indeed in any transfer which could be considered to be on such favorable terms as would enable the Directors of the High School to sit down there *at a ground rent alone*, equal to the whole rent which they pay for the house which they now occupy. That sacrifice would not be less than £9,000. This would be greater even than another sacrifice of the property of the College which the Board of the Royal Institution made a few years ago, when they sold in perpetuity a house in the heart of the City, for a sum producing an amount of interest less than the rent for which the house was actually let. The lot on which that house stood is now worth *five times* the amount obtained for it. The Board moreover had no right to dispose of that property for a longer period than twenty-one years. And yet they are the only true guardians, according to themselves, of the College property, and the only true expounders of their legal rights.

"The Board perceive with deep regret that no amendments of the original Charter have yet been obtained from the Crown, and they are impressed with the necessity of soliciting His Excellency the Governor General to recommend to Her Majesty's Government in England to grant the amended Charter, of which a draft was sent to England by the Governors in 1839." Of all the extraordinary things which have been said and done by the Board of the Royal Institution, this is undoubtedly the *most* extraordinary; and we feel assured Your Excellency will agree with us when you are informed that this very amended Charter, "of which a draft was sent to England by the Governors in 1839," after having been approved of by the authorities in England, and ordered to be engrossed in order to receive the Royal Signature, was arrested in that stage by the *interference of the Board of the Royal Institution*, who pretended that they had not been made cognizant of the amendments proposed in that draft. But in order to

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put Your Excellency in full possession of this affair of the amended Charter, it will be necessary to enter somewhat into a detail of facts and circumstances.

Previously to the month of November, 1835, the management of the affairs of M'Gill College was in the hands of persons resident at Quebec who were, with one exception, at the same time Governors of the College and Members of the Royal Institution. These Governors appear to have so far suffered by their contact with the Royal Institution as to have partaken in some degree at least of the passiveness of that body; for we find them urged by the Medical Faculty of the College in Montreal to get certain amendments made to the Charter,—such as the relinquishment of the right of the Crown to disallow appointments and confirm Statutes, and such like inconveniences,—and finally supplied by the Medical Faculty with the draft of a Charter containing the proposed amendments. In this state the matter appears to have rested for several years, until the appointment of the present Principal of the College on the 18th November, 1835. His first care was to inquire what had become of the proposed amended Charter, and after correspondence on the subject with the Chief Justice of Upper Canada and Mr. Cochran, then Principal of the Royal Institution, the latter gentleman informed him it had been fished out of a pigeon hole in the Provincial Secretary's Office at Quebec, where it had been covered with venerable dust. Mr. Cochran then wrote to the present Principal of M'Gill College on the 8th March, 1836, as follows "The Charter of M'Gill College, as amended, remains still under the Attorney General's consideration." The Charter "as amended" had been agreed to before this period, and put into the Attorney General's hands to ascertain whether it was all right. From his hands it was sent to the Principal of M'Gill College, to be transmitted through the Governor in Chief to the Colonial Secretary.

One amendment to that draft in the mode of filling vacancies among the Governors, was agreed to at a meeting of the Governors at Quebec, 14th November, 1836,—an amendment which had been previously approved of by the Principal of the Royal Institution, and after its adoption by the Governors, was forthwith transmitted to the Secretary of the Royal Institution, who never made any objection to it. Vexations and adverse circumstances prevented the transmission of the amended Charter to England until the month of January, 1839. The Honorable A. W. Cochran was informed by the Principal of the College several months previous to that date, of the determination of Sir J. Colborne, then Governor in Chief, to send the amended Charter to England without delay; and so far was Mr. Cochran from making any objection, that he expressed his satisfaction at the information. Yet the Board of the Royal Institution awaited until they knew the amended Charter had been transmitted to England, and then they requested Sir J. Colborne to forward to the Colonial Secretary their request that further proceedings with regard to that amended Charter should be stayed until they should have had an opportunity of seeing it,—of seeing that which they had long before approved of, as above stated. It was, however, afterwards discovered that the Board of the Royal Institution desired to introduce into the amended Charter, a definition of their powers and authority, of the same description as those claimed by them in their instructions before mentioned to their Agent here relative to an "Act of *mise en possession* of Burnside," and this is what they now again ask for when they add, to their request that Your Excellency would recommend the adoption of the amended Charter, the following "but not without the alterations suggested by this Board;" thus, once more seeking to obtain by a side wind, that which has always been in dispute between them and the Governors of the College. It was then entirely owing to the proceedings of the Board of the Royal Institution themselves that "no amendments of the original Charter have been obtained from the Crown."

With reference to the causes of the present unprosperous state of the College, the Board have overlooked that

which stands at the head of the list, but which it is quite natural indeed they should overlook—we mean the Board of the Royal Institution themselves. The Board, we have seen, neglected to take any steps to procure the necessary authority for enabling them to increase the revenues of the College to such an extent as would have put it in the power of the Governors to have made such a provision for teaching in all branches of a Collegiate education, as would have commanded a preference over any other English Seminary of Learning in Lower Canada; and it is notorious that unless relief be afforded in this respect, during the present Session of Parliament, the revenues of the College will not be sufficient to maintain it even in its present meagre establishment, without expending a portion of the funded capital. Your Excellency will no doubt perceive that from the time when the Board of the Royal Institution recovered the pecuniary bequest of Mr. M'Gill, in 1836, (amounting with interest, to more than £22,000,) to the time the College buildings were ready for the reception of students in 1843, a period of seven years had elapsed. The patience of the great mass of those persons resident in Montreal who were waiting for the opening of the College became exhausted by this delay, and the consequence was the establishment of the High School, an institution in which the interest of much the greater portion of those from whom the first supply of students to M'Gill College was looked for, became involved in a pecuniary way. Considering the flourishing state of that Institution, it is hazarding nothing to say that had M'Gill College been brought into operation, as it ought to have been, before the High School was thought of, it would have had a sufficient income from students to have placed it in a highly prosperous condition at once. Tutors could have been employed in teaching the Junior pupils and preparing them for matriculation. This is the only plan on which a College can expect to receive a large number of pupils in this country for several years to come, and this was the plan proposed and would have been adopted but for the establishment of the High School.

Seeing then that the Board of the Royal Institution have always been, and still are the chief obstacles to the success of M'Gill College, both by their neglect of duty and their assumption of control over the Governors, thereby seeking to establish two governing bodies whose clashings must inevitably cramp the energies and paralyze the efforts of both; and feeling confident as we do that there was error in the appointment of the Royal Institution to be Visitors of the College, inasmuch as the right of visiting a private foundation belongs to the founder and his heirs by law, and feeling equally confident that the abolition of the Royal Institution cannot affect the validity of the bequest of Mr. M'Gill, we humbly pray Your Excellency not to refuse the Royal assent to the Bill for repealing the Act 41 Geo. III. chap. 17, should it pass the other branches of the Legislature.

With regard to that part of the Address of the Royal Institution to Your Excellency which recommends certain alterations in the Charter, and particularly in that part which makes provision for a governing body, we have to observe,

1stly. That when the obstacle of the assumptions of the Board over the Governors is removed, which induced Your Excellency to decline acting as a Governor of the College, there will always be three Governors on the spot, and the attendance of a fourth might generally be reckoned upon, if the Lord Bishop of Montreal should make up his mind to find no greater difficulty in attending meetings of the Governors of the College than in attending meetings of the Royal Institution and the Church Society at Montreal.

But 2ndly. We are decidedly of opinion that no alteration can be made in that Charter without a violation of Mr. M'Gill's Will, which authorizes the Royal Institution, not from time to time but once for all, to prescribe "the manner and form," and the "regulations" under which the College should be conducted; and the Royal Institution have so prescribed by the Royal Charter obtained at their request.

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3rdly. If the Charter could be altered without a violation of Mr. McGill's Will, it would at least require the consent of those who are most interested, viz. the Governors of the College.

4thly. If all the Governors of the College who are resident in Montreal, and within easy distance of it, would act, then we contend that at least as efficient a Board is now provided as could be expected from any other appointments that could be made in this City, and moreover, refusal to act may embarrass one set of Governors as well as another.

5thly. We are of opinion that ample provision is made in the Charter for a good and sufficient Corporation for the management of the property of the Institution in the "Governors, Principal, and Fellows" of the College, the latter of whom may be elected in any number. It should be borne in mind that there are two bodies created by the Charter, viz: "the Governors," and the "Governors, Principal, and Fellows." The former body has authority to appoint Professors, Lecturers, Tutors, and Fellows, and to make Statutes for the government of the College. The latter is empowered to hold and manage the property of the College. The legal Visitors are the lawful heirs of Mr. McGill; but as there are probably no such persons to be found in a capacity to act as such, then the Queen becomes the Visitor in the persons of the Judges of Her Court, resident in Montreal. It does then appear to us that there is ample provision for the proper management and good government of the affairs of the College without seeking to do that which may be pronounced an interference with the Will of the Founder.

The changes in the Institution proposed by the Board are not only of such a nature as to make it evident that they had not properly considered the subject, but are also such as they themselves acknowledge to be "more immediately the province of the Governors;" and yet passing the Governors by, and not even letting them know that they had made any Report at all on the subject of their Visitation, they endeavoured clandestinely to persuade Your Excellency to take upon yourself the whole authority of the governing body, and to seek by an irregular mode of proceeding to undo what was done by them, without their consent or their knowledge. Their first object is to change entirely the Office of Principal as established by the Statutes; and in order to effect that object they must get rid of the present Principal by the side wind means of endeavouring to persuade Your Excellency to induce Her Majesty not to sanction (by which we suppose they mean *disallow*, because Her Majesty's sanction is not required by the Charter,) his appointment, and this on the ground that his appointment is only *ad interim* or *pro tempore*. In reply to this allegation we assert that his appointment is not *pro tempore* or *ad interim*, but was made by the Governors as permanent as that of any other Officer of the College, that is *during pleasure*. We sincerely trust Your Excellency will not comply with the prayer of the Royal Institution, to urge Her Majesty to the performance of an act which would not only be ungracious, if done under any other influence than that of the Governors themselves, but of which the legality would be very questionable.

The preamble of the Charter of the College shews very plainly that when it was granted it was the Royal intention to have made some "further endowment," and "to afford every assistance towards carrying the intentions of the said James McGill into execution." Had this intention been carried into effect, the College would have been an Institution of *Royal Foundation*, and in that case the different reservations in the Charter in favor of the Crown, viz: the sanctioning Statutes and disallowing appointments would have been in accordance with the Common Law; but as the College is really only of *private* foundation, we doubt very much if Her Majesty could be induced to consider those clauses of the Charter in force, which must interfere with the legal rights of Corporations of private foundation, and which, but for the Royal intention to endow it, would, it must be presumed, never have been inserted in the Charter.

The second object of change proposed by the Board of the Royal Institution is the abolition of the Office of Vice Principal, an Office which is rendered necessary by those very Statutes which the same person, whose name is officially attached to this proposal, a few months ago attached his signature in another official capacity to the prayer of the Governors of the College to Her Majesty to sanction, nay, which, if we are rightly informed, the Board of the Royal Institution have themselves, since their Visitation, prayed Her Majesty to confirm.

On the 3rd and 4th objects of change proposed by the Board we do not think it necessary to make any other remark than this, that we cannot exactly comprehend how the removal of the present Principal from his office, can be a necessary preparatory step to the abolition of the Offices of Bursar and Tutor, "without which" indeed (say the Board) they (that is, these and other "changes") cannot be carried into effect."

We have already stated our opinion with respect to the proposal of the Board to procure such an alteration of the Charter as to make provision for the appointment of additional Governors, and we will only add here the expression of our unfeigned astonishment that the Bishop of Montreal should by his signature at one time sanction the recommendation that in the election of these additional Governors "regard should be had to the different "Protestant bodies in the Province," and by his signature at another time, request Her Majesty speedily to sanction those Statutes which make provision for the performance of the daily Service of the Church of England in the College, and for guarding against the teaching therein any doctrine adverse to those of that Church.

The Board of the Royal Institution, in recommending a reconstruction of the Board with the place of meeting at Montreal, advise "the selection of members from various parts of the Province." This remedy must evidently be worse than the disease, since a Board so constructed could not meet often and never without great inconvenience, and surely could not be so competent to manage the affairs of the College as the "Governors, Principal and Fellows" on the spot; and indeed the same remark will apply with almost equal force to almost any Board of Members non-resident in Montreal, since they could not be expected to take so strong an interest in the College affairs as the Corporation named in the Charter.

In conclusion, we think that we may venture to say that Your Excellency must by this time perceive that the chief objects of the Board of the Royal Institution in making their late Visitation of McGill College, have been, first, to endeavour to make it appear, under the apprehension of extinction, that the continuation of their existence is necessary to the well-being of the College, although confessedly useless in every other respect; and secondly, to endeavour to get rid of the Principal.

In the furtherance of the first object they have asserted many things as facts in support of which they have not adduced one word of testimony from the evidence before them, and which have been completely disproved in our replies; and they have stated some things which, while we admit them to be true, we think we have amply shewn were no just causes of complaint.

With regard to the second object, namely, their desire to get rid of the Principal, who has no doubt rendered himself obnoxious to them by his constant endeavours for the last ten years to urge them onwards to the performance of their duty, and by his persevering opposition to those views of the Board which, had they been carried out, must have resulted in the forfeiture of the bequest, it certainly does appear too bad that the untiring zeal and energy of the Principal in forcing on the Institution to the point of its being brought into operation, should be sought to be rewarded by dismissal from his office, and for causes too which we trust have been amply proved to have no foundation.

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Their various schemes for improvement of the affairs of the College are so impracticable, and if practicable affording no immediate or near prospect of relief, that they appear more like struggles for a hopeless existence than the results of due consideration or knowledge of the subject. *What* the College really requires may be expressed in two words—extended means—and these are within almost immediate reach, by the passing of the Act prayed for by the Governors of the College.

(Signed,) VALLIERES DE ST. REAL,  
*Ch. Justice of Montreal,*  
JOHN BETHUNE, D. D.,  
*Principal of M<sup>c</sup>Gill College.*

M<sup>c</sup>Gill College, February 14th, 1845.

(A true Copy,)

JOS. ABBOTT,  
*Act'g. Secy. M<sup>c</sup>Gill College.*

*Document (A.) referred to in the preceding Address.*

(Copy.)

MONTREAL, 13th February, 1845.

SIR,—I have perused the papers you sent me on the subject of the M<sup>c</sup>Gill College, with your request for an expression of my opinion on any of the matters touching the interests of that Institution that may have fallen within my notice while one of the Governors thereof, during the time you acted as Principal.

Having resigned the office of Chief Justice of Montreal in 1838, my duties as a Governor thereupon ceased, and for the short time you had previously acted as Principal, the circumstances falling within my notice, during this interval are not many, and may not be considered as

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material to the objects you may have in view. I am, however, enabled to say that, after your appointment as Principal, the interests of the College which had previously been much obstructed and delayed by the litigation and contests raised by the Messrs. Desrivieres, were more closely pursued and attended to, principally by your exertions, your declared object being, to bring the College into operation as soon as possible, and to render all the means belonging to it, available for this purpose.

Your efforts in this respect were unremitting, but were materially checked in consequence of a difficulty which occurred between the Governors and the Royal Institution,—the former holding, that they were entitled to claim and receive the funds and means of the College, as being the fittest persons, under the Will of the Testator to apply those funds and means in forwarding the establishment of the College,—the latter contending on the contrary, that that body alone had the power over all the funds of the College, as well in the receiving, as in the application of them; and from this difference of opinion, much useless discussion has arisen, and the establishment of the College has been much retarded, there appearing generally a backwardness in the Royal Institution to promote the objects recommended by the Governors, where the expenditure of money was required to be made under their direction.

Other matters may have occurred, during the period referred to, but of too trivial a nature, or they have escaped my recollection.

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

(Signed,) JAS. REID.

The Revd. DR. BETHUNE,  
Professor, &c.,  
Montreal.

(A true Copy,)

JOS. ABBOTT,  
*Act'g. Secy. M<sup>c</sup>Gill College.*

## RETURN

Appendix  
(W. W.)

18th March.

TO AN ADDRESS from the Legislative Assembly to His Excellency the Governor General, bearing date the 16th December, 1844, praying for “ a Statement of all Contracts entered into for the erection of the Union Bridge across the River Ottawa at Bytown, and the amount of each, shewing also the Salaries and amount received by each Engineer or Superintendent employed on the said work, and at what date the respective contracts for the masonry, wood, wire and iron work were fulfilled; also, a detailed Account of the whole of the expenses of the Slides on the Ottawa and its tributary streams, with the names and salaries of the Clerks employed, and the amount of travelling expenses incurred.”

By command,

D. DALY,  
*Secretary.*

SECRETARY'S OFFICE,  
Montreal, 18th March, 1845.

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STATEMENT of all Contracts entered into for the erection of the Union Bridge across the River Ottawa at Bytown, and the amount of each, shewing also the salaries and the amount received by each Engineer or Superintendent employed on the said work, and at what date the respective Contracts for the masonry, wood, wire and iron work were fulfilled.

CONTRACTORS.	WORK.	Amount of Contract.			Date of completion.
		£	s.	d.	
A. Christie.	Three wooden bridges, to have been completed by contract on 1st October, 1843.....	1150	0	0	January, 1844.
Ditto.	Masonry of abutments, towers, causeway, parapets, cornices, anchor vaults, including wrought and cut iron and lead used in the same, walls of dry masonry, arches on Hull side, &c., including excavation and embankment, filling with dry stones, and extra expense in shifting, carting, &c, where the foundation was not found good, excavation to improve waterway, grading and macadamizing road, flagging side walks, iron grates, guard plates, drains, hand-railing, toll house complete, &c. To have been completed by contract on 1st October, 1843.....	11169	0	6	
	The delay upon the above contract did not in any way stop the completion of the bridge, as the cables could not be put across in cold weather. Delay was caused by the foundation for the towers on the north side turning out to be bad, after the excavation had been made, thereby rendering it necessary to remove the whole of the island down to the solid rock, instead of a portion thereof as originally intended; also, by the old work of the causeway turning out, upon examination, to be defective and in a falling state, and the foundation of the Hull arch being found so bad as to render it necessary to increase the span thereof to secure its durability.				
J. L. Wilkinson.	Wire, wood and iron work of the Suspension Bridge, including toll-gate, railing, &c. To have been completed by contract on 1st July, 1844.....	4250	0	0	1st Nov., 1844.
Ditto.	Additional for increased span, on account of not finding a good foundation for one of the towers; in making the excavation the site had to be removed, thereby increasing the length of the bridge.....	222	18	5	Ditto.
Ditto.	Covers for cable extraneous, doors and fastenings for anchor entrances, toll gates and railing, wrapping cables with flannel and injecting with litharge. To have been completed according to contract on 1st July, 1844.	341	18	6	Ditto.

SALARIES and amount received by each Engineer or Superintendent employed on the said work.

		£	s.	d.	
J. F. McDonald,...	Original Survey,.....	37	10	0	Discontinued. { Employed between the time of Mr. Taylor's discontinuance and Mr. Walton's being engaged. Succeeded Mr. Taylor.
F. P. Rubidge,.....	For Plans,.....	25	0	0	
A. D. Taylor,.....	Superintending Engineer at £250,...	108	6	8	
D. Kennedy,.....	Superintendent,.....	9	0	0	
D. S. Walton,.....	Superintending Engineer at £250,...	334	17	5	
S. Keefer,.....	Travelling Expenses.....	34	10	10	

Note.—The foregoing amount of Engineering and Superintending expenses is at the rate of 3½ per cent on the outlay.

A correct statement,

THOMAS A. BEGLY,  
Secretary Board Works.

Appendix  
(W. W.)

18th March.

Appendix  
(W. W.)

18th March.

DETAILED ACCOUNT of the whole of the expenses of the Slides on the Ottawa and its tributary streams, with the names and salaries of the Clerks employed, and the amount of travelling expenses incurred up to the 1st January 1845.

## MADAWASKA SLIDES,

Including the Slides and Dams constructed at the High Falls and Rugged Chute, a Station House, a Store House, and Office for the Slide Master, a Portage road at High Falls, and improvement of the road round Calabogie Lake, blasting and removing two reefs and portions of two islands, and other obstructions, in Barret's Chute, the Waba Rock and shoal, with sundry reefs and rocks in the Calabogie Rapids, and sundry boulders and reefs in the Little Rapids (two miles below Calabogie,) excavation and removing of Johnson's Rock and Point, and blasting scattered rocks and other obstructions in Long Rapids in McNab Township, of sundry rocks in Landon's Rapids and Fidler's Elbow, and removing the Hog's Back and part of the lower island in Landon's Chute, three miles below the mouth.

Date.	Labourers, &c.			Teamsters.			Materials.			Contingencies			Total.		
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
1843.															
September,.....	63	16	5	...	...	...	126	13	0	1	13	8	192	3	1
October,.....	221	19	0	10	10	0	63	5	0	0	10	4	296	4	4
November and December,...	1456	15	2	44	14	6	165	19	7	...	...	...	1667	9	3
1844.															
January,.....	643	14	8	22	13	9	27	0	0	...	...	...	693	8	5
February,.....	915	2	0	24	6	5	195	5	10	3	10	0	1138	4	3
March,.....	1120	2	10	18	18	0	161	16	0	...	...	...	1300	16	10
April and May,.....	505	6	4	20	8	10	188	13	10	0	14	0	715	3	0
June, July and August,....	320	7	10	...	...	...	11	18	8	...	...	...	332	6	6
	£ 5247	4	3	141	11	6	940	11	11	6	8	0	6335	15	8

## MOUNTAIN SLIDES,

Including a Slide and Dam at the Mountain, excavation and removal of a point at the foot of the current, a Station House, Store House, and Office for the Slide Master.

Date.	Labourers, &c.			Teamsters.			Materials.			Contingencies			Total.		
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
1843.															
July,.....	16	4	6	...	...	...	0	13	0	15	0	0	31	17	6
August,.....	72	4	10	8	6	7	50	4	4	...	...	...	130	15	9
September,.....	245	19	3	...	...	...	41	5	9	0	19	6	288	4	6
October,.....	424	9	1	18	18	6	25	0	0	...	...	...	468	7	7
November and December,...	646	7	1	23	5	8	141	5	5	2	0	0	812	18	2
1844.															
January,.....	304	18	5	12	6	4	56	19	9	...	...	...	374	4	6
February,.....	353	11	0	15	11	3	61	17	8	...	...	...	430	19	11
March,.....	299	19	7	9	15	3	27	19	3	...	...	...	337	14	1
April and May,.....	280	10	8	...	...	...	18	18	11	...	...	...	299	9	7
June, July and August,....	103	19	3	0	13	0	3	9	8	...	...	...	108	1	11
	£ 2748	3	8	88	16	7	427	13	9	17	19	6	3282	13	6

Appendix  
(W. W.)Appendix  
(W. W.)

18th March.

18th March.

## CALUMET SLIDES,

Including Dams and Slides, a stone Station House, Store House and office for the Slide Master, and a double-walled (stone and wood) Magazine for the storage of Powder, improvement of the road from Portage du Fort to the Calumet, completion of road from the head to the foot of the Calumet, together with the removal of a considerable quantity of rock from the Lower Chute and Rapids.

Date.	Labourers, &c.			Teamsters.			Materials.			Contingencies			Total.		
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
1843.															
July,.....	78	14	0	3	3	0	30	0	3	36	5	0	148	2	3
August,.....	239	14	8	5	18	8	49	5	6	...	...	...	294	18	10
September,.....	430	7	11	31	13	0	141	19	6	8	16	8	612	17	1
October,.....	557	17	0	39	17	2	6	0	0	...	...	...	603	14	2
November and December,....	1919	1	1	112	18	6	137	19	0	...	...	...	2169	18	7
1844.															
January, .....	560	4	2	35	6	0	83	2	10	...	...	...	678	13	0
February,.....	740	10	0	50	12	3	40	13	5	...	...	...	831	15	8
March, .....	685	1	5	47	6	10	274	19	6	...	...	...	1007	7	9
April and May,.....	1458	12	11	127	7	9	54	0	10	1	10	0	1641	11	6
June, July and August, ....	190	17	5	...	...	...	23	2	10	...	...	...	214	0	3
	£ 6861	0	7	454	3	2	841	3	8	46	11	8	8202	19	1.

## JOACHIM SLIDE,

Including Slides and Dams, Station House and out Offices for Slide Master, together with a house for the storage of Lumber Supplies, excavation at the foot of Upper Rapids, and the removal of sundry rocks and other obstructions, as well as the Rock Island at the foot of the Chute in the Rocher Capitaine Rapids.

Date.	Labourers, &c.			Teamsters.			Materials.			Contingencies			Total.		
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
1843.															
September,.....	130	8	11	...	...	...	90	14	11	...	...	...	221	13	10
October,.....	173	17	8	...	...	...	77	0	0	5	12	6	256	10	2
November and December,....	811	12	2	43	10	7	217	19	3	2	0	0	1075	2	0
1844.															
January, .....	403	7	0	30	9	7	63	8	9	...	...	...	497	5	4
February,.....	340	19	9	43	19	9	74	1	2	...	...	...	459	0	8
March, .....	455	16	9	57	11	5	192	10	0	...	...	...	705	18	2
April and May, .....	264	15	10	18	17	6	99	7	3	...	...	...	383	0	7
June, July and August,....	26	13	0	...	...	...	10	10	0	27	13	0	64	16	0
	£ 2607	11	1	194	8	10	825	11	4	35	5	6	3662	16	9

Appendix  
(W. W.)

18th March.

Appendix  
(W. W.)

18th March.

EXPENDITURE on the Ottawa Slides, applicable to the Works generally.

Date.	Materials.			Forwarding.			Contingencies.			Total.		
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
1843.												
July,.....	186	19	0	30	10	2	65	3	7	282	12	9
August,.....	45	16	8	21	16	10	14	19	6	82	13	0
September,.....	145	19	2	30	13	9	5	17	9	182	10	8
October,.....	134	8	9	5	2	6	7	14	3	147	5	6
November and December,.....	615	9	3	28	0	7	20	16	4	664	6	2
1844.												
January,.....	110	9	10	10	11	0	...	...	...	121	0	10
February,.....	290	8	8	7	2	9	...	...	...	297	11	5
March,.....	235	9	5	11	13	3	...	...	...	247	2	8
April and May,.....	3	8	1	18	3	9	1	7	6	22	19	4
June, July and August,.....	589	0	2	...	...	...	17	2	3	556	2	5
September, October, &c.,.....	...	...	...	...	...	...	349	12	6	349	12	6
	£ 2307	9	0	163	14	7	482	13	8	2953	17	3

*Abstract of the foregoing.*

Total expenditure on the Madawaska,.....	£6385	15	8
Do. do. Mountain,.....	3282	13	6
Do. do. Calumet,.....	8202	19	1
Do. do. Joachim,.....	3662	16	9
General,.....	2953	17	3
Travelling Expenses,.....	244	15	3
	<u>£24682</u>	<u>17</u>	<u>6</u>

*Names and Salaries of the Clerks employed.*

Milo M. Burke,.....	5s. to 6s. 6d. per day.
J. W. Ormsby,.....	5s. to 5s. 6d. do.
J. H. Burke,.....	5s. to 7s. 0d. do.
D. Buchanan,.....	5s. 6d. do.
P. Fraser,.....	5s. to 5s. 6d. do.
Amount for provisions and other supplies for the men,.....	£5507 0 7
Amount sold to the men,.....	£5442 9 6
Less amount still due, and supposed bad,.....	152 14 1
	<u>5289 15 5</u>
Stock remaining on hand, present value,.....	204 3 9
	<u>5493 19 2</u>
Loss on supplies,.....	£13 1 5

A correct statement.

THOMAS A. BEGLY,

Secy. Board of Works.

# R E T U R N

To An Address from the Legislative Assembly to His Excellency the Governor General, bearing date the 3d ultimo, praying for "an Official Return and Account of all claims for Lands, and damages claimed by the inhabitants of the County of Dundas, arising from the St. Lawrence Canal, and shewing a detailed Statement of the names of claimants, for what portion of land, the nature and amount of their respective damages, how settled, (if so,) whether by arbitration under the Statute, or private agreement with the Board of Works, what and whose claims are yet unsettled, and the reason of such claims being yet unsettled."

SECRETARY'S OFFICE,  
Montreal, 18th March, 1845. }

By Command,

D. DALY, Secy.

RETURN and ACCOUNT of all claims for Land and damages claimed by the inhabitants of the County of Dundas, arising from the St. Lawrence Canal, and shewing a detailed Statement of the names of claimants, for what portion of land, the nature and amount of their respective damages, how settled, (if so,) whether by arbitration, or private agreement with the Board of Works, what and whose claims are yet unsettled, and the reasons of such claims being yet unsettled.

NAMES.	Quantity of Land, Acres.	NATURE OF CLAIMS.	AMOUNT.			HOW SETTLED	REMARKS.
			£	s.	d.		
Samuel Rossiter,.....		Removing houses, fruit trees and fences,.....	350	0	0	Private arrangement.	Paid.
Peter Van Allen,.....		Removing house and barn,.....	45	0	0	do	do
Jacob Casselman,.....		Allowance for fruit trees and making 99 rods fencing,	64	16	0	do	do
John Findlay,.....	3 2/3	Ditto ditto 95 ditto,	100	0	0	do	do
Jesse W. Rose,.....		Damage to buildings and wharf, and loss of fruit trees,	412	10	0	do	do
Henry Weegar,.....		Loss of fruit trees, &c., and making 79 rods fence,....	65	16	0	do	do
James Holden,.....		Removing ashery and 474 cords wood, and making 260 rods fencing,.....	82	5	6	do	do
George Merckley,.....		Damage to crops and trees, and making 90 rods fence,	118	0	0	do	do
Jacob Merckley,.....		Damage to orchard, loss of well, and making 40 rods fence,.....	84	15	0	do	do
Henry G. Merckley,.....		Damage to one house, one stable and one barn,.....	100	0	0	do	do
Samuel Rossiter,.....	1 3/8	Damage to crops, trees, and fencing,.....	110	0	0	do	do
D. Breathe,.....		Moving buildings, damage to crops, and making 64 rods fence,.....	42	1	0	do	do
Jesse W. Rose,.....	1 2/3	Removing house and granary, making bridge, &c.,...	153	10	0	do	do
Jesse W. Rose,.....		Making 128 rods fencing,.....	32	0	0	do	do
William Kyle,.....		Ditto 74 ditto,.....	11	16	0	do	do
Morris Bedstead,.....		Damage to orchard, and making 88 rods fencing,.....	27	2	0	do	do
Sidney Doran,.....	1 1/2	Loss of trees and fence, and making 37 1/2 rods fencing,	44	16	0	do	do
Jacob Merckley,.....	1 1/2	And making 37 rods fencing,.....	36	18	0	do	do
Joseph Sawyer,.....	1 1/2	Ditto 21 ditto and removing buildings,...	42	10	0	do	do
John Flagg,.....	1 1/2	Ditto 37 ditto and loss of fruit trees,....	38	13	6	do	do
D. & A. Robertson,.....	3 1/2	Ditto, 60 ditto and ditto ditto,....	190	16	0	do	do
James Doran,.....	3 1/2	Damage to front plot and road in rear to new road,...	44	4	0	do	do
Henry Weegar,.....	1 1/2	Ditto to garden and loss of business,.....	20	0	0	do	do
Warner Casselman,.....	7 1/2	Loss of trees, damage to garden, and making fence,...	254	4	0	do	do
George Doran,.....	7 1/2	Removing two houses,.....	50	0	0	do	do
John Findlay,.....	1 1/2	Damage to front plot and road to rear,.....	63	15	0	do	do
Thomas and Jacob Casselman,.....	1 1/2	Loss of well, damage to garden, and making 23 rods fencing,.....	46	7	0	do	do
Peter Van Allen,.....	1 1/2	Damage to garden, and making 41 rods fencing,....	46	0	0	do	do
Jacob Froly,.....	1 1/2	Ditto to front, and making 15 rods fencing,.....	70	0	0	do	do
Henry G. Merckley,.....	1 1/2	Repairing house, and damage to trees,.....	186	0	0	do	do
George Merckley,.....	2 1/2	Loss of barn yard, and making 100 rods fencing,....	190	0	0	do	do
Geo. M. Casselman,.....	1 1/2	Water overflowing and making 40 rods fencing,....	95	0	0	do	do
Peter McSweeney,.....	1 1/2	Damage to front garden, and making 40 rods fencing,	77	15	0	do	do
John Bedstead,.....	1		25	0	0	do	do
Morris Bedstead,.....	1		3	15	0	do	do
Jacob Casselman,.....	1 1/2	Loss of dwelling house and shop,.....	70	0	0	do	do
Warner Casselman,.....	1 1/2	Damage to building lots, and loss of trees,.....	70	0	0	do	do
William Kyle,.....	1 1/2	And fencing, removing buildings and wharf, making embankments, &c.,.....	668	0	0	Arbitration.	He has protested against the award of the Arbitrators.
Daniel Carman,.....	3 3/8						
Jacob Browse,.....		Removing his dwelling,.....	45	0	0	Private arrangement	Paid.
Daniel Carman,.....		Ditto 400 cords wood,.....	20	0	0	do	do
George J. Browse, Jr,.....		One house, removing stone fence,.....	30	16	6	do	do

Appendix (X. X.)

Return and Account for all claims for Land, &c.—Continued.

Appendix (X. X.)

18th March.

18th March.

NAMES.	Quantity of Land, Acres.	NATURE OF CLAIMS.	AMOUNT.			HOW SETTLED	REMARKS.
			£	s.	d.		
Jacob Browso,		Damage to Orchard, and making 146 rods fence,	187	0	0	Private arrangement.	Paid.
Lucas Pender,	14 3/4	Loss of bridge, damage dividing farm, and fencing,	400	0	0	do	do
Jacob Browso,	3		75	0	0	do	do
Jacob Servisse,	16 1/2	Fencing, loss of timber, and damage to farm,	400	0	0	do	do
Peter Carman,	5 3/4	Damage dividing farm, and making 84 rods fencing,	117	1	0	Arbitration.	do
John S. Servisse,	7 3/4	Ditto ditto and ditto 60 ditto,	177	5	0	Private arrangement.	do
James Coons,		Removing wharf and barn, damage to garden,	50	0	0	do	do
Jacob Browso and Samuel Shaver,		Loss lease of school house for 10 years,	15	0	0	do	do
George J. Browso,	3 1/4	Removing barn, making 20 rods fencing,	97	0	0	do	do
Isaac N. Rose,	1 1/4	Loss of fruit trees, damage to garden and school house,	190	0	0	do	do
J. McNulty,	1 1/4	Loss of two houses, fruit trees, and making 64 rods fencing,	187	0	0	do	do
Samuel Shaver,	1 3/4	Cost of bridge, and making 49 rods fencing,	167	4	0	do	do
Jacob Browso,	3 1/4	Loss of fruit trees and fencing,	97	1	0	do	do
John Walliser,	1 1/4	Loss of fruit trees and other damage,	38	4	0	do	do
Nicholas Browso,		Land, and other damages,	25	0	0	do	do
Daniel Carman,		Removing cordwood,	20	0	0	do	do
George Browso and Wm. Berion,	2 1/4		53	0	0	do	do
Matthew Carman,	4 1/4	And fencing &c.,	161	10	0	Arbitration.	Amount will be paid as soon as deed is executed.
James Glasford,		Loss of business, store &c.,	100	0	0	do	Paid.
Matthew Coon,	1 1/4						Will not settle till he is paid for store which stands 20 feet on highway.
R. & H. Casselman,	2 1/4	Loss of fruit trees, and making 41 rods fencing,	159	19	0	Private arrangement.	Paid.
Jacob Harris,	1 1/4	Loss of well, moving house, and making 40 rods fencing,	135	0	0	do	do
Phillip Stata,	2 3/4		82	13	6	do	Refuses to sign until paid what the valuator considers is a most extravagant price for some old hickory trees.
Mrs. Dickenson,	1 1/4		500	0	0	Arbitration.	This sum has not yet been paid, it being reported by the valuator of the Board as most extravagant. The party has been notified that an appeal will be had from the award.
Bailey & Co.,							Want damages, the road being moved from front to rear of house. Claims £200; has been offered £100.
Dr. Grant,	1 1/4						
James Holden,		Removing wharf,	12	10	0	Private arrangement.	Land not yet valued.
James Fraser,	2 1/4						Cannot give a good Title.
Paul Glasford,	1 1/4	Damages depriving him from river and fencing,	143	0	0	Arbitration.	This sum has not yet been paid, it being reported by the valuator of the Board as most extravagant. The party has been notified that an appeal will be had from the award.
James Coon,	2 1/4		50	0	0	Private arrangement.	Not yet paid, as he refused to sign the deed.

A correct statement,

THOMAS A. BEGLY,  
Secy. Board of Works.

Appendix (Y. Y.)

RETURN

Appendix (Y. Y.)

18th March.

18th March.

To an Address from the Legislative Assembly to His Excellency the Governor General, bearing date the 13th instant, praying for "a detailed Statement of the several amounts paid into the hands of the Receiver General of this Province, by the Treasurers of the several Districts of the late Province of Upper Canada, for the establishment and support of a Lunatic Asylum, during the years 1840, 1841, 1842, 1843, 1844, and 1845, shewing the amount received from each District, respectively, during the above period."

SECRETARY'S OFFICE,  
Montreal, 18th March, 1845.

By Command,  
D. DALEY, Secy.

Appendix  
(Y. Y.)

18th March.

LETTER from the Receiver General to the Assistant Secretary West, with one enclosure.

RECEIVER GENERAL'S OFFICE,  
17th March, 1845.

Appendix  
(Y. Y.)

18th March.

SIR,

In compliance with an Address of the Legislative Assembly referred to me, under date the 14th instant, I have the honor herewith to transmit a Statement in detail of the several Amounts paid into the hands of the Receiver General by the Treasurers of the several Districts of the late Province of Upper Canada, for the erection of an Asylum within said Province for the reception of Insane and Lunatic Persons, under the Act 2 Vict. cap. 11, relating thereto, during the years 1840, 1841, 1842, 1843, 1844, and 1845, shewing the amount received from each District, respectively, during the above period, and exhibiting a sum total of £13,508 17s. 6d. currency. £500 have been paid towards the erection of this Asylum, leaving a balance now on hand of £13,008 17s. 6d. currency.

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

WM. MORRIS,  
R. G.

To JAMES HOPKIN, Esquire,  
Assistant Secretary West, &c. &c. &c.

(Enclosure.)

STATEMENT of the several Amounts paid into the hands of the Receiver General, by the several District Treasurers of the late Province of Upper Canada, for the erection of a Lunatic Asylum, under the Provincial Act 2 Vict. cap. 11, from 1840 to this day inclusive.

From what District received.	In 1840.			1841.			1842.			1843.			1844.			1845.			Aggregate.		
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
Home,.....	70	6	8	130	0	0	283	10	11	...	...	...	755	6	8	514	1	10	1753	6	1
Gore,.....	...	...	...	...	...	...	840	0	0	150	0	0	473	14	11	...	...	...	1463	14	11
Newcastle,.....	...	...	...	...	...	...	300	0	0	411	11	4	248	0	9	280	18	11	1240	11	0
Niagara,.....	...	...	...	...	...	...	700	8	0	247	17	10	270	9	11	...	...	...	1218	15	9
Johnstown,.....	...	...	...	180	0	0	341	18	11 <sup>3</sup> / <sub>4</sub>	141	0	0	165	19	6	218	5	2	1047	3	7 <sup>1</sup> / <sub>2</sub>
London,.....	210	2	8	106	6	3	168	12	0	232	0	0	137	17	10	183	2	2	1038	0	11
Midland,.....	184	10	3	...	...	...	225	0	6	214	7	0	75	13	10	157	8	0	856	19	7
Prince Edward,.....	105	12	0	107	16	11	113	13	8	115	18	0	118	19	6	119	1	3	681	1	4
Western,.....	...	...	...	...	...	...	...	...	...	510	10	11	160	6	9	...	...	...	670	17	8
Bathurst,.....	...	...	...	254	8	10	139	9	4 <sup>1</sup> / <sub>2</sub>	111	10	0	118	8	10	...	...	...	623	17	0 <sup>1</sup> / <sub>2</sub>
Eastern,.....	...	...	...	...	...	...	283	5	0	100	0	0	99	5	10	...	...	...	482	10	10
Victoria,.....	66	10	0	...	...	...	150	0	0	96	17	5	98	4	6	...	...	...	411	11	11
Talbot,.....	56	3	1 <sup>1</sup> / <sub>4</sub>	69	1	2 <sup>1</sup> / <sub>4</sub>	134	16	0	...	...	...	77	15	1	...	...	...	337	15	5
Brock,.....	...	...	...	86	8	10	96	3	8	105	5	1	110	17	4	99	11	7	498	6	6
Wellington,.....	...	...	...	...	...	...	101	10	6	81	16	6	123	4	0	...	...	...	306	11	0
Ottawa,.....	...	...	...	...	...	...	...	...	...	163	12	3	72	17	0	46	15	2	283	4	5
Dalhousie,.....	...	...	...	...	...	...	...	...	...	57	7	10	69	7	10 <sup>1</sup> / <sub>2</sub>	66	2	2	192	17	10 <sup>1</sup> / <sub>2</sub>
Huron,.....	...	...	...	...	...	...	...	...	...	43	19	0	51	15	5	49	10	10	145	5	3
Colborne,.....	...	...	...	...	...	...	...	...	...	...	...	...	68	5	0	69	5	4	137	10	4
Simcoe,.....	...	...	...	...	...	...	...	...	...	...	...	...	118	16	1	...	...	...	118	16	1
	£ 693	4	8 <sup>1</sup> / <sub>4</sub>	934	2	0 <sup>1</sup> / <sub>2</sub>	3878	8	7	2783	13	2	3415	6	7 <sup>1</sup> / <sub>2</sub>	1804	2	5	13508	17	6 <sup>1</sup> / <sub>2</sub>

WM. MORRIS,  
R. G.

RECEIVER GENERAL'S OFFICE,  
17th March, 1845.

## R E P O R T.

THE SELECT COMMITTEE to which was referred the Petition of Alexander McLeod, of the Township of Stamford, in the District of Niagara, to be indemnified for losses sustained through his imprisonment by the Authorities of the United States, in 1840, on a charge of having assisted in the destruction of the Steamer "Caroline," have the honor to REPORT:—

THAT although the arrest, imprisonment, trial and acquittal of Alexander McLeod, in the year 1841, by the Authorities of the State of New York, (one of the United States of America,) must be fresh in the recollection of Your Honorable House, yet your Committee deem it expedient to submit the reasons and causes which, in the course of their investigation, they have ascertained led to the apprehension of the said Alexander McLeod, and upon which are based those subsequent Judicial proceedings which resulted in his acquittal.

Your Committee, from evidence submitted to them, are aware that the said Alexander McLeod, from the outbreak at Toronto, on the night of the 4th December, 1837, until the day of his arrest by the Deputy Marshal of the State of New York, was exceedingly active, and used every exertion in his power to assist the Government in suppressing rebellion within the Province, and resisting invasion from the United States, which rendered the said Alexander McLeod personally obnoxious to those persons who rejoiced in the name of the Patriots, and who, in the opinion of your Committee, marked out the said Alexander McLeod as the object of their hatred and revenge; consequently, on the 24th of September, 1840, the said Alexander McLeod being at Manchester, in the State of New York, was apprehended and sent to Prison at Lockport, upon a charge preferred against him of having been one of the individuals who, by the order of the Speaker of Your Honorable House, destroyed the Steamer "Caroline" on the night of the 29th December, 1837; the said Alexander McLeod having made affidavit that he was not one of the persons engaged in that expedition, obtained a writ of *Habeas Corpus*, and after a tedious examination was discharged. On the 9th day of November, 1840, the said Alexander McLeod went to Lewiston in the State of New York, and on the 12th he was arrested a second time by a Deputy Marshal, an officer of the Federal Government, who said he had positive orders from Marshal Nathaniel Garraw, who had his orders from Washington, to arrest him, the said Alexander McLeod, if again found within the jurisdiction of the said United States; his examination continued four days, and he was committed to the Gaol at Lockport, where he remained incarcerated until the 29th April, when he was taken from the Gaol and escorted as a felon to New York: on arriving there was placed in the Tombs, and there remained until the 10th July; was then removed to the Gaol at Utica, from thence to Rome, and from thence to Whitesborough, where he was arraigned in October, 1841; and, after a protracted trial of eight days, he was acquitted, and returned to Canada under a civil and military escort.

Your Committee are aware that at the time of his imprisonment, and prior and subsequent thereto, a prejudice existed in the public mind against the said Alexander McLeod, in consequence of its being generally understood that he had gone unnecessarily to the United States, and, when there, been guilty of a gross misrepresentation, by stating that he was one of the persons concerned in cutting out the Steamer "Caroline," when in truth and in fact he was not; and in consequence it was, through his own impru-

dence that he became arrested and had to endure all the annoyance and privations which he subsequently experienced.

Your Committee are perfectly aware that in consequence of proceedings which were going on before the Courts of Law in this Province, and to which the said Alexander McLeod was a party, it became necessary for the said Alexander McLeod to go to the United States for the purpose of procuring the necessary evidence to produce before the Courts of Law to establish his personal rights before said Courts, and to which course of proceeding he was advised by Robert B. Burns, Esquire, Barrister-at-Law, as will appear on reference to the certificate in the Appendix attached to this Report, and was also recommended to do so by James H. Price, Esquire, a Member of Your Honorable House, and from the certificate of other persons as well as the Magistrates before whom the said Alexander McLeod was taken when arrested, and copies of which are also contained in the Appendix to this Report. Your Committee are of opinion that the said Alexander McLeod did not make any declaration of his having been engaged in the destruction of the *Caroline*, but that the said report was circulated by those who were disposed to sacrifice the said Alexander McLeod to those popular prejudices which at that time existed on the frontier, by those whose wicked and atrocious designs had been frustrated, and in which the said Alexander McLeod had been personally instrumental.

Your Committee having in the foregoing part of this Report submitted to Your Honorable House the facts upon which the Petition of the said Alexander McLeod are predicated, are of opinion that they are of a very peculiar character and involve a question of vast importance as regards the mutual obligations existing between the Sovereign and the Subject; and as the one cannot renounce or abrogate his allegiance, the other ought in all cases to afford protection and to guard the subject against any infringement upon his civil rights by a Foreign Power, involving a question of a national character, and for which he can receive no redress unless through the interposition of the Government to which he bears allegiance.

Your Committee are of opinion that in consequence of the proceedings taken by the American Government against the said Alexander McLeod, he became reduced in his circumstances, damaged in his reputation, deprived of his liberty, and injured in his health, having for twelve months been incarcerated in the loathsome cells of various Gaols in the United States; and viewing this question in all its various features, Your Committee, under the circumstances set forth, and considering the personal injuries the said Alexander McLeod has sustained, recommend Your Honorable House to adopt an Address to her Majesty recommending him to Her Majesty's most gracious and favorable consideration.

All of which, however, is respectfully submitted.

WALTER H. DICKSON,  
Chairman.

18th March, 1845.



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(Z. Z.)

18th March.

## LIST OF APPENDIX.

- No. 1.—Certificate of Robert E. Burns, Esquire, dated Toronto, 8th December, 1843.
- No. 2.—Certificate of Jona. Bell, Esquire, dated Lewiston, 24th September, 1842.
- No. 3.—Certificate of J. Stocking, Esquire, dated Niagara, 8th September, 1842.
- No. 4.—Certificate of Edw. Powell, Esquire, dated City of the Falls, 15th August, 1842.
- No. 5.—Certificate of William Bradner, Esquire, dated Manchester, 19th August, 1842.
- No. 6.—Certificate of Magistrates of the Niagara District, dated June, 1842.
- No. 7.—Letter from Sir F. B. Head to Mr. McLeod, dated 2d March, 1844.

## No. 1.—Certificate of Robert E. Burns, Esquire.

This may certify that shortly before Mr. Alexander McLeod's going to the United States, in the year 1840, I advised him to go there for the purpose of looking up evidence in a matter connected with a suit of Boulton vs. Hamilton, in which certain matters came to my knowledge after the trial was over, that induced me to think that injustice had been done to the Defendant against whom the verdict was. I advised Mr. McLeod, who was the party really interested in the suit, by reason of his being the Deputy Sheriff of the District of Niagara, and who must eventually have paid the amount awarded, to go to the United States in order to look up the evidence connected with the matter, that I might proceed and support a Bill in Equity to restrain the Plaintiff from obtaining an Execution in the said matter.

And I hereby certify that I believe that the said Alexander McLeod did proceed to the said United States for the purpose of obtaining such evidence as I had advised him to do.

Toronto, 8th December, 1843.

ROBERT E. BURNS,

Of Counsel for the Defendant in the above suit.

## No. 2.—Certificate of Jonathan Bell, Esquire.

I certify that Alexander McLeod was arrested and brought before me, a Justice of the Peace of the County of Niagara, State of New York, for examination, on the 12th day of November, 1840, accused of aiding and abetting in murder, &c., as being one of the party who destroyed the Steamboat Caroline on the 29th December, 1837. It was not alleged, at the time the warrant was required against Mr. McLeod, that he had boasted of being one of the before mentioned party; nor was it sworn to, before me, on the examination, that he had made such boast in a tavern or elsewhere in the United States, and I have never heard that he has made such boast in the United

States at any time. I attended the trial of Mr. McLeod at Utica, and am under the impression that proof was introduced, at that trial, which would, in the slightest degree, authorize the report above referred to.

Given under my hand and seal, at Lewiston, County of Niagara, State of New York, this 24th day of September, 1842.

JONA. BELL. [L. S.]

## No. 3.—Certificate of J. Stocking, Esquire.

I have been intimately acquainted with Alexander McLeod since midsummer, 1834. In the year 1840 I was residing generally in Lewiston, in Niagara County, State of New York, and sometimes in Buffalo. Mr. McLeod had occasion to call on me several times during the summer of that year, in relation to a law suit in which he was deeply interested, in order to get evidence from me of an important nature to him. Once I remember he was accused publicly, or informed that he was accused of having been one of the party who destroyed the "Caroline"; he at once unequivocally denied having been one of that party; this was at the frontier house, Lewiston, some time in June, 1840. When Mr. McLeod was first arrested in September, 1840, he had been in Manchester, State of New York, to endeavour to obtain me and others as witnesses in certain suits about to be tried at the Assizes then sitting at Niagara, Upper Canada. I have heard it frequently asserted that McLeod boasted in Lockport, or in some other place on the frontier in the United States, that he was one of the party that destroyed the "Caroline." From my knowledge of Mr. McLeod, and from having heard him explicitly deny being at the destruction of that boat, I believe him incapable of making any such foolish boast. I have had considerable dealings with Mr. McLeod, when I was extensively engaged in mercantile business in this town, as a partner in the firm of Stocking & Grier. I have always found him act with honor, nor do I know of any instance of his ever having acted in any manner other than as a man of honor and integrity.

Niagara, 8th September, 1842.

J. STOCKING.

## No. 4.—Certificate of Edw. Powell, Esquire.

I do certify that during the summer of 1840, Alexander McLeod did come on two or three occasions to Lewiston, in the State of New York, where I was then residing, for the purpose of seeing me on very important business to him; that in the month of June, 1840, I did hear him accused of having been one of the party that destroyed the Caroline, and I did hear him strenuously deny having any hand in the matter. I was residing in Manchester, in the State of New York, on the 24th day of September, 1840, when said McLeod called on me on business; he was arrested, and being taken before a Magistrate, and an examination had, said McLeod protested his innocence of the charge made against him, nor did I hear any person or persons make any charge against him that he had boasted having been the man who killed Dur-

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see, &c. Mr. McLeod called on me again, on the 11th November, 1840, at Manchester, on the same business, which was of great importance to him, and was re-arrested at Lewiston, on his way back to Canada. I further certify that I had known the said Alexander McLeod intimately for years prior to the destruction of the Caroline, and subsequent up to the time of his arrest, and was frequently in his house when I was a resident in Niagara, Upper Canada; and I never did hear him say that he was one of the party that destroyed the Caroline, nor do I believe, from my knowledge of Mr. McLeod, that he would be guilty of so palpable an absurdity as to boast of having been a participator in a transaction with which he had nothing to do. I further certify that I was in attendance as a witness for Mr. McLeod's defence at Utica, but was not examined, or I should have deponed the same as this certificate.

Given under my hand at the City of the Falls, Canada West, this 15th day of August, 1842.

EDW. POWELL,  
Late Capt. 9th Reg't.

No. 5.—Certificate of William Bradner, Esquire.

I hereby certify that Alexander McLeod was arrested at Manchester, Niagara County, State of New York, on the 24th day of September, 1840, on a charge of having been one of those accused of having destroyed the Steamboat Caroline; the examination took place before me the same day, when the accused denied the accusation. There was no allegation made before me that he had at any time or place boasted that he was one of the party that destroyed the Caroline and murdered Durfee.

Given under my hand and seal at Manchester, Niagara County, this 19th day of August, 1842.

WILLIAM BRADNER, J. P.

No. 6.—Certificate of Magistrates of Niagara District.

NIAGARA DISTRICT,  
Canada West, June, 1842.

We whose names are hereunto subscribed, Magistrates of the Niagara District, have known Alexander McLeod since August, 1834, at which period he was appointed Under-Sheriff of this District. We are aware that, with few exceptions, the whole duties of the Sheriff's Office were performed by him; and so convinced were many of the Magistrates of his meritorious conduct in that important office during a time of great pecuniary embarrassment, and of his energy and intrepidity on several trying occasions, that on the death of Sheriff Hamilton, they signed a Petition to the Executive to appoint him Sheriff of the District.

During Mr. McLeod's imprisonment by the Authorities of the United States on the pretence that he was one of the destroyers of the Steamboat Caroline, we heard allegations against his character, namely,

that he was a defaulter to the Government, had absconded from his creditors, and had vain-gloriously boasted that he was one of the party that destroyed the Caroline, &c.; we believe these calumnies were without foundation, that they were engendered and assiduously spread by malicious individuals—enemies of peace and social order, that such slanders might conduce to the conviction and execution of McLeod, and consummate their ardent desire—a war between Great Britain and the United States.

D. McDUGAL, J. P.,  
and Lt. Col. 1st L. Militia,

ROBERT MELVILLE, J. P.,

SAM'L BIRDSALL, J. P.,

AMOS BRADSHAW, J. P.,

EDM'D RISELAY, J. P.,

and District Councillor,

JOHN MEWBURN, J. P.,

T. BUTLER, J. P.,

T. H. JOHNSON, J. P.,

LEWIS CLEMENT, J. P.,

JNO. L. ALMA, J. P.,

EDWARD EVANS, J. P.,

JOHN CLARK, J. P.,

DUNCAN MCFARLAND, J. P.,

and Member of the Niagara Dis. Council,

JAMES W. O. CLARK, J. P.,

and District Councillor. N. D.

No. 7.—Letter from Sir F. B. Head to Alexander McLeod, Esquire.

2, UPPER HYDE PARK,  
March 2, 1844.

DEAR SIR,—I have received your long letter of the 27th Jan'y, in which you detail to me the circumstances attendant upon your arrest, trial and imprisonment in the United States, and request me at my leisure to call on Lord Stanley and advocate your case.

I hope I need not say that during the progress of the events you have detailed, no one in England read of the treatment you received with greater indignation than I did. I felt and I feel that such treatment of a British Subject was disgraceful to the American name, and that the Government of this Country ought at least to have made atonement to you for an insult which I regret to believe they deemed it politic not to resent; indeed the loyalty you so conspicuously displayed on the breaking out of the rebellion in 1837, constitutionally entitled you to the especial protection of your Sovereign.

Although, however, I entertain those feelings, and indeed have expressed them as strongly as you could desire, I am sure that on reflection you will perceive

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that it would not be proper for me to address Lord Stanley on the subject.

As long as I administered the Government of Upper Canada, I did not hesitate to protect the loyal, and to do my utmost to crush the few designing men whose object was to overturn British Institutions.

But having retired from the position in which I was placed, it is now my duty to abstain from interfering with any Lieut. Governor or Governor General through whom alone applications, such as yours, ought to be addressed to Her Majesty's Government.

If Lord Stanley should deem it advisable to apply to me for my opinion of the manner in which you have been treated, I will, you may depend upon it,

not withhold it, and if he should desire to have my opinion of your loyalty during the time I administered the Government, I shall make it my duty to do you full justice.

I remain, Dear Sir, in haste,

Your faithful servant,

F. B. HEAD.

Alexander McLeod, Esquire.

P. S.—You may, if you desire to do so, make any use you like of this letter, in your application to Her Majesty's Government.

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## REPORT

OF THE

## SPECIAL COMMITTEE ON THE QUEBEC TURNPIKE ROADS.

LEGISLATIVE ASSEMBLY.

COMMITTEE ROOM,  
18th March, 1845.

Present :

Mr. CHAUVEAU,  
Honourable Mr. AYLWIN,  
Mr. CHABOT,  
Mr. LAURIN, and  
Mr. CAUCHON.

Mr. CHAUVEAU in the Chair.

The Special Committee to whom were referred the Petitions of R. G. Belleau and others, inhabitants of the County of Quebec, praying for certain amendments to the Ordinance relating to the Turnpike Roads in the neighbourhood of Quebec; of Augustin Dodier and others, inhabitants of the Parish of Beauport, in the County of Quebec, praying that the Tolls which they pay on the Turnpike roads may be diminished, and the rate at which they may be commuted, fixed by law; the Return to an Address of the Legislative Assembly to His Excellency, the Governor General, of the 5th January last, praying for detailed accounts of the transactions of the Trustees of the Quebec Turnpike Roads; and the Petition of William Sheppard and others, Trustees of the Quebec Turnpike Roads, praying for authority to raise a further loan of £8,882 to complete the Works on the said roads, have the honour to make the following Report :

Your Committee regret that from the advanced period of the Session at which the state of the affairs of the Quebec Turnpike Trust was referred to them, it has not been in their power to continue the inquiry which Your Committee have thought it their duty to make into the manner of collecting and laying out the Turnpike Revenue, and into the general affairs of the Trust. It is obvious from all the evidence taken before Your Committee, and to which they would beg to call the attention of Your Honourable House, that the management of the Turnpike roads has given rise to many complaints, and caused much dissatisfaction in the County of Quebec. It is certainly the result to be expected from the bringing into operation of every new system of taxation, whether direct or indirect. Your Committee are of opinion, however, that this dissatisfaction would have been greatly obviated if the Trust had not at first imposed so high a rate of Tolls as that which is at present in operation, and if they had worked equally on the whole extent of the roads under their control.

The absence of all responsibility on the part of the Commissioners, who receive no salary, and the great latitude which they must have allowed to the only paid officer under them, and who appears to be at the same time, Secretary and Superintendent of the Works, have necessarily contributed to render the proceedings of the Turnpike Trust rather unpopular.

Your Committee fear, however, that they would lose the opportunity of obtaining several alterations which they consider of the greatest necessity and importance, if they should recommend the repeal of the

existing laws on this subject, and the introduction of a new law; they will therefore merely make the following suggestions for the present: First; as the money which has already been borrowed by the Trust, and the proceeds arising from the heavy Tolls which have been levied on the public up to the present day, would only have contributed to the macadamizing and repairing of that part of the roads nearest to the City, if the Trust do not macadamize the whole extent of the roads under their control, Your Committee are of opinion that the prayer of the Trustees for a further loan of £8,882, should be granted, if recommended by a Message from His Excellency the Governor General. 2ndly; It has been suggested to Your Committee to place also under the control of the Trust, the road which leads to the Charlesbourg Church, and to remove the Toll-gate which is now at the entrance of the Beauport road, below the place at which the Charlesbourg road joins the road leading to Messrs. Smith and Anderson's bridge.

Your Committee having understood that it is proposed to erect a free bridge over the River St. Charles, or to acquire Messrs. Smith and Anderson's bridge in order to make it public, with a rate of Tolls merely sufficient to cover the expense of repairing it and keeping it up, are of opinion that in the latter case it would be advantageous to unite the Turnpike Tolls with those of the bridge, and in that case alone, Your Committee would recommend that the road leading to the Charlesbourg Church be placed under the control of the Trust.

3rdly. Your Committee recommend that the Tolls at all the Toll-gates under the control of the Trust, be reduced for summer vehicles to one half the rate asked at present, and which is detailed in Mr. Porter's evidence: one half to be paid on first passing through, and the other half on returning, provided that every person who shall have passed through and returned once, may again pass through and return at any time on the same day without further payment; and provided also, that the Trustees do not erect any other Toll-gates than those already existing, which would be a method of eluding this reduction.

4thly. Your Committee recommend that the Turnpike Trustees be held and obliged to compound with persons residing out of the City for the following rates:

1st. For persons residing at a distance of and beyond two leagues from the different Toll-gates, on each two-wheeled vehicle drawn by one horse, 15s.

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2d. For persons residing within two leagues of the different Toll-gates, 20s. to 25s.

3d. For waggons or four-wheeled vehicles drawn by one horse, with the exception of pleasure carriages, 40s.

4th. For four-wheeled vehicles drawn by two horses, pleasure carriages excepted, 45s.

5th. For each carriage, barouche or other pleasure vehicle on four wheels, drawn by two horses, £4 to £5; and that a deduction of ten per cent be made on each vehicle when any person shall compound for several.

Among other complaints which have been made to Your Committee, their attention has also been drawn to those on the subject of the Toll-gate erected under the name of Kilmarnock Toll-gate. This Toll-gate has been represented as a heavy tax on a portion of the Parish of St. Foy, and as not being susceptible of producing a revenue sufficient to cover its expenses. However, as some considerable expense has been incurred for the erection of this Toll-gate, and as it has been only a very short time in operation, Your Committee hope that the reduction of the Tolls will diminish the inconvenience to which it may have given rise, and as regards the revenue, they do not think themselves authorised to recommend its immediate suppression.

The whole nevertheless, humbly submitted.

PIERRE J. O. CHAUVEAU,  
Chairman.

## MINUTES OF EVIDENCE.

CHARLES PANET, of Quebec, Esquire, Advocate, appeared before the Committee, and was examined as follows:

1. Are you acquainted with any part of the roads subject to the provisions of the Ordinance 4th Vict. chap. 17, and of the Provincial Statute 4th and 5th Vict. chap. 72, taken under the management of the Trustees appointed by virtue of the said Ordinance, and which, instead of being improved by the said Trustees, may have been entirely neglected?—Yes, I am acquainted with St. Foy's road, commonly called "*la Suède*," and the road which leads from the "*Côte à Champigny*," to the farm called Hough's farm. The St. Foy's road commonly called *la Suède* was in great part only made last year in the course of the summer and autumn; there still remains a small portion to be made. The road which leads from the "*Côte à Champigny*" to Hough's farm, is not yet made, and there may be an extent of about half a league which yet remains to be made.

2. Is the proportion of the Turnpike Revenues paid by persons travelling on the said roads, you have just mentioned, very great?—Yes, the greater part and almost the whole of the revenues of the Turnpike called the St. Foy Turnpike, in my opinion, is paid by persons who travel on the roads which I have just mentioned.

3. Do you think that the Tolls exacted during the summer at the Turnpikes under the control of the Turnpike Trust, are exorbitant?—Yes, and they do not seem to me to be proportionate to the advantage derived by the public therefrom.

4. Do you think that if the rate of the tolls were reduced one half or one third, the Revenue would, if col-

lected with care and judiciously laid out, be sufficient for the keeping in repair of the roads, and do you think that such a reduction would increase the number of travellers?—Yes, certainly.

5. Do you think that the Trustees ought to be obliged to commute for an annual composition; that is, at least as regards the farmers residing in the environs of the City?—I think that it would be a justice to those farmers, and that it would not considerably diminish the Revenue.

6. Do you know if the public make many complaints with respect to the Tolls exacted at the Turnpikes, and to the manner in which the Revenue is laid out?—Yes, I have often heard complaints on this subject, and I believe that it causes a great deal of dissatisfaction in the City and County of Quebec.

7. Do you not think that the double Tolls which the inhabitants of Beauport are obliged to pay at Dorchester bridge and at the Beauport Turnpike are an exorbitant tax on the sale of their agricultural produce?—Yes, and so exorbitant that it may tend to discourage them, and to prevent them from bringing their produce to market.

8. Do you know a man named Moffet employed in receiving the Tolls at the Turnpike in the St. Valier Suburbs, called the St. Charles Turnpike?—I do.

9. In what circumstances was he before being employed as aforesaid?—He was a carter and owned a couple of vehicles, but I do not think that he was rich at that time.

14th February, 1845.

RENE GABRIEL BELLEAU, of Quebec, Esquire, Notary, was examined as follows:

10. Are you acquainted with any part of the roads subject to the provisions of the Ordinance 4th Vict. chap. 17, and of the Provincial Statute 4th and 5th Vict. chap. 72, taken under the management of the Trustees appointed by virtue of the said Ordinance, and which, instead of being improved by the said Trustees, may have been entirely neglected?—Yes, I reside at St. Foy's; I am acquainted with that road and with the *Suède* road, and that one called "*le Chemin de Champigny*," as far as Mr. Hough's farm. When the Turnpike Trust came into operation, the road which leads from the limits of the Town to St. Foy, at the farm of one Pagé, a distance of four and a half miles, had been macadamized and was in good order. The Turnpike Trust however, caused this road to be turned up and newly macadamized, and also caused the road from Pagé's to the *Suède* road, and from that road to the "*Chemin de Champigny*" to be macadamized. Before the *Suède* road was macadamized, it was the worst road in the District of Quebec; and if the Trust had not gone to the expense of newly macadamizing the St. Foy's road as far as Pagé's, I think they might have finished macadamizing the whole of the *Suède*, St. Foy and *Champigny* roads as far as Hough's farm, last year, and even before that time. The road which leads from *Côte à Champigny* to Hough's farm (a distance of half a league) is not yet made.

11. Is the proportion of the Turnpike Revenues paid by persons travelling on the said roads you have just mentioned, very great?—Yes, the greater part and almost the whole of the Revenues of the Turn-

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pike called the St. Foy Turnpike, are in my opinion, paid by persons who travel on the roads I have just mentioned.

12. Do you think that the Tolls exacted during the summer at the Turnpikes under the control of the Turnpike Trust are exorbitant?—They are indeed exorbitant and do not seem to me to be proportionate to the advantages derived therefrom by the public.

13. Do you think that if the rate of the Tolls were reduced one half or one third, the Revenue would, if collected with care, and judiciously laid out, be sufficient for the keeping in repair the roads, and do you think that such a reduction would increase the number of travellers?—The rate of Tolls now demanded, is, in my opinion, too high, and, if reduced one half would be sufficient; that would have the effect of increasing the number of travellers, so that the Turnpike Revenues would increase in proportion. The Tolls collected in summer, up to and during last summer at the St. Foy Turnpike, were at the rate of sixpence for each vehicle drawn by one horse, and not less than four pence. This difference arises from the width of the tires of the wheels, and from the difference in the form of the vehicles. For a vehicle without springs, the wheels whereof have tires or fellies of the breadth of five inches, a rate of fourpence is exacted; and for a vehicle with springs, the wheels whereof have tires or fellies of less breadth, a rate of sixpence.

14. In what manner are the tolls levied?—The whole of the Toll for going and returning is paid the first time the vehicle passes through, and it returns without further payment, provided it be on the same day. And every person may go and return several times on the same day through the same gate, without paying more than once, provided it be not in a carter's vehicle, having a number thereon. Carters are obliged to pay twice when they go out of Town by one gate and return by another. Thus, a *habitant* who comes to town in the evening and returns in the morning is obliged to pay twice. It has also happened to my knowledge, that carters driving a person to the country and returning with another person in their vehicles are obliged to pay twice. That appears to me to be imposing an extortion upon a class of men who, in general, have little means. I am of opinion that the Tolls ought to be diminished; that one half should be exacted in passing, and the other half in repassing. It sometimes also happens that a *habitant* who has brought a load of wood, hay, &c. to market, and who returns home to get another load, if he is obliged to change horses, must pay again. All these rules appear to me, and to every body else, to be unjust.

15. Do you think that the Trustees ought to be obliged to commute for an annual composition, that is, at least, as regards the farmers residing in the environs of the City?—Yes, I think that would sensibly affect the Revenue.

16. On what footing do you think that a commutation or composition should be established?—By reducing one half the Tolls paid last year at the St. Foy Turnpike, which were the same as those paid at the other Turnpikes; I think that a composition at the rate of 15s. per annum on each horse and vehicle would be just and equitable.

17th February, 1845.

R. G. BELLEAU, Esquire, is re-examined:

17. Do you know if the public make many complaints with reference to the Tolls exacted at the

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Turnpikes, and to the manner in which the Revenue is laid out?—There are a great many about the manner in which the Revenue is managed. The Tolls are too high and are badly managed. From last year's Revenue a sum exceeding £1,200 was paid to the Secretary, Toll-gate keepers, and foremen. These Revenues amount to almost 3,000. The Secretary of the Trust receives a sum of £300, according to some people, and of £400 according to others. I remark that in the account rendered by the Trust, and forming part of the Appendix to the Journal of the last Session of the first Parliament, Mr. Porter, who held that office, received, up to the 30th of April, 1842, £350, and from the 1st May to the 31st December, of the same year, £200, and in the accounts of that year the sum of £265; it does not appear to me from that, that he had a fixed salary. This Secretary is publicly considered as the sole master, and appears to conduct all the affairs himself without being responsible in any way. So much so, that the Contractors and other workmen employed by the Trust, do not, or will not in some cases, work more than the Secretary may think proper or may order. I think that his salary as Secretary is too high, and that the duties of that office might be honestly performed for a sum of from £100 to £150. I remark that some Toll-gate keepers act as foremen and conductors of the works on the roads, leaving the gates in charge of persons not recognized as such; and in that case those Toll-gate keepers receive a double salary. The Secretary is the proprietor of a considerable lot of land at St. Foy, and having to dispose of a part thereof, in order to do so with advantage, made use of his connection with the Turnpike Trust, by promising to the purchasers that as he was the Secretary of the Trust they would have nothing to pay for the price of the sale, as he would let them make it up in working for the Trust. I have this information from Felix Belleau, blacksmith, and William Meek, a farmer, at St. Foy; and, in fact, I find by the account rendered, that these persons who acquired two of the lots put up for sale, have since constantly worked for the Trust. It has been the same case with Thomas Edgar, John West of St. Foy, and a Mr. Shaw of Quebec, merchant, who acquired other lots, and whose names are in the accounts rendered, as having received money for work done and goods bought for the Trust. I know that the workmen employed by the Trust, under the superintendence of George Thompson, have cleared the land adjoining part of the road known as "Porter's road" at St. Foy, which is neither verbalised nor public, but solely for the use of the persons who have acquired lots of land from Mr. Porter.

18. Do you know if there are any complaints about a newly erected Toll-gate called the "Kilmarnock Turnpike," and can you tell what is the object for which that Turnpike has been established?—Yes, there are a great many complaints about that Turnpike. It is situated on the Cap Rouge Road at its junction with the Sillery Road. The object which appears to have been had in view in establishing that Turnpike is to lay a tax on farmers going from St. Foy to the Coves to sell their goods. Persons who pass through this gate, especially those who come from St. Foy, have to pass over a very small portion of the road under the management of the Trustees—the greater part of the roads which they have to pass over, are roads which the Trustees have not yet taken under their control.—The people of the Coves are very poor; they are at a distance of about five miles from the Lower Town Market; this Turnpike prevents the establishment of a market more at hand. Since that Turnpike has been erected, the inhabitants of St. Foy have almost all left off bringing their goods to the Coves.

19. Will you examine the account rendered by the Trust for this year, and referred to this Committee,

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and peruse, if you think proper, the vouchers filed in support thereof, and please make any remark or observation to the Committee, which the examination of these documents may suggest to you?—I see in these accounts a sum of £152 paid for the construction of a house for the keeper of the St. Foy Turnpike, in lieu of that which has heretofore existed;—this new building has been erected with an extravagance not to be found in the houses of families pretty well off, residing in the country or even in the Town; I think the old house was quite convenient enough for the keeper of the Toll-gate, so that I consider the expense incurred for this new house as totally useless. I perceive, by these same accounts, that a sum of £108 and over has been employed in the purchase of the lot of land, and in building the Toll-house at the “Kilmarnock” Turnpike, and I even consider this expense as useless, without including the salary of the keeper, for a Turnpike at this place is but an obstruction which prevents people from passing at all, without producing a revenue sufficient to cover its expenses. Since it has been established, as may be seen by the accounts rendered, it has produced £4 8s. and the keeper has received £3 from the Trust, and there are £3 11s. 3d. for the winter road. The clear profit is a loss to the Trust of two pounds, without including the heavy expenses I have just alluded to. On the list of foolish and useless expenses I also place the purchase by the Trust of a lot of land at the head of the “*Suède*” Road, for £25, for the purpose of constructing thereon a house and Toll-gate; this lot was purchased from John West; the money has been paid, and the Toll-gate has not yet been erected, and I have heard it said that the Trust had abandoned the idea of making it. I consider also as an useless expense the daily charge of five shillings paid to foremen, by the Trust. Those foremen are too numerous; they do not work themselves, and a very small number would be sufficient to superintend the workmen; the men employed in working are, for the most part, lazy, and as the Trust pay them by the day, they do the work as slowly as possible. The winter roads are badly kept up, and part of the money expended for that purpose is injudiciously laid out. I again consider as a useless expense, that of renting certain lots of land on the roads under the control of the Trust, for the purpose of depositing stone thereon,—as the Contractors are obliged by the conditions of their contracts to deliver the stone as fast and as soon as the Trust may require it, and on the road on which it is required.—And lastly, all the people employed on the St. Foy, *Suède*, and Cap Rouge Turnpike Roads, are strangers to the country.

18th February, 1845.

Mr. BELLEAU's examination continued:—

20. Are there any complaints in public of the manner in which the contracts are given out by the Trust?—Yes, there are many complaints, and they are such as to be the cause which has prompted the Petitioners to apply to the Legislature; complaints are made of favor and partiality being shewn in the manner of making awards on the Tenders filed at the Office of the Trust.

21. Do you think that the sums entered as being the revenue of each Toll-gate, are the real amount which is collected?—I doubt it.

22. What are your reasons for doubting it?—The Turnpike on the Cove road produces little more than the St. Foy Turnpike, whereas it ought to produce at least double the revenue of that of St. Foy, for this reason, that the number of persons passing through the Cove Turnpike is double the number of those who pass

through the St. Foy Turnpike, as the lumber trade which is carried on at the Coves and on the other side of the Turnpike on the Cove Road, brings double the number of persons through that Turnpike. The revenue derived from the Beauport Turnpike ought to exceed that which appears by the accounts to have been received, especially that derived during the summer months, by the great number of strangers who pass through that gate, which is treble the number of those who pass every day. Moffet, the keeper of the Toll-gate, called the St. Charles Turnpike, told me himself that the revenue derived from that Turnpike was double that derived from the St. Foy Turnpike, nevertheless I see by the account, that the difference of the revenue of each of those Turnpikes, is only £28 in favor of the St. Charles Turnpike.

23. What changes would you suggest in the provisions of the law now in force, in order to remedy the abuses you have just described?—Besides the reduction of the Tolls, I would suggest the following:—To concentrate in one single person, who would alone be responsible, all the powers now vested in the Trustees; to oblige the Trustees, or the person who would be substituted to them, to receive compositions at the rate I have already mentioned; to repeal the whole of the nineteenth clause of the Ordinance, which obliges the proprietors of lands, the roads in front of which are under the control of the Trustees, to pay a sum of money in certain cases;—the reason for which this clause ought to be repealed, is, that those proprietors do pay for those roads by the sums which they pay daily to the receivers of the tolls; to divest the Trustees of the privilege granted them by that Ordinance of making and opening any road, and to enact that they shall have no right to open any road unless at the request of the majority of the parties interested in the opening or in the blocking up thereof; to limit the power which is vested in the Trustees, of erecting more than one Toll-gate on each road: in my opinion one Toll-gate would be sufficient on each road under the control of the Trustees; it would not be inconvenient to the proprietors of lands, nor prevent them from attending to their labours from one farm to another, or from communicating from one neighbour to another, and the revenue would not be diminished by having only one Toll-gate; to take from the Trustees the power of making ditches and drains inside the fences on the lands belonging to private individuals. Those are, among others, the amendments which I will suggest at present.

24. Do you think it would be advantageous to farm out the revenue of the Toll-gates by public auction?—In my opinion the Toll-gates ought to be farmed out as soon as possible, especially if the powers of the Trustees be not or cannot be concentrated in one single person, to be alone responsible, as I have already above mentioned.

25. Do you think it would be advantageous to the public to authorise the Trust to effect a further loan?—I think that as long as the present system is in force, every other sum granted for the improvement of the roads placed under the direction of the Turnpike Trustees will be employed and expended as every other sum of money which has been at their disposal; that is, generally, in a foolish manner, and without advantage to the public.

19th February, 1845.

Mr. MICHEL GAUVIN, of Quebec, Livery Stable Keeper, and proprietor of a line of Stages, called in and examined:

26. Are you acquainted with any part of the roads subject to the provisions of the Ordinance 4th Victoria,

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chap. 17, taken under the management of the Trustees appointed by virtue of the said Ordinances, and which, instead of being improved by the said Trustees, may have been entirely neglected?—Yes, the Trustees began by renewing the whole of the road from the St. Foy Toll-gate to the farm of one Pagé, a distance of about four miles, which was in good order, while the road from Pagé's to "Hough's Farm" was in a shocking state, and they continued working on the first part of the road I have mentioned during two consecutive summers, while they only began to repair that part which needed it most, in the third year after taking possession. Even then they only repaired two miles, and last summer about two miles more of the road; and there still remains a distance of about two miles and a half which is in the worst possible state.

27. Is the proportion of the Turnpike revenue paid by persons travelling on the said roads which you just mentioned very great?—Yes, a very great proportion of the Turnpike revenue proceeds from persons who travel on this road—That part of the road which is not yet repaired, includes part of the Post Road between Quebec and Montreal.

28. In what manner are the roads under the management of the Trustees kept up during the winter?—I am the proprietor of the Green Line of Stages between Quebec and Montreal, and I have had the Mail Contract between Quebec and Montreal during eleven years and a half up to the 6th November last.—The road which lies between the St. Foy Church and Hough's Farm has been in a worse state than that in which other roads generally are, although it is the Post Road.

29. Do you think that the Tolls exacted during the summer at the Turnpikes under the control of the Turnpike Trust, are exorbitant?—Yes, I think so, and they do not seem to me proportionate to the advantage which the public derives therefrom.

30. Do you think if the rate of Tolls were reduced one half or one third, the revenue would, if collected with care and judiciously laid out, be sufficient for the keeping in repair of the roads, and do you think that such a reduction would increase the number of travellers?—Yes, certainly.

31. Do you think that the Trustees ought to be obliged to commute for an annual composition, that is, at least, as regards the farmers residing in the environs of the City?—Yes, I think it would be doing justice to the public in general and especially to the farmers, and the revenue, instead of diminishing, would be greatly increased on account of the greater number of travellers.

32. Do you know if the public make many complaints with reference to the Tolls exacted at the Turnpikes, and to the manner in which the Revenue is laid out?—Yes, there are many, and I think it creates a great deal of discontentment among the public.

33. Do you not think that the double Tolls which the inhabitants of Beauport are obliged to pay at Dorchester Bridge and at Beauport Turnpike, are an exorbitant tax on the sale of their agricultural produce?—Yes.

34. Do you know a man named Moffet employed in receiving the Tolls at the Turnpike in the St. Valier Suburbs, called the St. Charles Turnpike?—Yes.

35. In what circumstances was he before being em-

ployed as aforesaid?—He seemed to me to be very poor.

36. In what manner are the Tolls levied?—The Toll for going and returning is paid on first going through, and nothing is demanded on returning, provided it be on the same day and with the same horse and vehicle and the same persons. I think the Tolls ought to be diminished one half during the summer, and remain as they are during the winter; that one half should be paid on going and the other half on returning. The Toll demanded at present is twopence in winter and sixpence in summer.

37. According to what scale would you propose the commutation or composition to be made?—I think that twenty shillings per annum for each horse and vehicle would be sufficient to give to the Trust a large amount of Revenue.

38. Have you examined the account rendered by the Trust and referred to this Committee, and do you think that the different sums appearing in that account as the Revenue of each Toll-gate, are really the amount collected by the receivers of Tolls at each of the gates?—I have examined the account and am of opinion that more money is received at the different Toll-gates than appears in the account, as I myself know the number of vehicles which pass through the gates, and as I myself pay Toll as an owner of vehicles, I am much surprised that the Revenue is not more considerable. The expenses included in the said account do not seem to me proportionate to the work done on the roads.

39. Have you any remarks to make on any of the expenses mentioned in the account, and what are they?—I know that strangers and people who are generally idle are employed and paid by the day; I think that by that means a great deal of useless expense is incurred. The Trustees have erected a new house for the keeper of the St. Foy Turnpike; that is, in my opinion, an useless expense; the former house was all that was required, and at least as good as those of the other Toll-gates. No expense has been spared in erecting the new house, and it has been done in a very extravagant manner. The ground also, for the Kilmarnock Toll-gate cost very dear, as the account will show; it appears also by the account, that this gate produces nothing, and is but an useless expense.

40. Do you think the system of keeping up the roads, advantageous to the Public?—Yes, but the present law would require many changes.

41. What changes would you suggest?—I would suggest that the revenues of the Toll-gates should be farmed out to the highest bidder—I would also suggest that the work to be done on the roads should be given out by contract for the lowest tenders, and that the tenders should be unsealed only in the presence of all the persons making such tenders assembled together, and only at the exact moment of the expiration of the delay granted for filing them. I think also, that it would be just to repeal the clauses of the Act which oblige proprietors of lands on the roads under the control of the Trust, to pay a sum of money instead of the statute labour which they were obliged to perform under the old laws, and also the clauses which authorize the Trustees to make ditches and drains inside the fences.

42. Do you think it would be advantageous to the Public to authorize the Commissioners to effect a further loan?—Yes, it would be very advantageous, pro-

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vided an alteration were made in the manner of managing the whole.

20th February, 1845.

MR. BENJAMIN VOHL, of the City of Quebec, Optician, was examined as follows :

43. Are you acquainted with any part of the roads subject to the provisions of the Ordinance 4th Vict. chap. 17, and of the Provincial Statute 4 and 5 Vict. chap. 72, taken under the management of the Trustees appointed by virtue of the said Ordinance, and which, instead of being improved by the said Trustees, may have been entirely neglected?—Yes, I am acquainted with a great part of those roads, especially the St. Foy and St. Charles roads, a portion of which is not made. The St. Charles road is divided into two portions; one is the high road along the south bank of the River St. Charles as far as the "Red bridge," and the other is the high road along the north bank of the River St. Charles from Scott's bridge to the said Red bridge. The Turnpike Trust began by repairing that portion of the above mentioned roads which required no improvement, while that portion which required it the most has not been improved, especially that part of the road which runs along the south bank of the River St. Charles, which is impassable in the spring and autumn, so that the Country people cannot come into Town. The Red bridge, which is also comprised within the limits of the roads under the management of the Trustees, was carried off by the ice during the spring, and the Trust remained a whole year without re-building it; it is not even finished yet, which is a great inconvenience to the people who live within a circle of three quarters of a mile from it, and who cannot communicate with each other without taking a long turn, about the distance of a league. The inhabitants of Quebec were even obliged to go a long way round, and it has caused a sensible decrease in the Turnpike Revenue. I am acquainted with the *Suede* road from Pagé's to Hough's farm. That road is not yet finished, and there yet remains to be done a distance of about two miles and a half.

44. In what manner are the winter roads kept up?—A portion of the Turnpike road called the *Suede* road, which has been repaired by the Trustees, is very bad in winter, because the Trustees do not keep it in repair; and the repairing of it is left to the *habitants*, who for their part do not think themselves obliged to do so, as they allege that the Trustees, having taken it under their management, and receiving the Revenue therefrom, ought also to keep it in repair. To my knowledge, also, the Trustees threatened to fine the Road Inspector for the *Suede* road if he would not make the *habitants* keep up that road in winter. Last winter the Trustees brought an action against one Julien, who resides on the Turnpike road which runs along the south of the River St. Charles, to oblige him to repair the road in front of his land, and the action having been dismissed, the road was not repaired and remained impassable during the whole of last winter. As to the *Suede* road, which is the Post road, the majority of the inhabitants of the environs of the City travel on that road, and the greater part of the Revenue collected at the St. Foy Turnpike, is paid by persons who are obliged to pass on that road. As to the unfinished part of the road on the north and south of the River St. Charles, it is, with the Beauport road, the most frequented of all the roads under the management of the Trustees. It is certainly the most frequented in winter; during that season, this year especially, the *habitants* made use of it in preference to the *Suede*

road to bring their provender and goods to market, and it has also been more made use of by travellers from the upper parts of the country.

45. Do you think that the Tolls exacted during the summer at the Turnpikes under the control of the Turnpike Trust, are exorbitant?—I think they are much higher than they ought to be.

46. Do you think that if the rate of Tolls were reduced one half or one third, the Revenue would, if collected with care and judiciously laid out, be sufficient for the keeping in repair of the road, and do you think that such a reduction would increase the number of travellers?—I have a farm at Ancienne Lorette where my family resides, and I have a shop in town to which I come every day; I can myself see that a sufficient number of persons pass through the Toll-gates to justify a reduction of the Tolls to one third or even one half during the summer, if a strict account thereof were rendered, and if the money were better laid out. If a reduction were made, the *habitants* would come into Town more frequently, as the present rate of Tolls is too heavy for them. I know my neighbours in the Country are prevented from coming to Town on account of the Tolls. Sixpence is no small sum for a *habitant* to pay when he brings to market a load of sticks which brings him only 1s. 8d. The Legislature in the last Session, for the encouragement of agriculture, passed a law to allow all vehicles containing manure to go free through the Toll-gates. I think that a very liberal reduction should be made in favour of vehicles containing agricultural produce.

47. Do you think that the double Tolls which the inhabitants of the north side are obliged to pay on account of the Beauport Turnpike and of the Dorchester bridge, are exorbitant?—They are, and serve only to discourage them, and to prevent them from bringing their produce to market. I think that if a free bridge is not constructed over the St. Charles, the Tolls on the Beauport road will necessarily have to be reduced to one third.

48. Do you think that the Trustees ought to be obliged to commute for an annual composition, that is, at least, as regards the farmers residing in the environs of the City?—Yes.

49. At what rate would you suggest a composition to be made?—I think that for each horse and vehicle belonging to a *habitant*, three or four dollars *per annum* would be sufficient.

50. Do you know if there are many complaints among the public about the Tolls and the manner in which the Revenue is laid out?—Yes, there are many.

51. In what manner are the Tolls levied?—The whole amount of the Tolls is paid on going through the first time, and nothing is paid on returning, if it be with the same horse and on the same day. But if a farmer who comes to Town with a load of hay or other agricultural produce, does not return the same day, which is often the case, he pays one shilling to sell his load. If he is a farmer from Beauport he will have to deduct two shillings from the price of his load of hay, which he sells for about six or seven shillings. It is a tax of one third on agricultural produce, and on many articles of produce, a tax of fifty per cent. This tax is still heavier on the inhabitants of l'Ange Gardien and the lower Parishes, who have to pay in addition a Toll of 4d. on each vehicle at the bridge above the Falls of Montmorency.

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Mr. VOHL's examination continued :

52. Do you know a man named Moffet employed in receiving Tolls at the Turnpike in the St. Vallier Suburbs, called the St. Charles Turnpike?—Yes, perfectly, and I have known him for several years.

53. In what circumstances was he before being employed as aforesaid?—He was a carter, and did not succeed in that capacity; he was considered as poor up to the time when he was appointed keeper of the Toll-gate on the St. Charles road; now he seems to be pretty well off.

54. Have you heard any complaints on the subject of a new Turnpike called the Kilmarnock Turnpike, and can you say for what purpose that Turnpike was established?—The general opinion is, that its object is to prevent the *habitants* from bringing their produce for sale to the Coves and to Sillery, where the lumber trade is extensively carried on, and where there is a large population who are at a considerable distance from the Quebec markets.

55. Is the Toll-gate on the River St. Charles road erected in a convenient place?—No, it is too near the City, so that a very great portion of the inhabitants of the St. Vallier Suburbs who reside beyond the Toll-gate, are obliged to pay the Tolls every day, and often several times a day. There are in that part of the Suburbs a great number of butchers who are obliged to pass every day and often several times during the day, with their vehicles and cattle, for which they must pay Toll. This Toll-gate should, in my opinion, be removed to the place generally known as the Blue House at the extreme end of the St. Vallier Suburbs.

56. Will you examine the account rendered by the Trust for this year, and referred to this Committee, and peruse, if you think proper, the vouchers filed in support thereof, and please make any remark or observation to the Committee which the examination of those documents may suggest to you?—I perceive by the account that 2s. 6d. have been paid for each box of stone, whereas I have often been told by the inhabitants of my Parish and St. Ambroise, whom I have met last summer carting stone, that the price paid for each box was 2s. Another item which astonishes me is that of £500 which is owing to Moffet the keeper of the St. Charles Toll-gate, and I am surprised at his being able to make such a loan to the Trust. An item which strikes me as singular is the newly erected house intended for the keeper of the St. Foy Toll-gate; this house has been built in an extravagant manner, and cost, according to the account rendered, £152. It was substituted for the former house which was quite sufficient for the keeper, and I think that sum of money was actually thrown away.

57. Do you think that the sums entered as being the revenue of each Toll-gate, are the real amount which is collected?—I am surprised, that from the accounts rendered, the Turnpikes have produced so little revenue, the Beauport Turnpike in particular, through which the inhabitants of the North side are obliged to pass when they come to Quebec, as are also the strangers who visit the Falls of Montmorency.

58. Do you think it would be advantageous to farm out the Toll-gates?—It would certainly; the Toll-gates might be farmed out for a much higher sum than that which appears in the account of the Trustees. The public seem to be under the impression that the receivers of Tolls do not render a faithful account. These persons are under no control whatever. I know

persons who would not refuse to offer a much higher sum for the Toll-gates than they appear to bring at present.

59. Have you anything else to suggest to the Committee? I think that the clauses of the Ordinance which allow the Trustees to make ditches and drains inside the fences on private property should be repealed.

24th February, 1845.

VINCENT BELANGER, of the Parish of Beauport, Esquire, Captain of Militia, is called in and examined.

60. Are you acquainted with any part of the roads to which the provisions of the Ordinance 4 Vict. chap. 17, and of the Provincial Statute 4 and 5 Vict. chap. 72, extend, taken under the control of the Trustees appointed under the said Ordinance, and which instead of being improved by the said Trustees have been entirely neglected?—I am acquainted with that part of the said roads which lies between Dorchester Bridge and the Montmorency Falls. In 1842 the Trustees began to exact Tolls at the Turnpike; a distance of one league less seven arpents of the said road, from the Toll-gate to the farm of one Alexandre Marcoux, was at that period improved. There remains yet about one mile of the road to be repaired, and it is in a shocking state.

61. What revenue do you think the Beauport Turnpike ought to produce?—I think it may give about seven or eight pounds per diem on an average, from the 1st May to the 1st November. In winter it produces I believe, about three or four dollars per diem. On some days more than two hundred cart loads of lime pass on that road, but I think upon an average about a hundred cart loads pass every day during the summer. Besides the lime, I think that in summer, at least, three hundred vehicles belonging to *habitants* pass through that Turnpike, and there are more over a great number of strangers who travel on that road on their way to visit the Falls of Montmorency.

62. To what sum do the Tolls at the Turnpike and at the Dorchester Bridge amount?—The Toll demanded at the Toll-gate is 6d., and at the bridge 8d., but ever since mid-summer when a free bridge was talked of, the Tolls have been reduced to one half on Dorchester Bridge for the people from Beauport. However, the Toll actually paid amounts to 10d. on each load. A load of lime brings from 2s. 6d. to 5s.; in summer a load of wood sells for 1s. 8d. to 4s. There are some people at Beauport who hold lots of land but who only carry on the business of gardeners; they are obliged to hire a vehicle at 2s. or 3s. in order to bring the produce of their gardens to market, and besides have to pay Toll at the Turnpike and at the Bridge. Each cart-load which they sell at the market may bring at the utmost 10s. or 20s. A load of hay generally contains one-third of a hundred bundles, and hay is generally sold at from four to six dollars per hundred, which makes from 6s. to 10s. per load; and it often happens that it is not sold on the same day, and toll must be paid on returning the next day, which makes 1s. 8d. to be deducted from the load.

63. Do you think that this rate of Tolls prevents many persons from coming to market?—Yes; if the Tolls at the Turnpike and the Bridge were not so high, a great many more articles of produce would be brought to market than are at present; it prevents a great many of the country people from coming in on account of the expense incurred on the road for the Toll-gate, and

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bridge, and the cheapness of provisions, which reduce to nothing the amount received by them. This affects principally the people from St. Joachim, who have to pay Toll at three bridges and one Toll-gate.

64. Do you think that if the Tolls of the Turnpike were reduced one half or one third, the Revenue would considerably diminish?—No, it would increase, for instead of one cart load, two or three would pass through.

65. What sort of people have been employed on the roads?—They are Irishmen; none of the country people have been employed, with the exception of two or three individuals who were employed last year. There are, nevertheless, a great many young men in our Parish who would wish for nothing better than to work on the roads. I have heard that some of them asked Mr. Murray, who hires the labourers, to give them work, but that he had refused. The labourers who are employed are lazy, and three of them do not work as much as one of our *habitants* would.

66. Would you advise the Revenue of the Toll-gates to be farmed out?—I do not know what would be the consequence. I think, however, that the Beauport Toll-gate ought to produce double the amount mentioned in the account of the Trustees.

25th February, 1845.

The Honorable LOUIS PANET, of the City of Quebec, Notary Public, called in and examined:

67. Have you not been one of the Trustees of the Quebec Turnpike roads?—Yes, I was appointed one of the Trustees of the Quebec Turnpike Trust in February, 1844, and I continued to act as such up to September or October in the same year, when I resigned.

68. Will you state your reasons for resigning?—The motives which induced me to resign, were, in the first place, my professional occupations, which did not allow me to give the time which I thought necessary for the affairs of the Trust, and in the second place, I was a little disgusted at finding myself often alone in a division on questions the most important to the public interest. For instance, when the Tolls were established, I was strongly opposed to the rate which was fixed upon, and at which they have since remained; I found them much too high, and I insisted upon their being reduced one half; I was also of opinion that the Tolls should be divided, so as to pay one half on going and the other half on returning.

69. Please look over the account rendered by the Trustees for this year, referred to this Committee, and make such remarks thereon as you may think proper?—I am astonished at the small amount of the revenue of the Beauport Toll-gate. I always thought that Toll-gate produced the most after the St. Charles Toll-gate, I cannot account for it. The revenue of the other Toll-gates is such as I always thought it would be. The Beauport Toll-gate ought, in my opinion, to produce double the amount mentioned in the account.

70. Are there many complaints among the public on the subject of the Turnpikes?—Yes, there are many, but I do not think them all well-founded. The measure was in itself a very unpopular one, and it is not astonishing that it has raised such an outcry.

71. Do you know one Moffet, keeper of the St. Charles Toll-gate, and what were his means before he was appointed keeper?—I have long known Moffet;

he was a poor carter, but very honest and industrious. When the Turnpike Trust had advertised for tenders for macadamizing the roads, and found the proposals to be so high that it was impossible for them to undertake the works, Moffet came forward and offered to furnish broken stone and deliver it at the place required at the rate of 4s. per box, which made a considerable reduction, and a difference of from £1500 to £1600 on the proposals which had been made to the Trust, so that at that time Moffet's proposal was accepted. Now Moffet has furnished all the stone used in macadamizing the St. Charles road at the above rate, and it is on that bargain that he has made considerable profit, by which he has been enabled to lay out his money in the purchase of Turnpike Debentures. He has furnished 13,240 boxes of broken stone at 4s. After Moffet had fulfilled this engagement in September, 1841, he was, on my recommendation, appointed keeper of the St. Charles Toll-gate; I recommended him because I was aware of his being, in every respect, qualified for that office. Moffet was known to me personally, and he had, moreover, been recommended to me in very favorable terms by Messrs. Charles Smith and George Burton, the former Commissioners for the improvement of the roads in the neighbourhood of Quebec in 1831.

72. Do you think a composition ought to be made?—Doubtless, it ought, it would be advantageous to the public; the Trustees have not yet done so.

73. What rate of composition would you suggest?—I think that from three to four dollars per annum would be sufficient for people residing at a distance. As to those residing on the road under the control of the Trust, they ought to pay from five to six dollars per annum for each horse and two-wheeled vehicle. A higher rate might be demanded for carriages.

74. Do you think it would be convenient to farm out the revenue of the Turnpikes by public auction?—I think it might perhaps be advantageous to do so; I would not, however, recommend such a step at present; and until the public are more accustomed to the present system of Tolls, I would not place them at the mercy of greedy lessees who might not be as liberal towards them as the Trust have hitherto been.

75. Have you anything else to suggest to the Committee?—I think the Turnpike roads ought to be completed as soon as possible as far as the limits determined by the Ordinance. It would have the effect of rendering these roads of some use to the people residing at a distance, and who have hitherto derived no advantage from the establishment of the Turnpikes. If that were done and the Tolls reduced, I have no doubt that the Turnpike system would become popular. I think it would be expedient to place a much greater extent of roads under the operation of this system; for instance, it would be expedient to macadamize the St. Claire road running from the road which lies north of Scott's bridge to Charlesbourg, and to continue it as far as the St. Ambroise Church. I think that the Charlesbourg road running from Dorchester bridge to the Church, ought also to be macadamized.

27th February, 1845.

The Reverend PIERRE HUOT, Priest and Curé of the Parish of St. Foy, was examined as follows:

76. Are you acquainted with any part of the roads subject to the provisions of the Ordinance 4th Vict. chap. 17, taken under the management of the Trustees appointed by virtue of the said Ordinance, and which instead of being improved by the said Trustees, may

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have been entirely neglected?—I am acquainted with that part of the road which lies between the “*Cote à Champigny*” and “*Hough's Farm*”; it has not been repaired. The road leading from the City to Pagé's which was macadamized when the Turnpike Trustees undertook the management of the roads, was newly macadamized before other parts of the roads were repaired, with the exception, however, of the road from Pagé's to the Church, which, if I remember right, was repaired first; this latter part of the road was in the worst order, and the road from Pagé's to the Toll-gate required also to be repaired.

77. Is there a great proportion of the revenue derived from persons who pass on that portion of the road which you say has not been repaired? Yes, a great proportion is derived from people who pass on that road.

78. Do you think that the Tolls exacted during the summer, at the Turnpikes, are exorbitant?—I do not think them exorbitant, but much too high. I think there is no proportion between the Tolls demanded for the poor man's vehicle and for the rich man's. In the first case it appears that the highest rate of the Tariff allowed by the Ordinance has been exacted, and that in the second case the full amount has not been demanded.

79. Do you think that if the rate of Tolls were reduced one-half or one-third, the revenues would, if collected with care and judiciously laid out, be sufficient for keeping the roads in repair; and do you think that such a reduction would increase the number of travellers?—I think that if the Tolls were diminished one-third, the number of travellers would increase; I will not undertake to say that the revenue would then be sufficient, but I should think it would.

80. Do you think that the Trustees ought to be obliged to commute for an annual composition, that is, at least, as regards the farmers residing in the environs of the city?—Yes, certainly—not only as regards the farmers but every other person who might be disposed to commute.

81. At what rate would you suggest the composition to be made. To the best of my judgment the following rates would be reasonable, but I do not wish to give them as positive, as I have not had time to reflect on the subject. I think a commutation or composition might be made as follows:—

For farmers living at a distance, on each horse and vehicle,	15s. to 20s.
For farmers living near the City,	28s. to 35s.
For persons having country houses in the neighborhood of the City, for each horse and two wheeled vehicle,	40s. to 50s.
For each horse and four wheeled vehicle, from	£5 to £6.
For each four wheeled carriage with two horses, from	£6 to £7.

82. Do you know if the Public make many complaints, with reference to the Tolls exacted at the Turnpike, and the manner in which the revenue is laid out?—I have often heard complaints on this subject.

28th February, 1845.

The Rev. PIERRE HUBOT, examined.

83. Do you know if any of the complaints made

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against the Trust are well founded, and have you become acquainted with any facts which might justify these complaints?—Yes, I think it extremely unjust that Toll-gates should be erected on every side within the limits of the Parish, in addition to those which are on all the roads leading to the City. It is a very heavy tax on the poor of our Parish. I allude principally to the Toll-gate called the “*Kilmarnock Toll-gate*” which prevents our communicating from one end of the Cap-Rouge road to the other, and also with the Coves where a great portion of the inhabitants, and especially the poor, are obliged to procure their firewood. If this Toll-gate has been erected with a view to force the inhabitants of the neighbouring Parishes, who bring their produce to the Coves, to pay for that part of the road under the management of the Trust, and which they use, the inhabitants of the Parishes ought at least to be allowed to communicate with each other without paying toll. I find myself similarly situated, and I cannot visit my Parishioners and administer to them the comforts of religion, without paying such a heavy tax that it greatly diminishes my intercourse with a portion of them. I was in the habit of visiting the Coves several times during the week, as almost one half of the population of my Parish reside there, I shall be able to go but seldom since the new Toll-gate has been erected. Besides, in my opinion, it will never produce sufficient revenue to pay the interest of the money spent in erecting it, nor even the expense of keeping it up. A Toll-gate erected on the St. Foy road will have the effect of obstructing two roads within the limits of the Parish, the St. Foy and “*Suede*” roads. It will interrupt the communications between my parishioners in two different directions. If another Toll-gate is erected, my parishioners will be so exasperated that I am afraid they will set fire to it and to the Kilmarnock Toll-gate also. There are within my knowledge two other facts which would seem to me to justify in some measure the complaints which have been made against the Trust. Several hundred pounds, I believe, have been expended for straightening the Cap-Rouge road near the residence and property of the Secretary to the Trust. Before then the road was on dry and elevated ground, and it has been made to run through a swamp, and I know that great labour and expense were employed in draining it. The curve which they wanted to avoid was not considerable, and there are several much greater ones which they have not undertaken to straighten. The length of this new road is about half-a-mile; I think that it has had the effect of improving the Secretary's property; I would not say that was the object in view, but it has caused many complaints among the public, who seem to be under that impression. It is also within my knowledge that the Secretary has given employment for the Trust to persons to whom he has sold lots of ground. That has been the case with one of my Parishioners, Felix Belleau,—for upon my making a remark to him about the small piece of ground which he had purchased, he answered that he would pay for it by working for the Trust, and he in fact does actually work for the Trust. These facts have given rise to murmurs, but whether well or ill-founded, I will not pretend to say.

84. Can you suggest to the Committee any plan for improving the Turnpike system and rendering it more popular?—I think the system in itself good, and it would be a popular one if the tolls were reduced and the revenue better managed. I would recommend the appointment of one single officer to be substituted to the Trustees, who would receive a reasonable salary and be responsible for keeping the roads in repair. I would not advise the toll-gates to be farmed out for some time to come, as the public would be put to much more inconvenience than at present if the tolls were levied by persons taking leases of the toll-gates.

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MR. MICHEL HAMEL, of St. Foy, called in and examined:

85. Are you acquainted with the different Turnpike roads near the City of Quebec, in the County of Quebec, and will you inform the Committee of the complaints which are made among the public on the subject of the keeping up and repairing of those roads? And explain at length and in detail everything you know on this subject.—Yes, I am acquainted with the roads in question, and more particularly with the Cap Rouge and St. Foy roads. I reside on the Cap Rouge road; this road had been macadamized before the Turnpike Ordinance came into force, from the City to the place called Kilmarnock or McNider, a distance of about four miles; it was good at that time, and only required to be kept up. The Turnpike Trustees, instead of making and repairing the portions of the roads which were not macadamized, that is, from Kilmarnock to the Cap-Rouge hill, began by turning up and repairing that part of the road which was already macadamized, and continued making the road only a mile further, leaving the remainder in a bad state and without repairing it. As to the complaints on the subject of this Turnpike road, they have arisen principally from there being two Toll-gates on this road; the Kilmarnock Toll-gate was only erected with a view of preventing the farmers from going to sell their produce at Sillery and the Coves, which are inhabited by a large mercantile population situated at a distance of about two leagues from the Quebec markets. The revenue derived from the Tolls at this Toll-gate will never be sufficient to cover the expenses of its keeping. Another complaint is, that the Tolls are too high; the Tolls are sixpence for each vehicle during the summer and twopence during the winter. They have the effect of preventing the country people from resorting to the Quebec markets as often as they did before, especially the people who reside beyond the Cap-Rouge bridge, who have to pay Toll at the bridge as well as at the Turnpikes: so that a farmer is frequently obliged to pay one quarter of the value of the load which he brings to market. Another subject of complaint is, that generally none but strangers are employed on the roads. The stone was furnished at the lowest tenders; I made proposals on this subject myself, and entered into several contracts. The price of stone is about 2s. 6d. per box. The Cap-Rouge road runs over the property of Mr. Porter, Secretary to the Turnpike Trust, and it has been straightened at that place. It is generally rumoured that Mr. Porter has employed in working on his own property and at his private business, men who were in the employment of the Trust, but I have no personal knowledge of this. The St. Foy road was also macadamized, and only required to be kept in repair for a distance of about four miles from the City, but like the Cap-Rouge road, it has been made over again; it would have been much better to leave the macadamized parts as they were, and continue the roads where they were not macadamized.

86. Do you think it would be expedient to oblige the Turnpike Trust to allow the people to compound?—It would.

87. At what rate would you suggest the composition to be made? For farmers residing at a distance from the Town, on each horse and two-wheeled vehicle, 15s. For farmers residing near the Town, on each two-wheeled vehicle drawn by one horse only, 20s. to 25s. On waggons or four-wheeled vehicles drawn by one horse only, with the exception of pleasure vehicles, 40s. For each four-wheeled vehicle drawn by two horses, with the exception of pleasure vehicles,

45s. For each pleasure vehicle, on four wheels drawn by one horse only, from £3 to £4. For each pleasure vehicle on four wheels, drawn by two horses, from £4 to £5. I would recommend that when a person has several vehicles for which he has to compound, a reduction be made of one fourth on the second vehicle, and of one third on the third vehicle, commencing at the highest one.

88. Do you think that it would be expedient to farm out the Revenue of the Toll-gates?—Yes, but not at present.

89. Why not at present?—Because I do not think the Toll-gates could be farmed out for a sum large enough to cover the expenses which the making and repairing of the roads will necessitate for some years yet.

5th March, 1845.

EDWARD DESBARATS, of the City of Quebec, Esquire, Advocate, examined:

90. The Committee are informed that you are one of the Trustees of the Quebec Turnpike roads; is it so?—Yes, I am a Trustee jointly with Messrs. William Sheppard and James Gibb, A. C. Buchanan and L. T. M'Pherson, Esquires. I was appointed a Trustee in 1842 in the place of the Honorable Mr. Panet, who had then just resigned. Mr. M'Pherson was appointed almost at the same time that Mr. Gairdner, one of the Trustees, was appointed Judge of the District of St. Francis.

91. How often and where do you meet? We have an Office in the Lower Town of Quebec; we sometimes meet once a week and sometimes twice; sometimes once a fortnight and sometimes less, according to the quantity of business to be transacted.

92. Are the Turnpike roads under your immediate control? Do you superintend them in person or through any one under you, and if so, who is that person?—Each of the Trustees, whereof one resides on each road, (with the exception of the Beauport road since Mr. Gairdner has left Quebec,) superintends in person the road on which he resides. This control is general and not immediate, over the labourers working on the roads, who are under the superintendence of the foremen while at their work.

93. Is it the duty of the Trustee who has a road under his superintendence to see that the money is faithfully collected and paid at the Toll-gates?—No; the accounts of the keepers of Toll-gates are settled with the Secretary, who is at the same time Treasurer; I do not think that any of the Trustees have meddled themselves with the revenue arising from the Tolls.

94. Do the Trustees oblige the Secretary to exercise any control over the keepers, so as to enable him to assure himself that the accounts are faithfully and correctly rendered?—Yes, the keepers are obliged to keep a daily written table of all the cattle and vehicles which pass through the Toll-gates; these Tables are brought to the Office and given to the Secretary every Monday, with the amount of the Tolls for the week.

95. Do you think this control sufficient to ensure the payment into the funds of the Trust, of all the monies collected from the public?—This control would certainly not be sufficient to guard the Trustees from the dishonesty of the keepers, if they were disposed to be dishonest, as nothing can prevent them from falsifying the

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Tables I have just spoken of: but we have not been able to imagine more effective means for preventing the occurrence of fraud. I must add, that so far, we have had no reason to doubt the honesty of the keepers.

96. What allowance do you give to the keepers?—I cannot exactly say; it is under £50, with the exception of the keeper of the little River St. Charles Toll-gate, who receive £12 per annum more than the others, as he has the charge of two Toll-gates. This keeper is called Olivier Moffet.

97. The Committee observe the name "O. Moffet" on the list of persons who hold Debentures due by the Turnpike Trust on the 21st December last; it seems that this Mr. Moffet holds Debentures to the amount of £500. Do you know this person?—Yes, he is the person above mentioned.

98. What is the annual revenue of the road in question?—The revenue varies more or less from £700 to £800.

99. Have the Trustees taken any means to oblige the proprietors of lands in front of which the Turnpike roads pass, to repair with broken stone the roads in front of their respective property, as the law requires?—No, I have always found that provision of the Act unjust, and I have always been opposed to putting it in force.

100. Must the Committee understand from your last answer, that proprietors in the country are exempt from all labour on the Turnpike roads?—Yes, they have, in fact, always been exempt from labour ever since I have been one of the Trustees.

101. Do you think it fair that proprietors in the City who are obliged to contribute to the maintaining and repairing of the streets should pay the same Tolls at the Turnpikes as the country proprietors, who are exempt from contribution?—I do not see why a distinction should be made between the people of the City and those residing beyond the limits of the Turnpike roads, who are subject to the same rates and the same tolls as people who reside on the said roads. I have always considered it unjust that persons who pay Tolls should be obliged in addition to perform personal labour; there is a difference to be made between the inhabitants of the City and those of the country; the latter are obliged to come to town to bring in their produce and transact their business; the inhabitants of the City, on the contrary, merely go to the country out of pleasure, and to enjoy the country air during the summer; it is a matter of choice with them, while it is a matter of absolute necessity for the country people to come into Town.

7th March, 1845.

EDWARD DESBARATS, Esquire, examined.

102. Are you acquainted with the Turnpike-roads leading to Beauport? Can you say what is the distance between the Toll-gate of Dorchester Bridge and the Turnpike-gate on the said road?—Yes, the distance between the Bridge and the Turnpike-gate is from six to eight arpents.

103. Do you know if two different Tolls are exacted from travellers who cross the bridge and take the Beauport road; if such be the case, to whom are these Tolls paid?—Yes, those who travel from the City to Beauport and *vice versa* must pay two Tolls, one at the Turnpike gate to the Trustees, and the other at the bridge, for Messrs. Smith and Anderson.

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104. Are not the people from the Parish of l'Ange Gardien and the other Parishes along the Côte de Beaupré, obliged to pay three Tolls when they come to the Quebec market to sell their provisions?—Yes, for there is, besides the Turnpike and Dorchester Bridge, a Toll-bridge on the River Montmorency at about two leagues and a half from the Turnpike-gate.

105. Is not the payment of these three Tolls a general subject of complaint as well in Quebec as in the northern Parishes?—Yes, and it is a reasonable complaint: these three Tolls are far beyond the means of the persons who most frequently pass on these roads, and who are country people.

106. Can you suggest to the Committee any plan for remedying the inconveniencies you have first mentioned?—The best plan, in my opinion, would be to purchase and acquire, if possible, the Dorchester bridge, so as to place it under the control of the Turnpike Trustees, and then to demand only one Toll at the bridge.

107. Have you ever travelled in Upper Canada or the United States, on Turnpike roads, so as to know the rates of Tolls in those countries?—No, I have never paid Toll but once on a Turnpike road at Toronto, but I do not remember what I paid then.

108. Have you any means of knowing if the public are satisfied with the manner in which the Turnpike roads are now managed?—Yes, I have no knowledge that any complaints have been made against the management of the Turnpikes before the Petition of Mr. Belleau and others, which was presented this year; the Trustees have never had any complaints made to them, that I am aware of, against any of the persons employed by the Trust; the only complaints which have ever been made, were against the rate of Tolls which many persons have considered too high. I am of that opinion myself.

109. In your opinion, is the present system of management of the Turnpike roads perfect, and can you not suggest to the Committee any alteration by which it might be improved?—The present system of management is perhaps not perfect, but I think it a good one: I am at a loss to suggest an alteration in the mode of administration which would be more efficient and more economical than the present system.

110. Be kind enough to give the Committee an idea of the system?—The Turnpike roads are at present under the management of five Trustees, with the assistance of a Secretary, who is at the same time Treasurer. The services of the Trustees are gratuitous, and up to the present day they have performed their duties with as much zeal for the public interest as if they had been paid. The duties of the Trustees will be more easily understood on referring to the Ordinance. Considering the experience which the Trustees now have, it would not be expedient to alter the system for the present; I am, however, of opinion that the law might in some respects be amended with advantage. For instance, the Trustees have not enough liberty on account of the Tolls on the different roads being established by law.

111. Are you of opinion that it would be expedient to place the Turnpike roads under the management of the Board of Works, and have no Trustees?—I am not of opinion that it would be expedient to place the Turnpike roads under the management of the Board of Works; the present Trustees are, with reference to the Turnpike roads, a Board of Public Works, the said roads being under their constant and personal superintendence. If these Turnpike roads were under the

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control of the Board of Works, that control would be exercised by a Deputy, chosen by them, and whom it would be probably difficult to reach in case of abuse or negligence of his duty. The present system offers, in my opinion, a more solid guarantee—a more prompt remedy in cases of malversation on the part of the subordinate officers, or of maladministration on the part of the Trustees. The present enquiry is a proof of the facility with which, under the existing system, abuses may be enquired into, should there be any. I do not think that under the management of the Board of Works there would be the same facility. The complaints of individuals would perhaps not always be so well listened to as they are under the present system, which, in my opinion, is more popular than any other.

112. Are you of opinion that it would be expedient to dispense with the Trustees and to place the Turnpike roads under the control of one single responsible individual who would perform the functions of the present Trustees and of Secretary and Treasurer, and be liable to fines and penalties according to the judgment of the Tribunals in case of negligence of his duty?—No, I am in favor of the existing system, as it is the best; I do not think it possible for one individual to fulfil all these duties without the aid of other persons, and that would create considerable expense; he would require a large salary to indemnify him for the losses to which he would be exposed from the fines and costs to which he might be condemned in case of negligence of duty: there would be many people who would seize every favorable opportunity to harass him with prosecutions, whether well or ill-founded. Besides, this individual being alone and ostensibly under the control of no one, and in some sort his own master, might, with impunity, make a bad use of his office, and the persons oppressed by him would have some difficulty in obtaining a remedy against an individual in his position.

8th March, 1845.

Examination of MR. DESBARATS continued:

113. The Committee remark in the account rendered by the Trust, two items of a rather large amount,—one for the purchase of a lot for the purpose of erecting thereon a second turnpike, which it seems, has been erected on the Cap Rouge road, under the name of "Kilmarnock Toll-gate," and the other for the purchase of another lot intended as it appears, for the erection thereon of a Turnpike near the *Suède* road,—please state to the Committee the reasons for which the Trustees have incurred these expenses?—The road called Kilmarnock is, that which leads from St. Foy and Cap Rouge to the Coves, which in winter as well as in summer are the market where the habitants of St. Foy's and Cap Rouge bring their produce for sale; these persons before the Kilmarnock Toll-gate was established, had the advantage of using this road to bring their produce to market without coming to town and without paying any toll; however, when the Kilmarnock Toll-gate was first talked of, I was opposed to it, because I doubted whether the tolls at this gate would be sufficient to cover the expense of erecting it. In the second place, I was persuaded that this Toll-gate would give rise to a great many complaints and murmurs, and it was not without some reluctance that I yielded to the entreaties of the other Trustees who appeared to be convinced of the advantage which would be derived from this Toll-gate. It has been only a short time in operation and I can state that the Trustees are disposed to remove it as soon as they perceive that it is more burdensome than profitable. With reference to the *Suède* road, the

purchase of the lot, which cost only £25, was made for the purpose of erecting a turnpike gate thereon, but upon reflection we thought it better not to erect any at this place; and allow travellers to use that road and St. Foy's road, without paying extra-toll; this lot of ground, however, is not lost, it is used as a deposit for stone; we are obliged to have deposits for stone here and there, so as always to have some ready, whenever it becomes necessary to repair the road; otherwise it would be very difficult and expensive to procure stone from the City or the Country, as often as it might be required. The country people bring in this stone in the summer time when they have nothing else to do, and this deposit contains as much stone as may be required every day by the Trust.

114. Some remarks have been made by the witnesses previously examined, on the subject of the labourers employed by the Trust, and who have been represented to us as being all strangers, persons recently arrived in this Country, and as bad labourers. It has also been stated to the Committee that some young men from the country had offered their services as labourers, and had been refused; will you state if that is the case, and explain how that has happened?—This is the first time I have heard that work has been refused to young men from the country—I can assure the Committee it has never been the case on the St. Charles Road, where the labourers are employed without reference to their national origin; there are some Canadians who have been constantly employed on this road, as well those who have carts as those who work as labourers. The Canadians are usually employed during the summer in more profitable occupations in the ship yards, and it is difficult to procure them for the roads. In winter the Canadians are exclusively employed, at least on the St. Charles Road. They are preferred as being more clever at keeping up the winter roads. The people who work on the roads in summer are principally emigrants, whether old or new hands. Among them there are always some lazy ones, notwithstanding the exertions of the Foremen. It may be said, as a general rule, that this class of labourers is slow at work; however, what work has been done, has been well done, and the best labourers have always been chosen as much as possible.

115. Some remarks have been made to the Committee with reference to a portion of road which has been made on Mr. Porter's Farm, please state to the Committee what you know on this subject, and what are the reasons for which the Trustees incurred that expense?—Near Mr. Porter's house the road was crooked; Mr. Porter seemed to wish that this part of the road should be straightened, for two reasons; first, it would have the effect of shortening the road, which had never been macadamized, and in the second place it would remove the road further from his house, as this alteration would improve Mr. Porter's property, and to avoid all suspicion of partiality, we agreed to do so on consideration that the road would be straightened at the costs and charges of Mr. Porter. He purchased the land at his own expense, and altered the fences in the same manner. He then gave the land necessary to fill up the uneven parts of the road. This alteration is of great advantage to the public, as in the first place it shortens the road, and by shortening it, the expense of keeping it up and maintaining it is diminished for the future. It has been supposed that Mr. Porter had employed people in working on a road belonging to him, at the expense of the Trust;—this is a false impression; when the road opposite Mr. Porter's was straightened, he furnished gratuitously the land and materials necessary to fill up the uneven parts. These materials were taken from the private road in question, adjoining

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thereto, and people passing by, and who saw the men employed in carrying away the materials, imagined that Mr. Porter was having his road repaired at the expense of the Trust.

116. Have you any thing else to suggest to the Committee?—Yes, it would be expedient, if the law is amended, to authorize the Trustees to continue the road from the "Commissioners' Bridge" as far as the *Côte de Champigny*, taking in the road which leads to the Church of Ancient Lorette; this would complete the communication between the St. Charles and *Suède* roads, and it would also be expedient to extend the dispositions of the Ordinance to the Charlesbourg road, and to the Sinclair road, on the other side of Scott's Bridge; the St. Foy road should also be continued as far as Cap-Rouge. These roads ought to be as wide as the front roads, on account of the great number of people who pass thereon. The Trustees ought also to be authorized to alter the direction of the roads, with the consent of the proprietors, so as to avoid those parts of the road where the snow accumulates in great abundance. I would also suggest the propriety of giving the Trustees the power of making By-laws for the roads, to prevent horse racing, which is frequently carried on, and is very dangerous, and of establishing rules by which travellers are to govern themselves. These By-laws and Rules to come in force only after having been approved and confirmed by the Court of Queen's Bench.

15th March, 1845.

JOHN PORTER, of Quebec, Esquire, examined:—

117. The Committee are informed that you are Secretary and Treasurer of the Turnpike Road Trust; what is the nature of your duties and the amount of your salary?—It is my duty as Secretary to the Trustees of the Quebec Turnpike roads, to attend all the deliberations of the Board of Trustees; to record their proceedings, and to carry their orders into execution; to superintend the overseers in the construction of the new roads; to see that all the roads are kept in good repair; to receive the Tolls collected and to examine the statements of the Toll Collectors; to examine the pay-lists of the overseers, and to pay all the laborers, to keep the books and accounts of the Trust; to take cognizance of all complaints, should there be any; and to receive all communications addressed to the Trustees, and after having received their directions with reference to the same, to reply to them. My salary is three hundred pounds currency per annum.

118. Have you any remark or suggestion to make to the Committee, which would tend to improve the present system, and render it more popular?—My time and attention have been so fully occupied in the discharge of my duties that they have not been directed towards the consideration of the propriety of any change in the present system. It appears to me that the revenues of the Trust would be considerably augmented if the Trustees were enabled to complete the roads which have been placed under their control, and to connect the St. Charles Road with the *Suède* and the St. Foy with the St. Lewis road, which would increase the travelling and afford greater facilities to the inhabitants of that part of the country for bringing the produce of their farms to market in the Coves where there is a large consumption. The Charlesbourg Road should also be macadamized and the Toll-bar placed at its junction with the Beauport road, whereby the Tolls now collected in the latter road would be doubled, and perhaps trebled.

119. You have been allowed to peruse the evidence taken before the Committee, does it contain any charge or imputation against you that you are desirous of

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rebutting or explaining?—I perceive Mr. Belleau states, in his evidence before this Committee, that I am proprietor of a considerable lot of land at St. Foy, and wishing to dispose of a certain part thereof in order to do so with advantage, made use of my connexion with the Turnpike Trust, by promising to purchasers that as I was the Secretary of the Trust, they would have nothing to pay for the price of the sale, because they might make it up by working for the Trust. In reply to this charge, I have to say that Mr. Belleau has been misinformed. All the parties named by Mr. Belleau have worked for the Trust ever since its establishment, that is to say, two years before they purchased land from me and some of them have continued to work as usual under the superintendance of the overseers since then. The land was sold to them without any stipulation of giving them work; on the contrary, I have always urged upon the different overseers, that they should favor none, but be careful to select only those who worked faithfully and well, and should retain none in the employ of the Trust but those who did their duty satisfactorily. That those instructions were given to the overseers I can prove by their affidavits, and had I been aware such a charge would have been made, affidavits in support of my present statement would have been produced. The lots of land in question were publicly put up for sale, and I did not think it necessary to sell to any party merely because he was occasionally employed by the Trust—nor had I the power; had it been just or expedient so to do, to discharge old servants, merely because it suited them to buy land from me, more particularly, as they had not from the first, been employed at my suggestion. It is stated by the Rev. Mr. Huot, in reference to the same subject, that the blacksmith at St. Foy paid for the land he purchased from me in work done for the Trust. It is true that this man has been employed, and was so before he purchased the land, because his forge is situated near the junction of the St. Foy and *Suède* roads, where the Trustees were carrying on work last summer, and there is no other forge for many miles distant, so that where tools had to be daily repaired, it would have been expensive and inconvenient to employ any other blacksmith in that part of the country. It would be found that a blacksmith was employed upon each road. Mr. Hamel supplied all the iron required for the bridge built last year on the St. Charles road, and did all the work required there. Nicholas Hayes was employed to do the blacksmith work on the Beauport road, and a blacksmith of the name of Finigan was employed to do the work required on the Cove road. There was no stipulation whatever, between Belleau and myself that he should give work in payment for the land he bought, and the amount of the work he actually did forms but a very small portion of the price of the land. He was employed because he was the only man at hands that could be employed; and his account was certified by the overseer before it was presented for payment. It is also stated that several hundred pounds have been expended in straightening the Cap-Rouge road at the place where it passes through my property, that the bend was not considerable, and that many other roads much more crooked have not been straightened. The Trustees have always been desirous of straightening roads when the expense is not too great, but except in the instance complained of, they have always been met in their attempts to do so by exorbitant demands for compensation, of which I will state two examples. It was considered that the hill at that part of the *Suède* where it intersects the St. Foy road might be very much improved by making such an alteration as would have placed the junction of these two roads about ten acres farther to the eastward, and in such a case the road would have had to pass through the lands of eight different proprietors. For this proposed change more than two thousand pounds were demanded as an indemnification, and the idea was given up in consequence. Again at the time the Kilmarnock road



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was made, it was deemed expedient to straighten it in its course through the lands of one Martin Naulin—which would have improved his property; but this man supposing that the Trustees had decided upon this change, demanded one hundred pounds as an indemnity, and the advantage to be gained was not considered worth the expense. When the macadamizing of the St. Lewis road was completed up to the point where it strikes my land, and where it bends in a serpentine direction, I petitioned the Trustees to permit the line to be straightened, to which they consented, on condition that they should neither be called upon for any indemnity nor be put to any extraordinary expense. I had therefore to purchase from my opposite neighbor, Mr. Phillips, a sufficient quantity of land at one point to render the line direct, for which I paid the sum of thirty-two pounds, and at another point the new road cut off nearly as large a quantity of my own land and threw it on the opposite side, thereby rendering it perfectly useless. Moreover, though in all cases where the Trustees have found it desirable to widen roads they have moved the fences of proprietors, mine were moved at my own expense, and all the soil required to fill up inequalities on the road was taken off a road belonging to me, while in other instances the Trustees have been obliged to indemnify proprietors from whose lands soil was taken for such purposes, and I presume that the fact of laborers having been seen to take away this soil has given rise to the statement that I had employed them for my own purposes. Upon reference to the accounts, it will be seen that only about ninety pounds have been laid out on the formation of this new line, which is half a mile in length, and comprises three large stone culverts, the materials for building which I gave to the Trustees free of all charge. I feel perfectly secure in stating, that this is the cheapest piece of road that has yet been made by the Trustees. The Trustees have also the privilege of taking off my property as much stone as will macadamize this piece of road, which will require two thousand boxes; these they can break for one shilling, and the distance being very short, it can cost but six pence more, by this means laying the stone down upon the road for one shilling and six pence per box, instead of having to pay two shillings and six pence, that being the lowest price at which stone can be obtained, and a saving will thus be made of one hundred pounds. I may add that the old road, which is given to me in exchange for the new one, will cost me a large sum before I can make it available for agricultural purposes.

120. You have stated, that part of road which has been straightened near your property was the cheapest piece of road that has yet been made by the Trustees; is the Committee to understand that, although it was necessary to make three culverts on the said road, the repairing and macadamizing the old road, would not have been less expensive?—I do not think that the macadamizing and repairing the old road would have cost less, because the same number of culverts would have been required, and the length of road would have been greater.

121. It has been stated before the Committee that the soil of the place where the new road runs at present, was of such quality as required greater expenses than would have been incurred by repairing the old road. Do you mean to say that that information is incorrect?—The repairing of the old road might possibly have cost somewhat less in the first instance, but not a great deal, and I think that any difference of expense incurred by adopting the new line is more than compensated by the distance saved and the facility of procuring stone.

122. Will you state as precisely as you can the probable expense which would have been incurred in repairing the old road?—I can scarcely be precise in estimating the cost of forming the old road, but I should suppose it would have cost about £80.

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123. It has been stated that you have employed labourers when hired for the Trust, to work on your own private road; is this true?—It is true that labourers under the conduct of George Thompson have been working on my own private road, but I have already explained that it was for the purpose of taking away soil to fill up the inequalities of the new road made in front of my property.

124. Was that done at your own expense or at the expense of the Trust?—The formation of the new road was of course made at the expense of the Trust, the transferring of the soil from the road above mentioned was also done at the expense of the Trust, but the top soil that was taken from that part of the new road which traverses the land purchased by me from Mr. Phillips, was taken away at my own expense.

125. The Committee perceive in the statement an item of £21 13s. 6d., for sundry expenses; the voucher No. 55, is supposed to contain the details of that item; will you explain how so many items are found in the said voucher for hired vehicles?—The hired vehicles have been employed for the most part by myself in visiting and superintending the different roads.

126. The Committee perceive that the sum of £378 8s. 6d., is stated as the revenue of the Beauport Gate, from the 1st day of January till the 8th day of December last, which is scarcely more than one-half of the revenue of the St. Foy, St. Charles and Coves Gates respectively. The Committee is informed, however that the Beauport Gate and the St. Charles Gate ought to be the two most productive. How can you account for the former being so unproductive?—One reason why the Beauport road is so unproductive is because it is not much travelled upon during the winter, the inhabitants of that part of the country finding a more direct road upon the ice. But the chief cause is that a large portion of the Toll that should be collected on that road is lost in consequence of passengers evading the Toll-bar and passing through the Charlesbourg road. If the Charlesbourg road were macadamized, and the present Toll-bar placed at the junction of the Beauport and Charlesbourg roads, instead of where it is, I have no doubt the Tolls would be doubled, and perhaps trebled.

127. Do you think that the Tolls might be lowered?—In all cases where Tolls have been lowered the effect has been to increase the travelling on the roads, and I think the same effect would be produced in the present instance.

128. What is the rate of Toll charged by the Trustees at present?—For pleasure vehicles and vehicles carrying loads not for hire, for 24 hours use of the road, drawn by two horses, 8d.

And for every additional horse, 2d.

For pleasure vehicles drawn by one horse, 6d.

For waggons, carts and other vehicles drawn by one horse, 4d.

And for every additional horse, 2d.

For saddle horses, 2d.

For all winter vehicles drawn by one horse, 2d.

And for every additional horse, 1d.

For horses, cows, &c., each 1d.

For sheep, pigs, &c., per score, 5d.

For vehicles carrying loads or passengers for hire, to pay every time of passing, returning empty, having passed loaded, free.

For Stage coaches and all other vehicles drawn by one horse, 6d.

For each additional horse, 2d.

For waggons and other vehicles drawn by one horse 4d.

And for every additional horse, 2d.

For all winter vehicles drawn by one horse, 2d.

And for every additional horse, 1d.

Stones pay every time of passing.

Manure is free of Toll.

## RETURN

To an Address from the Legislative Assembly to His Excellency the Governor General, bearing date the 4th December, 1844, praying "for a Return of the names of all persons who have been appointed to any Office of Emolument in the Province, since the Prorogation of the last Parliament, up to this date, with the dates of their respective appointments—whether temporary or permanent—the amount of Salary in each case, stating the names of such office and the Statute or other authorities under which such persons may have been so appointed;—and also, like information from the 10th February, 1841, to the 9th December, 1843."

By Command,

D. DALY,  
*Secretary.*SECRETARY'S OFFICE,  
Montreal, 18th March, 1845.

## RETURN

Of the Names, &c. of all persons who have been appointed to any Office of Emolument in the Province since the Prorogation of the last Parliament, on the 9th December, 1843, up to the 31st December, 1844; prepared in pursuance of an Address of the Legislative Assembly, dated 4th December, 1844.

## UPPER CANADA.

Names.	Date.	Temporary or Permanent.	Amount of Salary.	Office.	Authority for Appointment, Payment, &c.
	1844.				
Black, James	4th July,	During pleasure,	Fees, &c.	Collector, Port Colborne,	4 Geo. IV. chap. 11.
Brough, Lecker	13th "	do.	do	{ Official Principal Court of Probate,	33 Geo. III. chap. 8.
Burns, R. E.	19th Aug.	do.	400 0 0	Judge, Home District Court,	4 & 5 Vict. chap. 8.
Boswell, G. M.	12th Oct.	do.	Fees, &c.	{ Commissioner of Bankrupts, Newcastle District,	7 Vict. chap. 10.
Chewett, Alex.	26th Dec.	do.	do	Do. Western District,	7 do. do.
Farrell, Agnew P.	9th Aug.	do.	do	Registrar, County Haldimand,	35 Geo. III. chap. 5.
Freeman, S. B.	30th Sept.	do.	do	Clerk of the Peace, Gore Dt	Various Statutes.
Kirkpatrick, S. F.	24th Feb.	do.	325 0 0	{ Associate Judge, Midland District Court,	4 & 5 Vict. chap. 8.
Mailleue, G. A.	2d Aug.	do.	66 13 4	{ Surveyor of Customs, unattached,	O. C. 5th June & Sec. Letter 11th July, 1844.
Prince, John	2d April,	do.	Fees, &c.	{ Commissioner of Bankrupts, Western District, (resigned,)	7 Vict. chap. 10.
Powell, John	9th Aug.	do.	do	Registrar, County Lincoln,	35 Geo. III. chap. 5.
Robinson, W. B.	20th Dec.	do.	1000 0 0	Inspector General, &c.	Civil List (Schedule B.)
Ross, John	30th Sept.	do.	Fees, &c.	{ Commissioner of Bankrupts, Victoria District, (resigned,)	7 Vict. chap. 10.
Salmon, William	5th March,	do.	do	Do. Talbot, do.	7 do. do.
Spragge, J. G.	13th July,	do.	do	{ Registrar, &c. Court of Chancery,	7 Wm. IV. chap. 2.
Stuart, Andrew	29th "	do.	175 0 0	Clerk Gore District Court,	4 & 5 Vict. chap. 8.
Sherwood, Henry	7th Oct.	do.	600 0 0	Solicitor General, (West.)	Civil List (Schedule A.)
Stewart, Alexander	8th Nov. 1843.	do.	Fees, &c.	Registrar, County Wentworth,	35 Geo. III. chap. 5.
Turquand, Bernard	30th Dec. 1844.	Temporary.	888 17 9	Receiver General, &c.	Civil List (Schedule B.)
Tench, Bartholomew	29th July,	During pleasure,	100 0 0	{ Surveyor of Customs, unattached,	O. C. 5th June & Secy's Letter 11th July, 1844.
Viger, D. B.	7th Oct.	do.	1000 0 0	{ President of Committees, Executive Council,	Civil List (Schedule B.)
Worthington, Thomas	9th Aug.	do.	100 0 0	{ Surveyor of Customs, unattached.	O. C. 5th June & Secy's Letter 11th July, 1844.
Morris, William	2d Sept.	do.	1100 0 0	Receiver General,	Civil List (Schedule B.)
Draper, William H.	"	do.	1100 0 0	Attorney General, (West.)	Do. (Schedule A.)
Papineau, D. B.	"	do.	888 17 9	Commisr. of Crown Lands,	Crown Lands Revenue.

PROVINCIAL SECRETARY'S OFFICE,  
Montreal, 18th March, 1845.

## RETURN

Of the Names, &c. of all Persons who have been appointed to any Office of Emolument in Upper Canada, from the 10th February, 1841, to the 9th December, 1843, prepared in pursuance of an Address of the Legislative Assembly, dated 4th December, 1844.

Names.	Date.	Temporary or Permanent.	Amount of Salary.	Office.	Authority for Appointment, Payment, &c.
	1841.				
Allen, Henry	28th June.	During pleasure.	£325 0 0	{ Judge London District } Court,	4 & 5 Vict. chap. 8.
Do. do.	"	do.	Fees, &c.	Do. do. Surrogate Court,	33 Geo. III. chap. 8.
Ackland, Arthur,	6th Dec.	do.	do.	Do. Huron do.	33 do. do.
Do. do.	"	do.	150 0 0	Do. do. District Court,	4 & 5 Vict. chap. 8.
	1842.				
Armstrong, Christopher	7th May,	do.	250 0 0	Do. Dalhousie do.	do. do.
Do. do.	"	do.	Fees, &c.	Do. do. Surrogate Court,	33 Geo. III. chap. 8.
	1841.				
Blake, W. H.	1st July,	do.	do.	Do. Home do.	33 do. do.
Boswell, G. M.	28th Aug.	do.	do.	Queen's Counsel,	Civil List (Schedule A)
	1842.				
Billings, Braddish	9th May,	do.	do.	{ Registrar Surrogate Court, } Dalhousie District,	33 Geo. III. chap. 8.
Do. do.	"	do.	90 0 0	{ Clerk Dalhousie District } Court,	4 & 5 Vict. chap. 8.
Baldwin, Robert,	15th Sept.	do.	Fees, &c.	Queen's Counsel,	Civil List (Schedule A)
Do. do.	16th "	Resigned.	1200 0 0	Attorney General, (West.)	do. do.
Do. do.	16th "	do.	111 2 2	Executive Councillor,	do. (Schedule B)
Boulton, Henry John	15th "	During pleasure.	Fees, &c.	Queen's Counsel,	do. (Schedule A)
	1841.				
Chisholm, George	10th June,	do.	100 0 0	{ Serjeant at Arms, House } of Assembly,	Annual vote.
Colville, John	16th Oct.	do.	70 0 0	Clerk Huron District Court,	4 & 5 Vict. chap. 8.
Do. do.	"	do.	Fees, &c.	Registrar do. Surrogate do.	33 Geo. III. chap. 8.
Conger, Wilson S.	9th Dec.	do.	do.	Sheriff Colborne District,	3 Wm. IV. chap. 8, &c.
Campbell, E. C.	23d "	do.	325 0 0	Judge Niagara District Court,	4 & 5 Vict. chap. 8.
	1842.				
Christie, Alexander, Jr	12th May,	Dead.	Fees, &c.	{ Clerk of the Peace, Dal- } housie District,	Various Statutes, U.C.
Chisholm, R. K.	30th Aug.	During pleasure.	do.	Collector Port Oakville,	4 Geo. IV. chap. 11.
Coll, James,	6th Sept.	Resigned.	do.	Do. do. Antrim,	4 do. do.
Corbett, T. A.	11th Oct.	do.	do.	Sheriff Midland District,	3 Wm. IV. chap. 8, &c.
Dickson, Andrew	3d Sept.	do.	do.	Registrar County Renfrew,	35 Geo. III. chap. 5.
Draper, Wm. H.	15th "	During pleasure.	do.	Queen's Counsel,	Civil List, (Schedule A)
	1843.				
Davidson, John,	14th Jan.	do.	do.	Collector Port of Hamilton,	4 Geo. IV. chap. 11.
Dickson, Andrew	5th July,	do.	do.	Sheriff Bathurst District,	3 Wm. IV. chap. 8, &c.
Daintry, G. S.	11th Aug.	do.	do.	{ Inspector of Licenses } Newcastle District,	43 Geo. III. chap. 9.
	1841.				
Fitzgibbon, James	10th June,	do.	500 0 0	Clerk Legislative Council,	Annual vote.
Fortye, Thomas	9th Dec.	do.	70 0 0	Clerk Colborne District Court,	4 & 5 Vict. chap. 8.
Do. do.	"	do.	Fees, &c.	{ Registrar Colborne Surro- } gate Court,	33 Geo. III. chap. 8.
Freel, Peter	17th "	Resigned.	do.	{ Registrar Counties Pres- } cott and Russell,	35 Geo. III. chap. 5.
	1842.				
Fitzgibbon, Charles	11th April.	During pleasure.	do.	Registrar Court of Probate,	33 Geo. III. chap. 8.
Fitzgibbon, W. W.	26th Nov.	do.	do.	{ Clerk of the Peace, Victo- } ria District,	Various Statutes.
	1841.				
Galt, John	31st May,	do.	do.	Registrar County Huron,	35 Geo. III. chap. 5.
Gilman, Edward,	11th May,	do.	do.	{ Judge Surrogate Court, } Talbot District,	33 Geo. III. chap. 8.
Do. do.	"	do.	150 0 0	Judge Talbot District Court,	4 & 5 Vict. chap. 8.
Gilkison, Archibald,	18th Dec.	do.	250 0 0	Do. Prince Edward do.	4 & 5 do. do.
	1843.				
Gowan, J. R.	16th Jan.	do.	250 0 0	Do. Simcoe do.	4 & 5 do. do.
Do. do.	"	do.	Fees, &c.	Do. do. Surrogate Court,	33 Geo. III. chap. 8.
	1841.				
Hyndman, Henry	16th Oct.	Dead.	do.	Sheriff Huron District,	3 Wm. IV. chap. 8, &c.
	1842.				
Hoskyns, Chandos	26th Oct.	During pleasure.	do.	{ Registrar Surrogate Court, } Ottawa District,	33 Geo. III. chap. 8.

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## RETURN of the Names, &amp;c. of all Persons, &amp;c.—Continued.

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Names.	Date.	Temporary or Permanent.	Amount of Salary.	Office.	Authority for Appointment, Payment, &c.
Hoskyns, Chandos	1842. 26th Oct.	During pleasure.	£70 0 0	Clerk Ottawa District Court,	4 & 5 Vict. chap. 8.
Jarvis, F. S.	1841. 10th June,	do.	100 0 0	Gentleman Usher Black Rod,	Annual vote.
Jarvis, G. S.	1842. 6th Jan.	do.	325 0 0	Judge Eastern District Court,	4 & 5 Vict. chap. 8.
Kelly, William M.	6th April,	Resigned.	Fees, &c.	Collector Port of Toronto,	4 Geo. IV. chap. 11.
Lizars, Daniel	1841. 16th Oct.	During pleasure.	do.	{ Clerk of the Peace, Huron District,	Various Statutes.
Lanc, Jonathan	1843. 24th Jan.	do.	do.	{ Registrar Surrogate Court, Simcoe District,	33 Geo. III. chap. 8.
Do. do.	"	do.	90 0 0	Clerk Simcoe District Court,	4 & 5 Vict. chap. 8.
McKenzie, Walter	1841. 31st May,	do.	175 0 0	Clerk Home District Court,	4 & 5 Vict.
Manahan, Anthony	18th June,	Resigned.	Fees, &c.	Collector Port Toronto,	4 Geo. IV. chap. 11.
Merrill, Samuel	1st July,	During pleasure.	do.	{ Registrar Surrogate Court, Prince Edward District,	33 Geo. III. chap. 8.
McDonell, James	1st June,	do.	do.	{ Inspector of Licenses, Home District,	43 Geo. III. chap. 9.
McKyes, B. Y.	10th Dec.	do.	do.	{ Judge Surrogate Court, Colborne District,	33 Geo. III. chap. 8.
Do. do.	"	do.	150 0 0	Judge Colborne District Court,	4 & 5 Vict. chap. 8.
Milburn, Thomas	9th "	do.	Fees, &c.	{ Inspector of Licenses, Colborne District,	43 Geo. III. chap. 9.
McDonell, George	17th "	Resigned.	150 0 0	Judge Ottawa District Court,	4 & 5 Vict. chap. 8.
McDonald, Donald,	17th "	During pleasure.	Fees, &c.	{ Clerk of the Peace, Ottawa District,	Various Statutes.
Do. do.	17th "	do.	do.	Inspector of Licenses do.	43 Geo. III. chap. 9.
Malloch, George	20th "	do.	325 0 0	{ Judge Johnstown District Court,	4 & 5 Vict. chap. 8.
Macklem, Oliver T.	1842, 29th April,	do.	Fees, &c.	Collector Port of Chippewa,	4 Geo. IV. chap. 11.
McDonell, Archibald	22d June,	do.	do.	{ Inspector of Licenses, Dalhousie District,	43 Geo. III. chap. 9.
McMillan, Alexander,	31st Aug.	do.	do.	Registrar County Carleton,	35 Geo. III. chap. 5.
Malloch, J. G.	18th "	do.	250 0 0	Judge Bathurst District Court,	4 & 5 Vict. chap. 8.
Mendell, W. F.	1843. 21st Jan.	do.	Fees, &c.	Collector Port Brockville,	4 Geo. IV. chap. 11.
McVitty, W. B.	27th "	do.	do.	{ Clerk of the Peace, Simcoe District,	Various Statutes.
Maberly, John	30th Jan.	do.	do.	{ Inspector of Licenses, Simcoe District,	43 Geo. III. chap. 9.
Macdonald, John	24th Oct.	do.	do.	{ Clerk of the Peace, Bathurst District,	Various Statutes.
Printe, John	1841. 28th Aug.	do.	do.	Queen's Counsel,	Civil List, Schedule A.
Powell, F. C.	1843. 23d Nov.	do.	do.	{ Clerk of the Peace, Dalhousie District,	Various Statutes.
Rubidge, Charles	1841. 9th Dec.	do.	do.	Registrar County Peterboro',	35 Geo. III. chap. 5.
Reed, Geo. D.	17th "	Resigned.	do.	{ Registrar Surrogate Court, Ottawa District,	33 Geo. III. chap. 8.
Do. do.	"	do.	70 0 0	Clerk Ottawa District Court,	4 & 5 Vict. chap. 8.
Rawson, R. W.	1842. 16th Aug.	do.	1800 0 0	Civil Secretary, &c.	Civil List, Schedule B.
Reed, G. D.	26th Oct.	During pleasure.	Fees, &c.	{ Registrar County Prescott and Russell,	35 Geo. III. chap. 5.
Rogers, Rev. R. V.	1843. 1st June,	do.	150 0 0	Chaplain Penitentiary,	4 Wm. IV. chap. 37.
Sherwood, Henry	1842. 23d July,	Resigned.	600 0 0	Solicitor General (West)	Civil List, Schedule A.
Short, Charles	30th Aug.	During pleasure.	Fees, &c.	Collector Presq'Isle, &c.	4 Geo. IV. chap. 11.
Sherwood, Henry	21st Sept.	do.	do.	Queen's Counsel,	Civil List, Schedule A.
Small, J. E.	"	do.	do.	do.	do.
Do do	26th "	Resigned.	600 0 0	Solicitor General (West)	do. do.
Do do	"	do.	111 2 2	Executive Councillor,	do. Schedule B.
Smith, B. W.	1843. 24th Feb.	During pleasure.	Fees, &c.	Sheriff Simcoe District,	3 Wm. IV. chap. 8, &c.
Smith, Richard,	23d May,	do.	do.	Collector Port Stanley,	4 Geo. IV. chap. 11.
Stanton Robert	7th Aug.	do.	do.	Do. Toronto,	do. do.

Appendix  
(BBB.)

## RETURN of the Names, &amp;c., of all Persons, &amp;c.—Continued.

Appendix  
(BBB.)

20th March.

20th March.

Names.	Date.	Temporary or Permanent.	Amount of Salary.	Office.	Authority for Appointment, Payment, &c.
Smart, Wm.	1843. 17th Oct.	During pleasure.	£250 0 0	Judge Victoria District Court,	4 & 5 Vict. chap. 8.
Tucker, R. A.	1841. 22d June, 1843.	do.	666 13 4	Registrar of Canada,	Civil List, Schedule B.
Thomas, E. C.	17th March.	do.	Fees, &c.	Sheriff Gore District,	3 Wm. IV. chap. 8.
Wilson, Wm. M.	1841. 1st July,	do.	do.	{ Registrar Surrogate Court, Talbot District,	33 Geo. III. chap. 8.
Widder, Charles	16th Oct.	do.	do.	{ Inspector of Licenses, Hu- ron District,	43 Geo. III. chap. 9.
Wrighton, W. H.	9th Dec.	do.	do.	{ Clerk of the Peace, Col- borne District,	Various Statutes.
Wood, G. C.	1842. 25th Aug.	do.	do.	Collector, Port of Cornwall,	4 Geo. IV. chap. 11.
Wilson, George	1843. 30th Aug.	do.	do.	“ Sault St. Mary,	do. do.
Warren, Wm.	10th Oct.	do.	do.	“ Windsor,	do. do.
Freel, Peter	1842. 15th Oct.	do.	150 0 0	Judge Ottawa District Court,	4 & 5 Vict. chap. 8.
Malloch, Edwd.	25th June,	do.	Fees, &c.	Sheriff Dalhousie District,	3 Wm. 4, chap. 8, &c.

N. B. Exclusive of Magistrates, Coroners, Notaries, and the appointments made under the Municipal District Act, at the beginning of 1842.

PROVINCIAL SECRETARY'S OFFICE,  
Montreal, 18th March, 1845.

## RETURN

Of the Names, &c., of all Persons who have been appointed to any Office of Emolument in the Province, since the Prorogation of the last Parliament, on the 9th December, 1843, up to the 31st December, 1844, prepared in pursuance of an Address of the Legislative Assembly, dated 4th December, 1844.

## LOWER CANADA.

Name.	Date.	Temporary or Permanent.	Amount of Salary.	Office.	Authority, &c. for Appointment.
Ahier, Francis	1844. 5th Feb.	Temporary,	Fees, &c.	{ Census Commissioner, County of Gaspé, }	7 Vict. chap. 24.
Archambault, Camille	8th Feb.	do.	do.	Do. Leinster,	do. do.
Austin, Thomas	1st March,	During pleasure,	do.	Registrar County of Chambly,	7 Vict. chap. 22.
Archambault, Louis	do.	do.	do.	Do. do. Leinster,	do. do.
Arcand, Jean Olivier	do.	do.	do.	Do. do. Yamaska,	do. do.
Aubertin, Henri	do.	do.	do.	Do. do. Rouville,	do. do.
Allsopp, Robert, junr.	19th July,	do.	do.	Clerk Circuit Court, Shefford,	7 Vict. chap. 16.
Bonneville, J. B.	8th Feb.	Temporary,	do.	{ Census Commissioner, County of Dorchester, }	7 Vict. chap. 24.
Boucherville, Thos. V.	10th “	do.	do.	Do. Chambly,	do. do.
Buchanan, Drummond	1st March,	During pleasure,	do.	Registrar County of Terrebonne	7 Vict. chap. 22.
Bowen, Edw. H.	do.	do.	do.	Do. do. Bellechasse,	do. do.
Burroughs, E. and Huot, H. S. }	9th April,	do.	do.	Joint Prothonotary Quebec,	{ Acts for Administra- tion of Justice.
Botham, James	22d April,	do.	do.	Clerk Circuit Court, Shefford,	7 Vict. chap. 16.
Bastien, Joseph O.	do.	do.	do.	Do. Vandreuil,	do. do.
Bondy, Anselme D.	do.	do.	do.	Do. Berthier,	do. do.
Bender, Albert	do.	do.	do.	Do. St. Thomas,	do. do.
Bell, William, and Bowen, G. F. }	do.	do.	do.	Joint Prothonotary St. Francis,	{ Acts for Administra- tion of Justice.

RETURN of the Names, &c., of the Persons, &c.—Continued.

20th March.

20th March.

Names.	Date.	Temporary or Permanent.	Amount of Salary.	Office.	Authority, &c. for Appointment.
Bell, William, and Boven, G. F.	1844. 22d April,	During pleasure.	Fees, &c.	{ Joint Clerk of the Crown, } St. Francis,	{ Acts for Administra- } tion of Justice.
Bruneau, Jean C.	26th "	do.	£500 0 0	Circuit Judge, Quebec,	7 Vict. chap. 16.
Badgley, William	29th "	do.	500 0 0	Do. Montreal,	do. do.
Barnard, Edward	5th July,	do.	Fees, &c.	Prothonotary, Three Rivers,	{ Acts for Administra- } tion of Justice.
Do. do.	do.	do.	20 0 0	Clerk of the Crown, do.	7 Vict. chap. 16.
Beaudry, Louis	do.	do.	Fees, &c.	Clerk Circuit Court, Beauharnois,	7 Vict. chap. 16.
Burton, Samuel Judge	8th do.	do.	Dead,	Collector of Customs, Clarenceville,	O. C. 5th June, 1844.
Burland, Benjamin	do.	do.	90 0 0	Gauger and Preventive Officer, H. M. C.,	do. do.
Botham, James	12th do.	do.	90 0 0	Collector of Customs, Huntington,	do. do.
Burton, Samuel Judge	21st August,	Dead.		Collector of Customs, Frelighsburg,	do. do.
Belleau, Jean Collet	3d Oct.	During pleasure	{ £120, paid } by Collector at Quebec.	Sub do. Magdalen Islands,	do. do.
Bodwell, Wellington	27th Nov.	do.	Seizures,	Preventive Officer, H. M. C.	do. do.
Belleau, Jean Collet	6th Dec.	do.	Fees, &c.	{ Clerk Circuit Court, Magdalen Islands,	7 Vict. chap. 17.
Casoult, Louis,	5th Feb.	Temporary.	do.	Census Commissioner, County of L'Islet,	7 Vict. chap. 24.
Clement, Leon C	"	do.	do.	Census Commissioner, County of Saguenay,	do. do.
Comcau, Alexander	"	During pleasure,	Fees, &c.	Inspector of Anatomy, District of Montreal,	7 Vict. chap. 5.
Chamberland, Felix	7th "	Temporary,	do.	Census Commissioner, County of Rimouski,	7 Vict. chap. 24.
Cox, Edmond	8th "	do.	do.	Do. County of Drummond,	do. do.
Craig, L. D.	"	do.	do.	Do. " St. Maurice,	do. do.
Chagnon, Godfrey	"	do.	do.	Do. " Leinster,	do. do.
Cholut, Jean Bte.	1st March,	During pleasure.	do.	Registrar, County of Berthier,	7 Vict. chap. 22.
Couillard, Anty. G.	"	do.	do.	Do. " L'Islet,	do. do.
Charlebois, H. G.	"	do.	do.	Do. " Vandreuil,	do. do.
Chevallier, Pierre R.	"	do.	do.	Do. " Richelieu,	do. do.
Carter, George Short	22d April,	do.	do.	Clerk Circuit Court, Yamaska,	7 Vict. chap. 16.
Chalon, Philippe	"	do.	do.	Do. Kamouraska,	do. do.
Cleeve, Frederick C.	"	do.	do.	Do. Richmond,	do. do.
Coffin, W. C. H.	5th July,	do.	do.	Joint Prothonotary, Montreal,	{ Acts for Administra- } tion of Justice.
Clarke, Eleazer	19th Dec.	do.	do.	High Constable, St. Francis,	7 Vict. chap. 24.
Dorion, Jacques	4th Feb.	Temporary,	do.	{ Census Commissioner, } County of Richelieu,	do. do.
Desonnier, L.	8th "	do.	do.	Do. County of Bonaventure,	do. do.
De Hertel, Daniel	1st March,	During pleasure.	do.	{ Registrar, County of Two } Mountains,	7 Vict. chap. 22.
Dowling, Edward	"	do.	do.	Do. County of Montreal,	do. do.
Dickenson, Richard	"	do.	do.	Do. " Missisquoi,	do. do.
Doucet, Pierre Ant.	22d April,	do.	do.	Clerk Circuit Court, Beauce,	7 Vict. chap. 16.
Doucet, Theod.	"	do.	do.	Do. St. Hyacinthe,	do. do.
De Lonjmier, L. G.	"	do.	do.	Do. L'Assomption,	do. do.
De St. George, L. A.	"	do.	do.	Do. Portneuf,	do. do.
Delisle, John	"	do.	do.	Do. Terrebonne,	do. do.
Davidson, John	8th July,	do.	90 0 0	{ Collector of Customs, } Russeltown,	O. C. 5th June, 1844.
Demage, Arthur	7th Aug.	do.	Seizures,	Preventive Officer, H. M. C.	do. do.
Dalton, Henry	6th Dec.	do.	Fees, &c.	{ Clerk Circuit Court, Dis- } trict of Gaspé,	7 Vict. chap. 17.
Elkins, Christopher P.	22d April,	do.	do.	Do. District of Stanstead,	7 Vict. chap. 16.
Eden, John	6th Dec.	do.	do.	Do. " Gaspé,	7 Vict. chap. 17.
Fourneret, C. A.	8th Feb.	Temporary,	do.	{ Census Commissioner, } County of Berthier,	7 Vict. chap. 24.
Foster, Hiram S.	"	do.	do.	Do. County of Shefford,	do. do.
Filton, Robert Wily	1st March,	During pleasure.	do.	{ Registrar, County of Bo- } naventure,	7 Vict. chap. 22.
Fortier, Richard A.	"	do.	do.	Do. County of Dorchester,	do. do.
Foster, Hiram S.	"	do.	do.	Do. " Shefford,	do. do.
Filteau, Ferdinand	"	do.	do.	Do. " Champlain,	do. do.
Fiset, Louis	23d April,	do.	500 0 0	District Judge, County of Gaspé	7 Vict. chap. 17.
Filteau, Joseph	22d "	do.	Fees, &c.	Clerk Circuit Court, Lotbiniere,	7 Vict. chap. 16.
Finden, Samuel S.	19th July,	do.	36 0 0	Preventive Officer, H. M. C.	O. C. 5th June, 1844.

Appendix  
(BBB.)

## RETURN of the Names, &amp;c. of all Persons, &amp;c.—Continued.

Appendix  
(BBB.)

20th March.

20th March.

Names.	Date.	Temporary or Permanent.	Amount of Salary.	Office.	Authority, &c. for Appointment.
	1844.				
Foster, James	9th Oct.	During pleasure.	Seizures,	Preventive Officer, H. M. C.	O. C. 5th June, 1844.
Ford, John	16th Aug.	do.	do.	do. do.	do. do.
Finn, Patrick	12th Nov.	do.	do.	do. do.	do. do.
Fraser, John	13th "	do.	Fees, &c.	Clerk Circuit Court, Ristigouche,	7 Vict. chap. 17.
Guy, Hypolite	23d Dec.	do.	£500 0 0	{ District Judge Inferior } { District of Montreal, }	{ Acts for Administra- } { tion of Justice. }
Gauthier, Augustin, jun	6th Feb.	do.	Fees, &c.	Inspector of Anatomy, Quebec,	7 Vict. chap. 5.
Do. do.	8th "	Temporary,	do.	{ Census Commissioner, } { County of Quebec, }	7 Vict. chap. 24.
Gagnon, Charles E.	"	do.	do.	Do. County of St. Maurice,	do. do.
Guy, Hypolite	22d April,	During pleasure.	500 0 0	Circuit Judge, Montreal,	7 Vict. chap. 16.
Genest, Laurent	"	do.	Fees, &c.	Clerk Circuit Court, Gentilly,	do. do.
Godard, John	"	do.	do.	do. Richelieu,	do. do.
Gardner, Alexander	8th July,	do.	27 0 0	Preventive Officer, H. M. C.	O. C. 5th June, 1844.
Gordon, Thomas	22d "	do.	67 10 0	Collector of Customs, Compton,	do. do.
Gairdner, Robert II.	11th Nov.	do.	500 0 0	Judge, District of St. Francis,	{ Acts for Administra- } { tion of Justice. }
Higginson, James M.	20th Jan.	do.	1111 2 2	{ Civil Secretary, Province } { of Canada, }	{ Governor General, } { and Schedule B. }
Herbert, M.	10th Feb.	Temporary,	Fees, &c.	{ Census Commissioner, } { County of Huntingdon, }	7 Vict. chap. 24.
Huot, Hector S., and } Burroughs, E. }	9th April,	During pleasure.	do.	Joint Prothonotary, Quebec,	{ Acts for Administra- } { tion of Justice. }
Hume, William	22d "	do.	do.	{ Clerk Circuit Court, } { County of Leeds, }	7 Vict. chap. 16.
Hackett, Edward	8th July,	do.	90 0 0	Collector of Customs, Lacolle,	O. C. 5th June, 1844.
Henderson, John	9th "	do.	36 0 0	Landing Waiter, H. M. C.	do. do.
Hamilton, John R.	25th "	do.	Fees, &c.	Queen's Council,	Civil List (Schedule A.)
Holland, Henry A.	15th Aug.	do.	do.	Clerk Circuit Court, Yamaska,	7 Vict. chap. 16.
Johnson, Ralph B.	17th Feb.	do.	do.	{ Clerk District Court, } { Two Mountains, }	(Act expired.)
Jutias, Joseph	1st March,	do.	do.	Registrar, County of Nicolet,	7 Vict. chap. 22.
Johnson, Ralph B.	22d April,	do.	do.	{ Clerk Circuit Court, Two } { Mountains, }	7 Vict. chap. 16.
Julyan, Robert	20th May,	do.	100 0 0	{ Assistant Harbour Master, } { Quebec, }	Trinity House Act.
Johnson, George N.	8th July,	do.	67 10 0	{ Collector of Customs, } { Hemmingford, }	O. C. 5th June, 1844.
Kemp, Anson	13th Dec.	do.	Not settled,	Do. Sutton,	do. do.
Lemoine, W. H.	5th Feb.	Temporary,	Fees, &c.	{ Census Commissioner, } { County of Montmorency, }	7 Vict. chap. 24.
Laroche, François	8th "	do.	do.	Do. " Portneuf,	do. do.
Lusignan, Joseph	4th "	do.	do.	Do. " Richelieu,	do. do.
Lemaire de St. Ger- } main, S. H. }	10th "	do.	do.	Do. " Two Mountains,	do. do.
Lighthall, Dow K.	1st March,	During pleasure.	Fees, &c.	{ Registrar, County of Beau- } { harnois, }	7 Vict. chap. 22.
Lukin, Jean Bte.	"	do.	do.	Do. County of Huntingdon,	do. do.
Le François, Louis C.	"	do.	do.	Do. " Montmorency,	do. do.
Lafontaine, Aimé	22d April,	do.	do.	{ Clerk Circuit Court, } { County of Ottawa, }	7 Vict. chap. 16.
Lelièvre, Roger	23d May,	do.	do.	Do. County of Portneuf,	do. do.
Lambly, John R.	1st March,	do.	do.	Registrar, County Megantic,	7 Vict. chap. 22.
Leggatt, William	8th July,	do.	63 0 0	Landing Waiter, H. M. C.	O. C. 5th June, 1844.
Le Bel, Joseph G.	13th Nov.	do.	Fees, &c.	Clerk Circuit Court, Carleton,	7 Vict. chap. 17.
Martin, J. B., and } Martineau O. }	5th Feb.	Temporary.	do.	{ Census Commissioners, } { County of Kamouraska, }	7 Vict. chap. 24.
Meagher, Joseph	"	do.	do.	Do. County of Bonaventure,	do. do.
Martineau, André J.	8th "	do.	do.	Do. " Champlain,	do. do.
Manuel, Charles	10th "	do.	do.	Do. " Beauharnois,	do. do.
Montizambert, Chas. U.	1st March,	During pleasure.	do.	{ Registrar, County of St. } { Maurice, }	7 Vict. chap. 22.
Menard, Pierre	"	do.	do.	Do. County of Verchères,	do. do.
Mondelet, Chas. E.	24th April,	do.	500 0 0	Circuit Judge, Montreal,	7 Vict. chap. 16.
M'Cord, Wm. K.	25th "	do.	500 0 0	Do. Quebec,	do. do.
M'Cord, John Samuel	27th "	do.	500 0 0	Do. Montreal,	do. do.
M'Gillis, John	22d "	do.	Fees, &c.	Clerk Circuit Court, St. John's,	do. do.
Montizambert, Chas. N.	8th March,	do.	do.	{ Registrar, County of St. } { Maurice, }	7 Vict. chap. 22.
Monk, Saml. W.	12th June,	do.	do.	{ Prothonotary, County of } { Montreal, }	{ Acts for Administra- } { tion of Justice. }

Appendix  
(BBB.)

## RETURN of the Names, &amp;c., of all Persons, &amp;c.—Continued.

Appendix  
(BBB.)

20th March.

20th March.

Names.	Date.	Temporary or Permanent.	Amount of Salary.	Office.	Authority, &c. for Appointment.
	1844.				
Masson, Luc H.	8th July,	During pleasure,	£90 0 0	Collector of Customs, Dundee,	O. C. 5th June, 1844.
Monk, S. W. & others,	5th "	do.	Fees, &c.	{ Joint Prothonotary, County } of Montreal,	{ Acts for Administra- tion of Justice.
McGowan, Wm.	8th "	do.	27 0 0	Preventive Officer, H.M.C.	O. C. 5th June, 1844.
Moore, Henry F.	12th "	do.	67 10 0	Collector of Customs, Eaton,	do. do.
Meredith, William C.	19th "	do.	Fees, &c.	Queen's Counsel,	Civil List, Schedule A.
McVey, James H.	25th "	do.	90 0 0	Collector of Customs, Potton,	O. C. 5th June, 1844.
Noel, Remi S.	14th Feb.	Temporary,	Fees, &c.	{ Census Commissioner, } County Lotbinière,	7 Vict. chap. 24.
Do.	1st March	During pleasure,	do.	Registrar do.	7 Vict. chap. 22.
Papineau, André B.	10th Feb.	Temporary,	do.	{ Census Commissioner, } County Terrebonne,	7 Vict. chap. 24.
Prevost, Gideon M.	"	do.	do.	Do. do.	do. do.
Proulx, Noël	13th "	do.	do.	Do. Nicolet,	do. do.
Papineau, Louis J. A.	14th "	do.	do.	{ Census Commissioner, } County of Montreal,	do. do.
Pacaud, Edouard L.	17th "	During pleasure,	do.	Bankrupt Commissioner, Three Rivers,	7 Vict. chap. 10.
Papineau, Joseph B.	10th "	Temporary,	do.	Census Commissioner, County of Ottawa,	7 Vict. chap. 24.
Paul, Henry	1st March,	During pleasure,	do.	Registrar, County of Portneuf,	7 Vict. chap. 22.
Power, William	23d April,	do.	500 0 0	Circuit Judge, Quebec,	7 Vict. chap. 16.
Platt, John	22d April,	do.	Fees, &c.	{ Clerk Circuit Court, } Beauharnois,	do. do.
Papineau, Louis J. } A., et al	5th July,	do.	do.	{ Joint Prothonotary, Coun- } ty of Montreal,	{ Acts for Administra- tion of Justice.
Pring, William	8th "	do.	180 0 0	Surveyor of Customs at St. John's,	O. C. 5th June, 1844.
Patton, Andrew	12th "	do.	36 0 0	Preventive Officer, H.M.C.	do. do.
Quesnel, Timoleon	10th Feb.	Temporary,	Fees, &c.	{ Census Commissioner, } County of Chambly,	7 Vict. chap. 24.
Ruel, Augustin G.	1st March,	During pleasure.	do.	Registrar, County of Ri- mouski,	7 Vict. chap. 22.
Robins, William	"	do.	do.	Do. County of Drummond,	do. do.
Ryland, George W.	"	do.	do.	Do. " Quebec,	do. do.
Ritchie, William	"	do.	do.	Do. " Sherbrooke,	do. do.
Richardson, Charles A.	"	do.	do.	Do. " Stanstead,	do. do.
Reeves, James	22d April,	do.	do.	{ Clerk Circuit Court, Ri- } mouski,	7 Vict. chap. 16.
Rayside, William R.	15th May,	do.	225 0 0	Harbour Master, Montreal,	Trinity House Act.
Raby, Germain	5th July,	do.	Fees, &c.	{ Clerk Circuit Court, Terre- } bonne,	7 Vict. chap. 16.
Sharples, John	1843. 19th Dec.	do.	300 0 0	Supervisor of Cullers,	7 Vict. chap. 25.
Shuter, Robert	1844. 10th Feb.	Temporary,	Fees, &c.	{ Census Commissioner, } County of Ottawa,	7 Vict. chap. 24.
Scott, Alexander S.	22d April,	During pleasure.	120 0 0	Clerk Court of Appeals,	7 Vict. chap. 18.
Sexton, John P.	22d May,	do.	Fees, &c.	{ Inspector of Anatomy, } Montreal,	7 Vict. chap. 5.
Steel, William	9th July;	do.	Resigned,	{ Collector of Customs, Fre- } ligsburg,	O. C. 5th June, 1844.
Sheppard, Martin	19th "	do.	70 0 0	Sheriff, District of Gaspé,	7 Vict. chap. 17.
Symmes, Richard A.	26th "	do.	Seizures,	Preventive Officer, H.M.C.	O. C. 5th June, 1844.
Stewart, Charles	21st Aug.	do.	90 0 0	{ Collector of Customs, } Clarenceville,	do. do.
Smith, James	31st "	do.	{ Fees, &c. } when employed,	{ Queen's Counsel, } Attorney General L. C.	{ Administration of Justice, Schedule A.
Do.	2d Sept.	do.	1100 0 0		do. do.
Do.	"	do.	{ No Emolu- } ment,		
Seaton, Benjamin	9th Nov.	do.	Seizures,	Preventive Officer, H.M.C.	O. C. 5th June, 1844.
Smith, Isaac H.	18th "	do.	do.	Do. do.	do. do.
Tetu, Jean François	8th Feb.	Temporary,	Fees, &c.	{ Census Commissioner, } County of St. Hyacinthe,	7 Vict. chap. 24.
Tremblay, Edouard	1st March,	During pleasure,	do.	{ Registrar, County of Sa- } guenay,	7 Vict. chap. 22.
Taylor, James F.	"	do.	do.	Do. County of Ottawa,	do. do.
Taché, Jean Baptiste	"	do.	do.	Do. " Kamouraska,	do. do.
Tetu, Jean François	"	do.	do.	Registrar St. Hyacinthe,	do. do.



Appendix  
(BBB.)

## RETURN of the Names, &amp;c. of all Persons, &amp;c.—Continued.

Appendix  
(BBB.)

20th March.

20th March.

Names.	Date.	Temporary or Permanent.	Amount of Salary.	Office.	Authority, &c. for Appointment.
	1844.				
Thompson, John G.	22d April,	During pleasure.	£500 0 0	{ District Judge, District of } Gaspé,	7 Vict. chap. 17.
Tachéreau, Joseph	30th "	do.	Fees, &c.	Clerk Circuit Court, Beauce,	7 Vict. chap. 16.
Taylor, Ralph, Jun.	8th July,	do.	Seizures,	Preventive Officer, H.M.C.	O. C. 5th June, 1844.
Thompson, James	19th "	do.	90 0 0	Collector of Customs, Stanstead	6 Wm IV. chap. 24.
Tremblay, George F.	19th "	do.	Fees, &c.	{ Joint Prothonotary, Dis- } trict of Gaspé,	7 Vict. chap. 17.
Do. do.	25th "	do.	do.	Clerk Circuit Court, Percé,	do. do.
Taylor, Ralph Jun.	10th Dec.	do.	90 0 0	{ Collector of Customs, Fre- } lightsburg,	O. C. 5th June, 1844.
	1843.				
Vigor, Denis Benjamin	12th Dec.	do.	{ As President } of Commit- tees, £1000	{ Member of Executive } Council,	Civil List, Schedule B.
	1844.				
Vanfelson, Antoine A.	22d April,	do.	Fees, &c.	{ Clerk Circuit Court, Sa- } guenay,	7 Vict. chap. 16.
Vandal, Louis C.	8th July,	do.	63 0 0	{ Landing Waiter, H.M.C. } St. John's,	6 Wm. IV. chap. 24.
Vincent, Robert	25th "	do.	45 0 0	Surveyor of Customs,	O. C. 5th June, 1844.
Winter, John	10th Feb.	Temporary.	Fees, &c.	{ Census Commissioner, } County Beauharnois,	7 Vict. chap. 24.
Winter, Peter	25th March,	During pleasure.	do.	Registrar, County of Gaspé,	7 Vict. chap. 22.
Wilford, Richard	22d April,	do.	do.	Clerk Circuit Court, Eaton,	7 Vict. chap. 16.
Wilkie, John	19th July,	do.	do.	{ Joint Prothonotary, Dis- } trict of Gaspé,	7 Vict. chap. 17.
Do. do.	25th "	do.	do.	{ Clerk Circuit Court, New } Carlisle,	do. do.
Workman, Aaron	14th Sept.	do.	Seizures,	Preventive Officer, H.M.C.	O. C. 5th June, 1844.
Young, Alexander	25th July,	do.	do.	Do. do.	do. do.
Young, James	3d Sept.	do.	do.	Do. do.	do. do.

The foregoing have been appointed either by Great, or Privy Seal, Commissions. In addition, Mr. J. W. Dunscomb has been directed by Letter to act as Commissioner or Superintendent of Customs for the Inland Ports, at an estimated emolument of £666 13 4 per annum; the passing of the Acts 7 Vict. chap. 1 and 2, among other pressing considerations, having rendered such temporary appointment, in the opinion of the Executive, necessary for the interests of the Revenue.

PROVINCIAL SECRETARY'S OFFICE,  
Montreal, 18th March, 1845.

## RETURN

Of the Names, &c. of persons who have been appointed to any Office of Emolument in Lower Canada, from the 10th February, 1841, to the 9th December, 1843; prepared in pursuance of an Address of the Legislative Assembly, dated 4th December, 1844.

Names.	Date.	Temporary or Permanent.	Amount of Salary.	Office.	Authority for Appointment.
	1841.				
Amiot, Thomas	13th Feb.	During pleasure.	£150 0 0	{ Clerk of the Crown in } Chancery,	Annual vote.
Do. do.	28th Dec.	do.	Fees, &c.	{ Clerk of the District } Court, St. Thomas,	4 & 5 Vict. chap. 20.
Andrew, Frederick	"	do.	do.	Do. Chaudière,	do. do.
	1842.				
Austin, Thomas	1st Jan.	do.	do.	Registrar, District of St. Johns,	{ Special Ordinance, } 4 Vict. chap. 30.

Appendix  
(BBB.)

## RETURN of the Names, &amp;c. of all Persons, &amp;c.—Continued.

Appendix  
(BBB.)

20th March.

20th March.

Names.	Date.	Temporary or Permanent.	Amount of Salary.	Office.	Authority, &c. for Appointment.
Aylwin, Thos. C.	1842. 23d Sept.	During pleasure			
Do.	24th "	do.	Fees, if employed, £1111 2 2	Queen's Counsel, Solicitor General, Canada	Civil List Schedule A.
Do.	"	do.	111 2 2	East, Member of Executive Council,	do. do. do. do. B.
Archambault, Louis	1843. 14th March	do.	Fees, &c.	Registrar, District of Leinster,	4 Vict. chap. 30.
Baldwin, Robert	1841. 13th Feb.	do.	111 2 2	Member of Executive Council,	Civil List, Schedule A.
Boston, John	4th March	do.	111 2 2	Sheriff, District of Montreal,	{ Administration of Justice.
Boxer, Capt. E. C.B.R.N.	25th Oct.	do.	177 15 6	{ Post Captain and Harbour Master, Quebec,	Trinity House Act.
Botham, James	28th Dec.	do.	Fees, &c.	{ Clerk District Court, Mis- sisquoi,	4 & 5 Vict. chap. 20.
Bowen, Geo. Frederick	"	do.	do.	Do. Sherbrooko,	do. do.
Buchanan, Drummond	1842. 1st Jan.	do.	do.	{ Registrar, District of Terre- bonne,	4 Vict. chap. 30.
Bowen, Edwd. H.	"	do.	do.	Do. Dorchester,	do. do.
Bradley, Joseph P.	4th Dec.	do.	166 13 4	Do. Vice Admiralty Court,	Civil List, Schedule A.
Bruncan, Jean C.	1st Feb.	do.	do.	{ Judge Inferior District, Chaudiere,	4 & 5 Vict. chap. 20.
Do.	"	do.	400 0 0	Do. Dorchester,	do. do.
Do.	"	do.	do.	Do. Nicolet,	do. do.
Bullock, Chauncey	9th "	do.	Fees, &c.	{ Inspector of Distilleries, St. Francis,	4 & 5 Vict. chap. 31.
Boston, J., & Coffin, W. F.	16th "	do.	111 2 2	Sheriff, District of Montreal,	{ Administration of Justice.
Brehaut, Wm. Henry	10th May,	do.	Fees, &c.	{ Clerk District Court, Mon- treal Island,	4 & 5 Vict. chap. 20.
Bosse, Joseph N.	28th "	do.	do.	{ Commissioner for holding Commissioners' Court, Mag-Jalen Island,	4 & 5 Vict. chap. 22.
Bouffard, Louis	31st "	do.	do.	{ Clerk Commissioners' Court, do.	do. do.
Bosse, Jos. N.	1843. 25th May,	do.	do.	{ Commissioner for holding Commissioners' Court, do.	do. do.
Bondy, Anselmo D.	1842. 5th Oct.	do.	do.	Clerk District Court, Berthier,	4 & 5 Vict. chap. 20.
Chaulon, Philippe	1841. 28th Dec.	do.	do.	Do. Dorchester,	do. do.
Coffin, Wm. C. H.	"	do.	do.	Do. Three Rivers,	do. do.
Couillard, Ant. G.	1842. 1st Jan.	do.	do.	{ Registrar, District of St. Thomas,	4 Vict. chap. 30.
Cholin, Philippe	28th "	do.	do.	{ Clerk District Court, Ka- mouraska,	4 & 5 Vict. chap. 20.
Coffin, W. F., and Boston, J.	16th Feb.	do.	111 2 2	{ Joint Sheriff, District of Montreal,	{ Administration of Justice.
Cherrier, Come S.	"	do.	Fees, &c.	Queen's Council, L. C.	Civil List, Schedule A.
Coffin, Augustus	17th Aug. 1843.	do.	do.	Police Magistrate,	4 Vict. chap. 47.
Cholul, J. Bte.	14th March, 1841.	do.	do.	Registrar, District of Berthier,	4 Vict. chap. 30.
Dunn, John Henry	13th Feb.	do.	111 2 2	Member of Executive Council,	Civil List, Schedule B.
Daly, Dominick	"	do.	111 2 2	Do. do.	do. do.
Draper, William Henry	"	do.	111 2 2	Do. do.	do. do.
Day, Charles Dewey	"	do.	111 2 2	Do. do.	do. do.
Daly, Dominick	"	do.	111 2 2	Do. do.	do. do.
Dunn, John Henry	23d "	do.	1111 2 2	Provincial Secretary East,	do. do.
Davidson, John	23d July,	do.	1333 6 8	Receiver General (Canada),	do. do.
Derbishire, S., and Desbarats, G.	29th Sept.	do.	888 17 9	{ Commissioner of Crown Lands, Jointly Law Printer to Her Majesty,	Crown Revenue. Governor General.
Driscoll, Henry	21st April,	do.	Fees, &c.	{ Police Magistrate, Montreal,	4 Vict. chap. 47.
DeSaint, George L.A.	28th Dec.	do.	400 0 0	Clerk District Court, Portneuf,	4 & 5 Vict. chap. 20.
Doucet, Theod.	"	do.	do.	Do. St. Hyacinthe,	do. do.
Delisle, John	"	do.	do.	Do. Terrebonne,	do. do.
De Lorimier, Louis G.	"	do.	do.	Do. Leinster,	do. do.
Doucet, Pierre Ant.	"	do.	do.	Do. Kamouraska,	do. do.

Appendix  
(BBB.)

## RETURN of the Names, &amp;c. of all Persons, &amp;c.—Continued.

Appendix  
(BBB.)

20th March.

20th March.

Names.	Date.	Temporary or Permanent.	Amount of Salary.	Office.	Authority, &c. for Appointment.
Dowling, Edwd.	1842. 1st Jan.	During pleasure.	Fees, &c.	{ Registrar, District of Mon- treal,	{ 4 Vict. chap. 30.
De Salaberry, Mel- chior A.	"	do.	do.	Do. Richelieu,	do. do.
De Hertel, Daniel	"	do.	do.	Do. Two Mountains,	do. do.
Dickenson, Richard	"	do.	do.	Do. Missisquoi,	do. do.
Doucett, Pierre Ant.	28th "	do.	do.	{ Clerk District Court, Dor- chester,	{ do. do.
Day, Charles Dewey	29th June, 1843.	do.	1000 0 0	{ Judge, Court of King's Bench, Montreal,	{ Administration of Justice.
Du Moulin, Jean E.	25th June,	do.	Fees, &c.	{ Commissioner of Bank- rupts, Three Rivers,	{ 2 Vict. chap. 36.
Delisle, Alexander M.	4th July,	do.	do.	Clerk of the Peace, Montreal,	Various Acts.
Ermatinger, William	1842. 16th Feb.	do.	444 8 10	{ Commissioner of Police, Montreal,	{ 4 Vict. chap. 47.
Do.	1843. 20th Jan.	do.	300 0 0	{ Inspector & Superintend- ent of Police, Montreal,	{ 2 Vict. chap. 2.
Fiset, Louis	1841. 28th Dec.	do.	Fees, &c.	Clerk District Court, Quebec,	4 & 5 Vict. chap. 20.
Filton, Robert Wiley	1842. 1st Jan.	do.	do	{ Registrar, District of Bo- naventure,	{ 4 Vict. chap. 30.
Fortier, Richard A.	"	do.	do	Do. Chaudière,	do. do.
Fortier, Felix	19th Feb.	do.	150 0 0	{ Clerk of the Crown in Chancery,	{ Annual vote.
Fisher, Duncan	16th "	do.	Fees, &c.	Queen's Counsel, L. C.	Civil List, Schedule A.
Gifford, Arthur	1841. 3d April,	do.	do.	{ Clerk of the Peace, Gore District, Upper Canada,	{ Various Acts, U.C.
Gugy, B. C. A.	12th March,	do.	500 0 0	{ Adjutant General of Mili- tia, Lower Canada,	{ Annual Vote,
Guy, Hypolite	17th April,	do.	555 11 1	{ Commissioner of Court of Requests, Montreal,	{ Special Ordinance, 2 Vict. chap. 58.
Do.	24th Dec.	do.	No additional salary.	Judge Inferior District St. Johns,	{ 4 & 5 Vict. chap. 20.
Do.	"	do.	Commission- ers' Inferior	Do. St. Hyacinthe,	
Do.	"	do.	Term Court	Do. Beauharnois,	
Do.	"	do.	of K. B.	Do. Richelieu,	
Godard, John	28th "	do.	Fees, &c.	Clerk District Court, Richelieu	4 & 5 Vict. chap. 20.
Gough, Alfred	1842. 31st Jan.	do.		{ Secretary to Commission- ers to Chambly Canal,	{ 3 Geo. IV. chap. 41.
Green, James	10th March,	do.	40 0 0	Clerk of the Crown, Quebec,	{ Administration of Justice.
Guy, Hypolite	9th June,	do.	555 11 1	{ Commissioner Inferior Term, K.B., Montreal,	{ do. do.
Do.	13th Oct.	do.	{ No addition- al salary,	{ Judge Inferior District, St. Thomas,	{ 4 & 5 Vict. chap. 20.
Do.	"	do.		Do. Rimouski,	
Do.	"	do.		Do. Kamouraski,	
Harrison, Sam. B.	1841. 13th Feb.	do.	111 2 2	Member of Executive Council,	{ Civil List, Schedule B.
Do.	"	do.	111 2 2	Provincial Secretary West,	
Hughes, Henry B.	16th Oct.	do.	Fees, &c.	{ Clerk of the Peace, Three Rivers,	{ Various Acts.
Huot, Hector S	1842. 1st Jan.	do.	do.	Registrar, District of Berthier,	4 Vict. chap. 30.
Hale, W. A.	"	do.	do.	Do. Gaspé,	do. do.
Holmes, James	"	do.	do.	Do. St. Hyacinthe,	do. do.
Hincks, Francis	9th June,	do.	111 2 2	{ Member of the Executive Council,	{ Civil List, Schedule B.
Do.	"	do.	111 2 2	Inspector General, (Canada)	
Hanson, William	22d August,	do.	300 0 0	{ Police Magistrate, District of Quebec,	{ 4 Vict. chap. 47.
Do.	"	do.	do.	Do. St. Francis,	do. do.
Holmes, James	1843. 14th March,	do.	125 0 0	{ Registrar, Treasurer, and Clerk, Trinity House, Montreal,	{ Trinity House Acts.

Appendix (BBB.)

RETURN of the Names, &c., of the Persons; &c.—Continued.

Appendix (BBB.)

20th March.

20th March.

Names.	Date.	Temporary or Permanent.	Amount of Salary.	Office.	Authority, &c. for Appointment.
	1841.				
Johnson, R. B.	23d June,	During pleasure,	£300 0 0	Stipendiary Magistrate,	4 Vict. chap. 47.
Jones, Edward T.	28th Dec.	do.	Fees, &c.	{ Clerk District Court, Two } Mountains,	4 & 5 Vict. chap. 20.
Jessupp, Henry	1843. 20th April,	do.	Per centage,	Naval Officer, Port of Quebec,	Navigation Acts.
Killaly, Hamilton H.	1841. 17th March,	do.	111 2 2	Member of Executive Council,	Civil List, Schedule B.
Lindsay, W. B.	10th June,	do.	555 11 1	Clerk Legislative Assembly,	Annual Vote.
Lafontaine, Aimé	28th Dec.	do.	Fees, &c.	{ Clerk District Court, Sy- } denham,	4 & 5 Vict. chap. 20.
	1842.				
Lighthall, D. K.	1st Jan.	do.	do.	{ Registrar, District of } Beauharnois,	4 Vict. chap. 30.
Lemoine, Benjamin	9th Feb.	do.	do.	{ Inspector of Distilleries, } Quebec,	4 & 5 Vict. chap. 31.
Lafontaine, Louis H.	15th Sept.	do.	{ Fees when } employed,	Queen's Counsel,	Civil List, Schedule A.
Do.	16th "	do.	1666 13 4	{ Attorney General, Canada } East,	do. do.
Do.	"	do.	111 2 2	Member of Executive Council,	do. do. B.
Lemoine, Alexander	8th Nov.	do.	150 0 0	{ Clerk and Registrar, Trin- } ity House, Quebec,	Trinity House Acts.
Leprohon, Edward M.	24th Dec.	do.	Fees, &c.	{ Inspector of Pot and Pearl } Ashes, Montreal,	6 Vict. chap. 6.
	1841.				
Mondelet, Dominique	15th Feb.	do.	1000 0 0	{ Commissioner of Inferior } Term, Montreal,	{ Administration of } Justice.
M'Cord, Wm. K.	30th Dec.	do.	400 0 0	{ Judge Inferior District of } Two Mountains,	4 & 5 Vict. chap. 20.
Do.	"	do.	400 0 0	Do. Sydenham,	do. do.
Morin, Augustin N.	28th "	do.	400 0 0	Do. St. Thomas,	do. do.
Do.	"	do.	400 0 0	Do. Kamouraska,	do. do.
Do.	"	do.	400 0 0	Do. Rimouski,	do. do.
M'Gillis, John	"	do.	Fees, &c.	{ Clerk District Court, St. } Johns,	do. do.
Mondelet, Charles E.	29th "	do.	400 0 0	{ Judge Inferior District, Ter- } rebonne,	do. do.
Do.	"	do.	400 0 0	Do. Leinster,	do. do.
Do.	"	do.	400 0 0	Do. Berthier,	do. do.
	1842.				
Montizambert, C. N.	1st Jan.	do.	Fees, &c.	{ Registrar, District of Three } Rivers,	4 Vict. chap. 30.
MacGouran, Edward	4th "	do.	125 0 0	{ Registrar, Treasurer, and } Clerk, Trinity House,	Trinity House Acts.
Mondelet, Dominique	1st June,	do.	1000 0 0	{ Resident Judge, Three } Rivers,	{ Administration of } Justice.
M'Cord, John S.	10th "	do.	500 0 0	{ Judge Inferior District of St. } Johns,	4 & 5 Vict. chap. 20.
Do.	"	do.	500 0 0	Do. Missisquoi,	do. do.
Do.	"	do.	500 0 0	Do. St. Hyacinthe,	do. do.
Do.	"	do.	500 0 0	Do. Beauharnois,	do. do.
Do.	"	do.	500 0 0	Do. Richelieu,	do. do.
Morin, Augustin N.	13th Oct.	do.	888 17 9	Commissioner of Crown Lands,	Crown Revenue.
Do.	"	do.	111 2 2	Member of Executive Council,	Civil List, Schedule B.
Do.	"	do.	{ Fees when } employed,	{ Queen's Counsel, L.C. }	{ Administration of } Justice.
	1843.				
Menzies, Alex. S.	28th Feb.	do.	Fees, &c.	Clerk District Court, Nicolet,	4 & 5 Vict. chap. 20.
	1841.				
Ogden, Charles R.	13th Feb.	do.	111 2 2	Member of Executive Council,	Civil List, Schedule B.
	1842.				
Do.	15th Sept.	do.	{ Fees when } employed,	{ Queen's Counsel, }	{ Administration of } Justice.
	1841.				
Parke, Thomas	6th June,	do.	666 13 4	Surveyor General, Canada,	Crown Revenue.
Power, William	27th Dec.	do.	500 0 0	{ Judge Inferior District of } Quebec,	{ 4 & 5 Vict. chap. } 20.
Do.	"	do.	500 0 0	Do. Portneuf,	do. do.
Do.	"	do.	500 0 0	Do. Saguenay,	do. do.
Platt, John	28th "	do.	Fees, &c.	{ Clerk District Court, Beau- } harnois,	do. do.

Appendix  
(BBB.)

## RETURN of the Names, &amp;c., of all Persons, &amp;c.—Continued.

Appendix  
(BBB.)

20th March.

20th March.

Names.	Date.	Temporary or Permanent.	Amount of Salary.	Office.	Authority, &c. for Appointment.
Paul, Henry,	1842. 1st Jan.	During pleasure,	Fees, &c.	Registrar, District of Portneuf,	4 Vict. chap. 30.
Primrose, Francis W.	16th Feb.	do.	Fees when employed,	} Queen's Counsel, L. C.	Civil List, Schedule A.
Parent, Etienne	14th Oct.	do.	444 8 10		
Perault, François X.	8th Nov.	do.	Fees, &c.	Clerk of Executive Council,	Civil List, Schedule B.
Pring, William	15th Dec.	do.	do	Clerk of the Peace, Quebec,	{ Administration of Justice.
Rossiter, Peter N.	1841. 28th Dec.	do.	do	Deputy Collector, St. Johns,	Customs Act.
Reeves, James	"	do.	do	{ Clerk of the District Court,	} 4 & 5 Vict. chap. 20.
Ryan, William	"	do.	do	Berthier,	
Ryland, George H.	1842. 1st Jan.	do.	do	Do. Rimouski,	do. do.
Ruel, A. G.	"	do.	do	Do. Nicolet,	do. do.
Raymond, Jean M.	"	do.	do	Do. Sherbrooke,	do. do.
Robins, William	"	do.	do	Do. Phillipsburgh,	do. do.
Russell, Paschal P.	11th April, 1841.	do.	Per centage,	Deputy Collector, Phillipsburgh	Customs Act.
Sullivan, Robert B.	13th Feb.	do.	111 2 2	Member of Executive Council,	Civil List, Schedule B.
Simpson, William B.	5th March,	do.	400 0 0	{ Collector of Customs, Co- teau du Lac,	} 6 Wm. IV. chap. 24.
Sullivan, Robert B.	1st Dec.	do.	1111 2 2	President of Executive Council,	
Stuart, D. S.	1842. 9th Feb.	do.	Fees, &c.	{ Inspector of Distilleries, Montreal,	} 4 & 5 Vict. chap. 31.
Scott, Alexander S.	6th Aug.	do.	120 0 0	{ Clerk Court of Appeals, Quebec,	
Tilley, William	1841. 10th July,	do.	25 0 0	Coroner, County of Gaspé,	{ Administration of Justice.
Taché, Jean B.	1842. 1st Jan.	do.	Fees, &c.	{ Registrar, District of Ka- mouraska,	} 4 Vict. chap. 30.
Tramblay, Edward	"	do.	do	Do. Saguenay,	
Taylor, James F.	"	do.	do	Do. Sydenham,	do. do.
Tachercrau, Joseph A.	1843. 11th April,	do.	300 0 0	{ Inspector and Superintend- ent of Police, Quebec,	} 2 Vict. chap. 2.
Tetu, Jean François	30th June,	do.	Fees, &c.	{ Registrar, District of St. Hyacinthe,	
Vallerand, Olivier	1841. 16th Aug.	do.	100 0 0	{ Serjeant at Arms, Legis- lative Council,	} Annual Vote.
Vanfelson Ant. A.	28th Dec.	do.	Fees, &c.	{ Clerk District Court, Sa- guenay,	
Vallieres De St. Real, } Jos. R. }	1st June,	do.	1222 4 5	Chief Justice of Montreal,	{ Administration of Justice.
Vincent, Robert	1843. 9th Jan.	do.	Per centage,	Deputy Collector, Stanstead,	6 Wm IV. chap. 24.
Yarwood, Stephen	1842. 9th Feb.	do.	Fees, &c.	{ Inspector of Distilleries, Three Rivers,	} 4 & 5 Vict. chap. 31.

Exclusive of Notaries, Magistrates, and Municipal Appointments, which were made at the commencement of 1842.

PROVINCIAL SECRETARY'S OFFICE,  
Montreal, 18th March, 1845.

## RETURN

To an ADDRESS from the Legislative Assembly to His Excellency the Governor General, bearing date the 8th day of January, 1845, praying for "a Tabular Statement of each of the SCHOLASTIC INSTITUTIONS, to which an annual grant is made from the Funds of the Province, stating the number of Pupils in each."

SECRETARY'S OFFICE,  
Montreal, 19th March, 1845. }

By Command,  
D. DALY, Secy.

(Copy.)  
CIRCULAR.

SECRETARY'S OFFICE,  
Montreal, 18th January, 1845.

SIR,

I am commanded by the Governor General to request that you will, at your earliest convenience, furnish a Return of the number of Students attending the King's College, Queen's College, Victoria College, Upper Canada College, the Grammar Schools in the District.

I have the honor to be,  
&c. &c. &c.

(Signed,) D. DALY, Secy.

To the Vice President of King's College.

Principal of Queen's College.

Principal of Victoria College.

Principal of Upper Canada College.

Chairman of the Trustees of the Grammar Schools, District.

STATEMENT of the Scholastic Institutions in the Province of Upper Canada receiving aid from the Funds of the Province, with the number of Pupils in each.

INSTITUTION.	NO. OF PUPILS IN ATTENDANCE.
University of King's College, Toronto,	58
Queen's College, Kingston,	38
Victoria College, Cobourg,	75
Upper Canada College, Toronto,	178
Western District Grammar School,	12
Huron do. do.	30
London do. do.	35
Brock do. do.	21
Talbot do. do.	18
Wellington do. do.	26
Gore do. do.	50
Additional Grammar School at Palermo, Gore District,	52
Do. do. at Ancaster, do.	44
Niagara District Grammar School,	25
Home do. do.	21
Simcoe do. do.	43
Newcastle do. do.	29
Colborne do. do.	22
Prince Edward do. do.	27
Victoria do. do.	26
Midland do. do.	No return.
Bath Academy, Midland District,	do.
Additional Grammar School at Napanee, do.	do.
Johnstown District Grammar School,	do.
Bathurst do. do.	do.
Dalhousie do. do.	52
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Copy of Circular addressed to the Heads of Scholastic Institutions in Lower Canada.

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20th March.

SECRETARY'S OFFICE,

Montreal, 14th January, 1845.

SIR, [GENTLEMEN,]

I am commanded by the Governor General to request that you will have the goodness, at your earliest convenience, to prepare and transmit to this Department, for His Excellency's information, a Statement of the number of pupils at the present time, who are receiving instruction in the College [or Institution] under your charge; the House of Assembly having addressed His Excellency for information of this character from the various Institutions of Education in the Province in receipts of grants from the Public Funds.

I have, &c.

(Signed,)

D. DALY,

Secretary.

STATEMENT of the Scholastic Institutions in Lower Canada, in receipt of aid from the Funds of the Province, with the number of Pupils receiving instruction in each.

NAMES OF SCHOLASTIC INSTITUTIONS.	NO. OF SCHOLARS.			REMARKS.
	Boys.	Girls.	Total.	
College Ste. Anne de la Pocatière, . . . . .	125	—	125	See Copy of Letter No. 1, annexed.
Do. Chambly, . . . . .	97	—	97	Do. do. No. 2, do.
Do. St. Hyacinthe, . . . . .	160	—	160	
Do. L'Assomption, . . . . .	183	—	183	
Royal Grammar School of Montreal, . . . . .	22	—	22	Do. do. No. 3, do.
Berthier Academy, . . . . .	60	—	60	
Royal Institution School at Three Rivers, . . . . .	11	13	24	Do. do. No. 4, do.
British North American Society's School at Sherbrooke, . . . . .	—	—	102	
National School, Quebec, . . . . .	128	103	231	
Do. do. Montreal, . . . . .	132	102	234	
Society of Education, District of Quebec, . . . . .	—	—	612	
British and Canadian School Society, Quebec, . . . . .	—	—	223	
Do. do. do. Montreal, . . . . .	210	122	332	
St. Andrew's School, Quebec, . . . . .	—	—	95	
Montreal Recollet School, . . . . .	—	—	—	No Return.
St. Jacques School, Montreal, . . . . .	245	120	365	
Montreal American Presbyterian Free School, . . . . .	90	60	150	
Charleston Academy, . . . . .	21	—	21	
Stanstead Seminary, . . . . .	32	—	32	
Shefford Academy, . . . . .	24	9	33	
Sherbrooke Academy, . . . . .	30	25	55	
Waterloo Grammar School, . . . . .	12	—	12	See Extract of Letter No. 5, annexed.
Dunham High School, . . . . .	54	—	54	
Infant School, Quebec, . . . . .	—	—	80	

Letter No. 1, referred to in the preceding Statement.  
(Translation.)

COLLEGE OF STE. ANNE LAPOCATIÈRE,  
20th January, 1845.

SIR,—In answer to your letter of the 14th instant, received by the last mail, I hasten to give you the required information on the subject of the number of pupils at present receiving their education at the College of Ste. Anne. Their number is one hundred and twenty-five, whereof eighty-eight are boarders, and thirty-seven day scholars.

But in order to enable His Excellency more fully to meet the beneficent views of the Legislature, in the portion granted to us from out of the public funds destined to the support of education, I take the liberty of adding to the above information the following statement of the receipts and expenditure for the year ending at the last vacation, (September, 1844.)

Expenditure.

Instruction, . . . . .	£257 10 0
Expenses of Boarding, . . . . .	1393 0 7½
Debts paid, . . . . .	317 5 1
	<hr/>
	£1967 15 8½

Receipts.

For Board, . . . . .	£1156 3 9
Public Funds (for 1843,) . . . . .	200 0 0
Other receipts, . . . . .	311 0 3½
Deficiency, . . . . .	300 11 7½
	<hr/>
	£1967 15 8½

I will refrain from making any reflection on the subject of the smallness of the salary received by the Pro-

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(C. C. C.)  
20th March.

fessors. It would also be useless to add that the education at the College of Ste. Anne is not a speculation, nor the means of making the fortune of those who devote themselves to the toilsome task of training up youth to science and virtue. But permit me respectfully to draw your attention to the two following facts:—

1st. That at the College of Ste. Anne, the Canadian youth have the advantage of obtaining a practical course of English and French education, for the purposes of commerce, &c. without interfering with the ordinary classical course, which is similar in every respect, as regards the subjects taught, to that of the best institutions in the Province, such as the Seminary of Quebec, of Montreal, of St. Hyacinthe, &c., and that the new College erected for that purpose, in addition to the old one, by means of public subscriptions, has been open for two years, and might contain 200 pupils.

2nd. That the College of Ste. Anne, situated at a distance of 25 leagues from Quebec, on one of the finest spots of the south shore of the St. Lawrence, is the only establishment of the kind for a population of more than 125,000 souls, in all that immense extent of territory which lies between Quebec and the Gulf of St. Lawrence.

It is hardly necessary to conclude from these two facts among many others, that the well-being of this establishment is closely connected with the education of several thousand British subjects, and for that very reason it ought to rely with greater confidence than ever upon the munificence of a wise, enlightened and liberal Government.

I have the honor to be, Sir,  
Your very humble and obedient servant,

(Signed,) F. PILOTE, Priest,  
Director.

Honble. D. DALY,  
Sec. &c. Montreal.

REFERENCES.

Expenses.

No. 1.—Masters:	
The Director, . . . . .	£30 0 0
3 Priests, at £25, . . . . .	75 0 0
9 Professors, at £12 10s., . . . . .	112 10 0
1 English Professor, . . . . .	40 0 0
	£257 10 0

No. 2.—Expenses of Boarding:	
Servants, . . . . .	£129 12 3
Victuals, . . . . .	760 14 0
Wood, . . . . .	75 8 5
Money, Rents, &c., . . . . .	71 19 3½
Books, Stationery, . . . . .	91 0 3
Due, . . . . .	264 6 4½
	£1393 0 7½

Receipts.

Boarders pay £17 10s. 6d. and Day Scholars £3 per annum, both for education and maintenance.

Letter No. 2, referred to in the last preceding Statement. (Translation.)

CHAMBLY, 20th January, 1845.

SIR,—In answer to the letter which you have written me on the part of His Excellency, I have the honor to submit for the information of His Excellency, the following report on the College of Chambly. The

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(C. C. C.)  
20th March.

College suspended its course of instruction on the 17th July last, to recommence another on a new plan adopted to meet the wishes and wants of the majority, which plan came into operation on the 20th of November last.

Since that period the number of pupils has gradually increased, so that there are at present ninety-seven scholars receiving a liberal and practical education in the English and French languages, according to the plan submitted to the Provincial Legislature.

I flatter myself, Sir, that the above Report will meet the beneficent views of His Excellency.

I have the honor to be, Sir,  
With the highest consideration,  
Your most humble and obedient Servant,

(Signed,) P. M. MIGNAULT,  
Priest.

The Honble. D. DALY.

Memorandum of Pierre M. Mignault, Priest, Founder of the Chambly College.

The undersigned, Founder of the Chambly College, after having expended almost Three thousand pounds current money of this Province, both in erecting the said College with its appurtenances, and in furnishing it with every article necessary for such an establishment, including a Library of 893 volumes, transferred and made over the whole to the Corporation which had just been established on the 20th December, 1836.

Since that period the affairs of the College have been managed by Messrs. J. Bte. Brouilles, Priest, Hubert Lefebvre, Clerk, and the undersigned, as general Attorneys.

The Receipts for that period, amount to . . . . .	£7799 3 9½
The Expenditure, . . . . .	£8537 11 8½
Deficit, . . . . .	£738 7 11

According to this sketch, the undersigned is of opinion that a sum of £1000 would be required, both to cover the debts and to keep up the College according to the new plan submitted to the Provincial Legislature, and to the public in general, in the month of December last.

(Signed,) P. M. MIGNAULT,  
Priest.

Chambly, 20th January, 1845.

Letter No. 3, referred to in the last preceding Statement.

MONTREAL, 17th January, 1845.

SIR,—I have the honor to acknowledge the receipt of your letter of the 14th instant, requesting a statement of the number of pupils who are receiving instruction at the Royal Grammar School under my charge, with one assistant teacher:

I beg to acquaint you, for His Excellency's information, that their are twenty-two pupils attending school at present, of whom sixteen are on the foundation, and six whom their parents pay for their education. There are four vacancies at present on the foundation, which have occurred at different periods since the month of September last.

I have the honor to be, Sir,  
Your most obedient humble Servant,

(Signed,) ALEX. SKAKEL, M. A.  
The Hon. DOMK. DALY,  
Prov. Secy. &c. &c. &c.  
Montreal.



Appendix  
(C. C. C.)  
20th March.

Letter No. 4, referred to in the last preceding Statement.

THREE RIVERS,  
25th January, 1845.

SIR,—Enclosed you have the certificates of the Visitors and the list of Scholars, &c. My School is not near so numerous as it used to be before the Board reduced my price of tuition from 5s. to 3s. 4d. per month, and the House of Assembly reduced my salary from £60 to £45 per annum. Before the reduction took place I kept a French Teacher, mostly at my own expense; my School then averaged from 45 to 53 Scholars, so that reducing my price, &c. they did the public an injury instead of a benefit. No Public School in this Province should be without a French Teacher, and then all would have the same advantage.

I remain,  
Honorable Sir,  
Your most obedient Servant,  
(Signed,) SELBY BURN.

The Hon. D. DALY.

Extract of Letter No. 5, referred to in the preceding Statement.

“WATERLOO, SHEFFORD, CANADA EAST,  
“16th January, 1845.

“My School is at present small; and as the number of children attending the various Institutions of Education are called for, to the intent, no doubt, of comparison, it is just to remark that my school, while it has done its part in Classical and Mathematical Education, is especially designed for the preparation of Teachers—that there is a large District School at present in the Village,—that one only of my neighbours' children attends my school,—the others being Boarders. These remarks are the more necessary, as not unfrequently the High Schools perform the office of District Schools also, and are the only Schools to be found in the Villages where they are located.

“I have the honor to be, Sir,  
“Your obedient Servant,  
(Signed,) “ANDREW BALFOUR.”  
“Hon. D. DALY, Secretary, &c.”

Appendix  
(C. C. C.)  
20th March.

## RETURN

Appendix  
(D. D. D.)  
20th March.

To an Address of the Legislative Assembly to His Excellency the Governor General, praying that His Excellency will be graciously pleased to cause to be laid before the House, a RETURN of the CUSTOM HOUSE BONDS received at the Port of MONTREAL during the years 1842, 1843, and 1844; how many of such Bonds have been paid; how many remain unpaid; upon how many Judgments have been obtained, and what proceedings have been taken to enforce such Judgments.

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(D. D. D.)  
20th March.

SECRETARY'S OFFICE,  
Montreal, 19th March, 1845. }

By Command,  
D. DALY, Secy.

Letter from the Collector of the Customs, Montreal, to the Provincial Secretary, with one Enclosure. (Copy.)

CUSTOM HOUSE,  
Montreal, 17th March, 1845.

SIR,—In compliance with the commands of His Excellency the Governor General, signified to me by your letter of the 15th instant, I have the honor of transmitting to you herewith a Return of the number and amount of Bonds taken at this Port for Provincial Duties in the years 1842, 1843, and 1844, made out conformably to the requirements of the Address of the Honorable the Legislative Assembly of the 14th instant.

Hon. D. DALY,  
Secretary, &c. &c. &c.

I have, &c.  
(Signed,) W. HALL,  
Collector.

(Enclosure.)

Return to an Order of the Honorable the Legislative Assembly, of the 14th instant.

STATEMENT of the number of Bonds for Provincial Duties taken at the Port of Montreal in the years 1842, 1843, and 1844, shewing the number paid, how many remain unpaid, the number upon which Judgments have been obtained, and the proceedings that have been taken to enforce such Judgments.

In 1842, the number of Bonds taken were 613, amounting to	...	£92,694	7	8
Of the above Bonds 46, amounting to	...	£5,316	13	6
were placed in the hands of the Law Officer of the Crown, for prosecution,—upon which Judgments were obtained, and of which 13 have been paid, amounting to	...	1,591	12	6
Leaving unpaid 33 Bonds, amounting to	...	£3,725	1	0
<i>Memo:</i> Of the above amount remaining unpaid, the Collector is informed that the Bankrupt Commissioner has given an order for the payment, out of the estate of one of the parties whose Bonds are included in it, of about	...	1200	0	0
So that there will actually remain unpaid of the Bonds taken in 1842, about	...	£2525	1	0
The Queen's Counsel acting for the Attorney General, has several times been requested to take proceedings to enforce the Judgments on the Bonds remaining unpaid, but with what success the Collector has not been able to ascertain.	...			
In 1843, the number of Bonds taken were 315, amounting to	...	46,747	13	1
all paid.	...			
In 1844, the number of Bonds taken were 877, amounting to	...	112,551	8	0
Of which two Bonds, amounting to	...	£173	16	6
are overdue a few days; and 377, amounting to	...	46,422	19	10
remain unpaid, being dated after the 1st September, 1844, and only becoming due on the 1st April next.	...			
Total number of Bonds taken in the three years, 1805, amounting to	...	£251,993	8	9

Custom House,  
Montreal, 17th March, 1845.

W. HALL, Collector.

## REPORT

ON THE

## AFFAIRS OF THE INDIANS IN CANADA,

LAID BEFORE THE LEGISLATIVE ASSEMBLY,

20TH MARCH, 1845.



## PROVINCE OF CANADA.

By His Excellency the Right Honourable Sir CHARLES BAGOT, G. C. B., one of Her Majesty's Most Honourable Privy Council, Governor General of British North America, and Captain General and Governor in Chief in and over the Provinces of Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice Admiral of the same, &c. &c. &c.

To *Rawson William Rawson, John Davidson, and William Hepburn, Esquires*,—GREETING:

*Know ye*, that I, reposing trust and confidence in your loyalty, integrity, and ability, have constituted and appointed, and by these presents do constitute and appoint you, the said *Rawson William Rawson, John Davidson, and William Hepburn*, to be the *Commissioners* to inquire into the application of the annual grant of money made by the Parliament of the United Kingdom of Great Britain and Ireland for the benefit of the *Indians* in this Province, together with such other matters connected with the Affairs of the *Indians* residing in or visiting Canada, as have come, or you shall consider right to bring under the cognizance of the Provincial Government, and to report to me upon the said several matters, and whether in your opinion any change should be made in the manner of conducting the business of the Indian Department, or in the application of the funds placed at its disposal; *hereby charging* and commanding all persons to be aiding and assisting you, as *Commissioners* aforesaid, in the performance of the duties by this Commission assigned to you. *And know ye further*, that I do hereby give full power and authority to you as *Commissioners* as aforesaid to call before you all and every such person and persons as you may think proper, and to send for and examine all such papers, records, and documents, of every description, as you shall judge necessary, with a view to obtain such information as you may deem requisite for your guidance and assistance in investigating the several matters and things as aforesaid.

Given under my Hand and Seal, at Kingston, this tenth day of October, in the year of our Lord one thousand eight hundred and forty-two, and in the sixth year of Her Majesty's Reign.

(Signed)

CHARLES BAGOT.

By Command,

(Signed)

S. B. HARRISON,

Secretary.

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- |                  |   |  |
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To His Excellency the Right Honourable Sir CHARLES THEOPHILUS METCALFE, Baronet, G. C. B., one of Her Majesty's Most Honourable Privy Council, Governor General of British North America, and Captain General and Governor in Chief in and over the Provinces of Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice Admiral of the same, &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY,

THE Commissioners appointed to inquire into the Affairs of the Indians in Canada, and the application of the annual grant of money made by the Imperial Parliament for the benefit of that Race, respectfully submit to Your Excellency their Report upon the several matters which have come under their investigation.

With the view of making themselves acquainted with the information already collected upon this subject, the Commissioners have perused the correspondence between the successive Governors of the two Provinces and the Secretary of State, from the year 1827 to the present time, together with the several Reports already made on the state of the Indians, and the constitution of the Indian Department.

They have also examined the documents published by the British and American Legislatures, relative to the Aborigines of North America.

By means of queries issued to the several officers of the Indian Department, to the Missionaries resident among the Indians, and to the other persons acquainted with the character and interested in the welfare of this race, a mass of valuable information upon their present state, and of suggestions for improving it, has

been collected, and will be found appended to this Report.

The written evidence thus obtained has in a great measure superseded the necessity of examining persons, but the Commissioners have availed themselves of such opportunities as have presented themselves of procuring oral evidence from competent witnesses.

The general results will be submitted under the following heads:

- 1st. History of the Relations between the Government and the Indians.
- 2nd. Past and present condition of the Indians.
- 3rd. Present mode of conducting Indian Affairs, under their several heads, with recommendations for its amendment.

The extent and importance of the subject, and the imperfect knowledge which exists with regard to it, will oblige your Commissioners to enter into considerable detail; but the information which they will submit appears necessary in order to afford a comprehensive view of the Affairs of the Indians, and to enable Your Excellency and Her Majesty's Government to form a judgment upon any scheme proposed for their future management.

SECTION I.

HISTORY OF THE RELATIONS  
BETWEEN  
THE GOVERNMENT AND THE INDIANS.

THE spirit of the British Government towards the Aborigines of this Continent, was at an early date characterized by the same forbearance and kindness which still continues to be extended to them.

In 1670, during the reign of Charles II. a code of instructions was issued for the guidance of the Governors of Colonies, from which the following are extracts:

"Forasmuch," it is there said, "as most of our Colonies do border upon the Indians, and peace is not to be expected without the due observance and preservation of justice to them, you are in Our name to command all the Governors that they at no time give any just provocation to any of the said Indians that are at peace with us," &c.

With respect to Indians who desired to place themselves under British protection, the instructions were that they should be received; and that the Governors "do by all ways seek fairly to oblige them and that they do employ some persons, to learn the languages of them, and that they do not only carefully protect and defend

"them from adversaries but that they more especially take care that none of our own subjects, nor any of their servants, do any way harm them. And that if any shall dare to offer any violence to them in their persons, goods or possessions, the said Governors do severely punish the said injuries, agreeably to right and justice. And you are to consider how the Indians and slaves may be best instructed and invited to the Christian religion, it being both for the honour of the Crown and of the Protestant religion itself, that all persons within any of our territories, though never so remote, should be taught the knowledge of God and be made acquainted with the mysteries of salvation."\*

During the wars which Great Britain waged with France, and subsequently with the United States, on this Continent, both parties used their utmost endeavours to attach the Indians to their cause, and to incite them to join their standard. In this they were but too successful. The warlike character of their people, the temptation which the presents and encouragement

\* Harleian MSS. British Museum.

Appendix  
(EEE.)

20th March.

of the "Red Coat",\* offered, and the opportunity which the occasion presented for prosecuting their revenge against their adverse tribes, led a great part of the race into the field. The history of this period affords abundant evidence of their enterprise and prowess as warriors, with many remarkable instances of heroism and magnanimity, and no less striking examples of bloody revenge, and savage cruelty.

At the conquest of Canada, the same spirit of forbearance was shown towards the Indians, as well those who had fought on the French side, as those who had espoused the British cause. All within the Province were alike taken under the protection of the British Government. The 40th Article of the Capitulation of Montreal, recites that "The Savages or Indian Allies of His Most Christian Majesty shall be maintained in the lands they inhabit, if they choose to reside there; they shall not be molested on any pretence whatsoever, for having carried arms and served His Most Christian Majesty; they shall have, as well as the French, liberty of religion, and shall keep their missionaries."

The subsequent Proclamation of His Majesty George III. issued in 1763, furnished them with a fresh guarantee for the possession of their hunting grounds and the protection of the Crown. This document, the Indians look upon as their Charter. They have preserved a copy of it, to the present time, and have referred to it on several occasions in their representations to the Government. It is of sufficient importance and interest to be quoted in part in this place. †

## EXTRACT.

"And whereas it is just and reasonable and essential, to our interest and the security of our Colonies, that the several natives or Tribes of Indians, with whom we are connected, and who live under our protection, should not be molested or disturbed in the possession of such part of our dominions and territories, as not having been ceded to us, are reserved to them, or any of them as their hunting grounds; We do, therefore, with the advice of our Privy Council, declare it to be our Royal will and pleasure, that no Governor or Commander in Chief, in any of our Colonies of Quebec, East Florida or West Florida, do assume, upon any pretence whatever, to grant Warrants of Survey, or pass any Patents for lands beyond the bounds of their respective Governments, as described in their Commissions; as also that no Governor or Commander in Chief of our other Colonies, or Plantations in America, do presume, for the present and until our further pleasure be known, to grant Warrants of Survey, or pass any Patent for lands beyond the heads or sources of any of the rivers which fall into the Atlantic Ocean, from the West or North West, or upon any lands whatever which, not having been ceded to, or purchased by us as, aforesaid, are reserved to the said Indians or any of them.

"And we do further declare it to be our Royal will and pleasure, for the present as aforesaid, to reserve under our sovereignty, protection and dominion, for the use of the said Indians, all the lands and territories, not included within the limits and territory granted to the Hudson's Bay Company; as also all the land and territories lying to the Westward of the sources of the rivers which fall into the sea, from the west and north west as aforesaid; and we do hereby strictly forbid, on pain of our displeasure, all our loving subjects, from making any purchases or settlements whatsoever or taking possession of any of the lands above

\* English Generals.

† For the entire document, see Appendix, No. 46.

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reserved, without our special leave or license for that purpose first obtained.

"And we do further strictly enjoin and require, all persons whatsoever, who have either wilfully or inadvertently, seated themselves upon any lands within the countries above described, or upon any other lands, which not having been ceded to, or purchased by us, are still reserved to the said Indians as aforesaid, forthwith to remove themselves from such settlements.

"And whereas great frauds and abuses have been committed in the purchasing lands of the Indians, to the great prejudice of our interests, and to the great dissatisfaction of the said Indians, in order, therefore, to prevent such irregularities for the future, and to the end that the Indians may be convinced of our justice, and determined resolution to remove all reasonable cause of discontent, we do, with the advice of our Privy Council, strictly enjoin and require, that no private person do presume to make any purchase from the said Indians, of any lands reserved to the said Indians, within those parts of our Colonies, where we had thought proper to allow settlement; but if, at any time, any of the said Indians, who should be inclined to dispose of the said lands, the same shall be purchased only for us, in our name at some public meeting or assembly of the said Indians, to be held for that purpose, by the Governor or Commander-in-Chief of our Colonies respectively, within which they shall be; and in case they shall be within the limits of any proprietaries, conformable to such directions or instructions as we, or they, shall think proper to give for that purpose: And we do, by the advice of our Privy Council, declare and enjoin, that the trade with the said Indians shall be free and open to all our subjects whatsoever; provided that every person who may incline to trade with the said Indians, do take out a license for carrying on such trade, from the Governor or Commander-in-Chief of any of our Colonies respectively, where such person shall reside, and also give security to observe such regulations as we shall at any time, think fit, by ourselves, or our Commissioners to be appointed for this purpose, to direct and appoint for the benefit of the said trade; and we do hereby authorise, enjoin and require, the Governors and Commanders-in-chief of all our Colonies respectively, as well those under our immediate government, as those under the government and direction of proprietaries, to grant such licenses without fee or reward, and the security forfeited in case the person to whom the same is granted, shall refuse or neglect, to observe such regulations as we shall think proper to prescribe as aforesaid. And we do further expressly enjoin and require all officers whatever, as well military as those employed in the management and direction of the Indian Affairs, within the territories reserved as aforesaid, for the use of the said Indians, to seize and apprehend, all persons whatever, who, standing charged with Treason, misprision of Treason, murder, or other felonies or misdemeanors, shall fly from justice, and take refuge in the said territory, and to send them under a proper guard to the Colony where the crime was committed of which they shall stand accused, in order to take their trial for the same.

"Given at Our Court at St. James, the seventh day of October 1763, in the Third year of Our Reign.  
"God save the King."

The resident Tribes were thus left undisturbed, and at the close of the American War in 1784, the Government granted to the Confederacy of the Six Nations, who had loyally maintained the British cause during that struggle, and were desirous of removing from their

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old hunting grounds within the United States, a large block of the most valuable land in Upper Canada, containing about 674,910 acres, which it had previously purchased from the aboriginal occupants. This Grant was made without any condition or restriction except that the lands should not be alienated without the consent of the crown.

Since 1763 the Government, adhering to the Royal Proclamation of that year, have not considered themselves entitled to dispossess the Indians of their lands, without entering into an agreement with them, and rendering them some compensation. For a considerable time after the conquest of Canada, the whole of the western part of the Upper Province, with the exception of a few military posts on the frontier, and a great extent of the eastern part, was in their occupation. As the settlement of the country advanced, and the land was required for new occupants, or the predatory and revengeful habits of the Indians rendered their removal desirable, the British Government made successive agreements with them for the surrender of portions of their lands. The compensation was sometimes made in the shape of presents, consisting of clothing, ammunition, and objects adapted to gratify a savage taste; but more frequently in the shape of permanent annuities, payable to the tribe concerned, and their descendants forever, either in goods at the current price, or in money at the rate of ten dollars (£2 10s.) for each member of the tribe at the time of the arrangement.

Of these agreements the Commissioners submit in the Appendix (66 and 67) a Schedule, showing the date, the tribe, the extent of the surrender, and the amount of compensation.

As these transactions have been made the subject of reproach to the Government, and a ground for subsequent claims on behalf of the Indians, it may be proper here to offer a few remarks on the subject.

It has been alleged that these agreements were unjust, as dispossessing the natives of their ancient territories, and extortionate, as rendering a very inadequate compensation for the lands surrendered.

If, however, the Government had not made arrangements for the voluntary surrender of the lands, the white settlers would gradually have taken possession of them, without offering any compensation whatever; it would, at that time, have been as impossible to resist the natural laws of society, and to guard the Indian Territory against the encroachments of the whites, as it would have been impolitic to have attempted to check the tide of immigration. The Government, therefore, adopted the most humane and the most just course, in inducing the Indians, by offers of compensation, to remove quietly to more distant hunting grounds, or to confine themselves within more limited reserves, instead of leaving them and the white settlers exposed to the horrors of a protracted struggle for ownership. The wisdom and justice of this course is most strongly recommended by Vattel, in his Law of Nations, from which the following passage is an extract:—

“There is another celebrated question to which the discovery of the new world has principally given rise. It is asked whether a nation may lawfully take possession of some part of a vast country in which there are none but erratic nations, whose scanty population is incapable of occupying the whole? We have already observed, in establishing the obligation to cultivate the earth, that these nations cannot exclusively appropriate to themselves more land than they have occasion for, or more than they are able to settle and cultivate. Their unsettled habitation in those immense regions, cannot be accounted a true and legal

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“possession, and the people of Europe, too closely pent up at home, finding land of which the Savages stood in no particular need, and of which they made no actual and constant use, were lawfully entitled to take possession of it and to settle it with Colonies. The earth, as we have already observed, belongs to mankind in general, and was designed to furnish them with subsistence. If each nation had from the beginning resolved to appropriate to itself a vast country, that the people might live only by hunting, fishing and wild fruits, our globe would not be sufficient to maintain a tenth part of its present inhabitants. We do not, therefore, deviate from the views of nature, in confining the Indians within narrower limits. However, we cannot help praising the moderation of the English Puritans, who first settled in New England, who, notwithstanding their being furnished with a charter from their Sovereign, purchased of the Indians the lands of which they intended to take possession. This laudable example was followed by William Penn, and the Colony of Quakers that he conducted to Pennsylvania.”

Nor can the friend of the Indian claim for him a monetary compensation based on the present value of the land, which has been created solely by the presence and industry of the white settlers. Its only value to the denizen of the forest, was as a hunting ground, the source of his supply of game and furs. Of the cultivation of the soil, he then knew nothing. The progress of settlement, and the consequent destruction of the forests, with the operations of the lumberer, and fur trader, was shortly about to destroy this value; in every case the Indians had either the opportunity of retreating to more distant hunting grounds, or they were left on part of their old possessions, with a reserve supposed at the time to be adequate to all their wants, and greatly exceeding their requirements as cultivators of the soil at the present day, to which were added the range of their old haunts, until they became actually occupied by settlers, and in many cases, an annuity to themselves and their descendants forever, which was equivalent at least to any benefit they derived from the possession of the lands.

If subsequent events have greatly enhanced the value of their lands, it has been in consequence of the speedy and peaceable settlement of the country, by means, chiefly, of the agreements in question, and the Indians are now in possession of advantages which far exceed those of the surrounding white population, and which afford them the means, under a proper system of mental improvement, of obtaining independence, and even opulence.

These agreements have been faithfully observed by both parties. The Indians have not disputed the title of the Crown to the lands, which they have surrendered; and the annuities have always been the first charge upon the revenue derived from the sale of Crown Lands, and have been punctually paid up to the present time.

From the earliest period of the connexion between the Indians and the British Government it has been customary to distribute annually certain presents, consisting chiefly of clothing and ammunition. It does not clearly appear how and when this practice arose. In a memorial of the Seven Nations to the Governor of Lower Canada, in 1637, they assert that it was commenced by the French Government.\* The object

\*“I rather, these presents (since we are taught to call them by that name,) are not in fact presents. They are a sacred debt contracted by the Government, under the promise made by the Kings of France to our forefathers, to indemnify them for the lands they had given up, confirmed by the Kings of England since the cession of the country, and, up to this time, punctually paid and acquitted.”  
—*Parl. papers, 17th June, 1839; No. 323, page 62.*

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at that period was doubtless in the first instance to conciliate the Indians, to ensure their services, and to supply their wants as warriors in the field: and afterwards, in times of peace, to secure their allegiance towards the British Crown, and their good will and peaceful behaviour towards the white settlers.

The practice has continued to the present time, partly owing to a renewal of the occasions which first led to it; partly to repeated, but apparently unauthorised, declarations of officers of the Government, that the system should for ever be maintained; and partly to the apprehension that its sudden discontinuance would cause inconvenience and hardships to a large portion of the race within the Province.

The British Government have always considered the Indians to be under their special charge. In the Lower Province the tribes were early converted and collected in settlements by the Jesuits, who received large grants of land from the French Crown for this service. Upon the Conquest, the Crown took possession of these estates, and thus cut off any further benefit which the Indians might have derived from them. In the Upper Province, however, Christianity and civilization had, until a recent period, made little progress among them. They were an untaught, unwary race, among a population ready and able to take every advantage of them. Their lands, their presents and annuities, the produce of the chase, their guns and clothing, whatever they possessed of value, were objects of temptation to the needy settlers and the unprincipled trader, to whom their ignorance of commerce and of the English language, and their remarkable fondness for spirits, yielded them an easy prey. Hence it became necessary for the Government to interfere. Laws were passed to prevent or limit trading with them—to hinder the sale of spirits to them—to exclude whites from their settlements—and to restrain encroachments upon their lands. Officers were appointed at the principal Indian settlements, to enforce these laws, and to communicate between the tribes and the Government; to attend to the distribution of their presents and annuities; to prevent discussion; and, generally, to maintain the authority of the Government among the tribes.

The system of dealing with them was essentially military. For a long time they were under the head of the military department, and were considered and treated as military allies or stipendiaries.

Little was done by the Government to raise their mental and moral condition. In Lower Canada the Roman Catholic Missionaries, originally appointed by the Jesuits, were maintained. In Upper Canada, until a very late period, neither Missionary nor Schoolmaster was appointed. The omission was in later years supplied by various religious Societies, whose efforts have in many instances met with signal success, and within a still more recent period the Government has directed its attention to the same object.

As the Indian Lands were held in common, and the title to them was vested in the Crown, as their Guardian, the Indians were excluded from all political rights, the tenure of which depended upon an extent of interest, not conferred upon them by the Crown.

Their inability also to compete with their white brethren debarred them, in a great measure, from the enjoyment of civil rights, while the policy of the Government led to the belief that they did not in fact possess them.\*

\* The records of the Courts of Justice furnish undoubted evidence that the Indians are amenable to, and enjoy the protection of, both the civil and criminal laws of the Province. That they may share in, and are entitled to, all the political privileges of the

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They were thus left in a state of tutelage, which although devised for their protection and benefit, has in the event proved very detrimental to their interests, by encouraging them to rely wholly upon the support and advice of the Government, and to neglect the opportunities which they have possessed of raising themselves from the state of dependence to the level of the surrounding population.

It is easy, at the present day, on looking back, to trace the error of the Government, and its evil consequences; but it is only just to observe that the system was in accordance with the legislation of the times. The regenerative power of religion and education was not then as now appreciated. The effects of civilization, and the necessities arising out of it, were not foreseen. The information of the Imperial Government was very imperfect. It was not easy nor safe rashly to change a mode of treatment to which the Indians had become accustomed, and thus the system has been allowed to continue up to the present time, long after the Government has become aware of its imperfections and inconveniences.

It must also be acknowledged that the system was never fully carried out. The protection which the Government intended to throw over the Indians was not and could not be sufficiently maintained. No supervision was adequate to guard so many detached and distant bands from the evils inflicted on them by their white neighbours, aided by their own cupidity and love of spirits. Their lands were encroached upon, frequently with their own consent, bought with a bribe to the Chief. Their complaints were often adjudicated upon by parties interested in despoiling them, or prejudiced against them; and thus a system, erroneous in itself, became more hurtful from its necessarily imperfect development. Of late years, however, the Government has become sensible of the necessity for introducing some change in this policy.

The Commissioners have not had an opportunity, and they did not consider it necessary, to examine the official correspondence prior to the year 1827; but subsequent to that date they find abundant evidence of the desire of successive Secretaries of State to ascertain the condition of the Indians, and to suggest measures for their benefit, with a reciprocal spirit on the part of the several Governors of both Provinces. This correspondence, which up to the year 1839, has been laid before the British Parliament,\* contains very valuable information, particularly with regard to the Indians of Lower Canada; and conveys suggestions and orders from the Secretary of State, which, if acted upon, would already have done much towards raising the condition and character of the Indians, and which, it is presumed, have been neglected only on account of the more pressing matters arising out of the disturbed state of the two Provinces.

The Commissioners deem it of importance to give a brief summary of this correspondence, as it exhibits the views of the Government, and vindicates it from the

whites when individually possessed of the necessary qualifications may be inferred from the fact, that John Brant, an Indian Chief of the six nations, was elected a Member of the Legislative Assembly of Upper Canada. The subsequent loss of his seat in that body, was occasioned in consequence of his not possessing sufficient Freehold property, and not on account of his origin. Mr. Justice Macaulay's, and Mr. Attorney General Ogden's opinions on this subject are given in the Appendix, No. 98.

\* Return to several addresses to His Majesty relating to the Aboriginal Tribes in North America, &c. Ordered to be printed by the House of Commons, 4th August, 1834. No. 617.

Copies or extracts of correspondence since 1st April 1835, between the Secretary of State for the Colonies, and the Governors of the British North American Provinces respecting the Indians in these Provinces. Ordered to be printed by the House of Commons, 17th June, 1839. No. 323. These Documents will henceforward be referred to as Parl. Papers, 1834 or 1839.

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imputation of indifference to the welfare of the Indian race, while it points out many of the remedies which it will be their duty to recommend, and enables them to claim the bygone sanction of officers of distinguished benevolence and experience.

Parl. Papers, It appears that Earl Bathurst, the Colonial Secretary in the year 1822, and  
p. 7, 1834. Ib. p. 5. Viscount Goderich, holding the same office in 1827, contemplated a reduction of the Indian Department, with a view to its ultimate abolition. Lord Goderich suggested the commutation of all payments then made in goods, including the annuities and presents, into money.

Ib. p. 6. The Earl of Dalhousie, who, as Commander of the Forces, had the superintendence of the Indians in both Provinces, objected strongly to this change, the mischief of which is clearly pointed out in other parts of this correspondence, and will be hereafter noticed.

Ib. p. 22. In 1828, Lord Dalhousie furnished a detailed Report upon the condition of the several bands of Indians in both Provinces, prepared by Major General Darling, who, in his capacity of Military Secretary, had for many years been in charge of the Indian Department.

As this information was obtained by personal investigation, and no reference is made to any former Reports, it is probable that this is the earliest document received by the Government, which contains any detailed statement relative to the tribes.

Ib. p. 26, 27. General Darling pointed out the necessity of more active steps to civilize and educate the Indians, and suggested the substitution of stock and agricultural implements, for the goods given them in payment of their annuities.

(It may be well here to state, that the total number of Indians who then came under the observation of the Government, and within the reach of its influence in both Provinces, did not exceed 18,000, and it has since decreased.)

Ib. p. 36. The above suggestion was approved by 3d Dec., 1828. Sir George Murray, who at the same time divided the Government of the Indians, and placed them under the superintendence of the Governors of the respective Provinces. In the same Despatch, he called upon Sir J. Kempt to Report as to the measures which he considered "necessary for the moral and religious instruction of the Indians, and how far the labors of the Missionaries in this respect had been beneficial, or may require assistance; and whether the measures which have hitherto been adopted for the protection of the Indians, in the lands and property to which they are fairly entitled, have been effectual."

16 May, 1829, These enquiries were not directly answered, but Sir J. Kempt, in his reply, Ib. p. 37. proposed various reductions in the Department, and suggestions for the settlement of the Indians, and the distribution of the presents, and concluded with the following recommendations:—

"It appears that the most effectual means of ameliorating the condition of the Indians, of promoting their religious improvement and education, and of eventually relieving His Majesty's Government from the expense of the Indian Department, are—

"1st. To collect the Indians in considerable numbers, and to settle them in villages, with a due portion of land for their cultivation and support.

"2d. To make such provision for their religious improvement, education, and instruction in husbandry, as circumstances may from time to time require.

"3d. To afford them such assistance in building their houses, rations, and in procuring such seed and agricultural implements as may be necessary, commencing, when practicable, a portion of their presents for the latter.

"4th. To provide active and zealous Missionaries for the Indians at the Bay of Quinté and Guillemburg, and to send Wesleyan Missionaries from England to counteract the antipathy to the Established Church, and other objectionable principles, which the Methodist Missionaries from the United States are supposed to instil into the minds of their Indian converts."

These suggestions, with the exception of the last, which was not noticed in the reply, were approved by 1st Dec., 1829, the Lords of the Treasury and the Secretary of State, but an order was at the same time given that the whole expense of the Department should not exceed £20,000.

This limitation has probably been one of the chief reasons why the policy recommended by Sir J. Kempt, and adopted by the Secretary of State, has not been carried out on any systematic plan, for the greater part of this sum has been absorbed by the annual presents and the expense of the Department. The mode also in which the accounts of the Department have been kept, has left the Government in the dark as to the supplies applicable to purposes of improvement, and it may be asserted that the proposed scheme could not then have been undertaken upon an extensive scale with the means thus afforded, and with an establishment organized for the maintenance of a different system.

In the meantime, however, Sir John Colborne, then Lieutenant Governor in Upper Canada, had sought permission to apply the amount of the annuities towards building houses and purchasing agricultural implements and stock for the Indians entitled to such payments, who might be disposed to take up a fixed abode in the Province; and upon leave being granted, he lost no time in introducing the change.

In the same year, the experiment of educating Indian youths, at a common English school, was commenced in Lower Canada, by placing six Indian boys at a school at Chateauguay, under the supervision of Major Plenderleith Christie, who has bestowed great attention upon the Indians, and whose benevolent exertions in their favor have been continued to the present time. This number was subsequently increased by Lord Sydenham to twelve, and the expense of their board and education continues to be borne by the Government.

The important change of transferring the Indians from the charge of the Military authorities to that of the Civil Governors in both Provinces, was introduced at this time by Sir George Murray, and the motives 25 June, 1830, which led to it are ably described in the following extract from one of his despatches:—

"I consider this the proper opportunity for bringing under your notice some of the opinions which I have formed with respect to the policy which has hitherto been pursued towards the native tribes living in the British territories in North America, as well as to point out those alterations in the system which I consider it will be proper to adopt for the future.

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"It appears to me, that the course which has hitherto been taken in dealing with these people, has had reference to the advantages which might be derived from their friendship in times of war, rather than to any settled purpose of gradually reclaiming them from a state of barbarism, and of introducing amongst them the industrious and peaceful habits of civilized life.

"Under the peculiar circumstances of the times, it may have been originally difficult to pursue a more enlightened course of policy; the system may, perhaps, have been persisted in by the Home and Colonial Governments rather as a matter of routine than upon any well considered grounds of preference; whilst, on the part of the Indians themselves, there is no doubt that its accordance with their natural propensities, and with their long established habits, rendered it more acceptable to them than any other. Nor is it unlikely that if, on the one hand, there existed a disposition in the aboriginal inhabitants to cling to their original habits and mode of life, there was a proneness also in the new occupants of America to regard the natives as an irreclaimable race, and as inconvenient neighbours, whom it was desirable ultimately wholly to remove.

"Whatever may have been the reasons which have hitherto recommended an adherence to the present system, I am satisfied that it ought not to be persisted in for the future; and that so enlarged a view of the nature of our connexions with the Indian tribes should be taken, as may lead to the adoption of proper measures for their future preservation and improvement, whilst, at the same time, the obligations of moral duty and sound policy should not be lost sight of."

He then notices the favorable opportunity offered by the increased disposition of some of the Indians to alter their mode of life,—repeats a former injunction to encourage in every possible manner the progress of religious knowledge and education generally among the tribes,—expresses "his decided opinion that these inestimable advantages should be allowed to follow in, through whatever channel they may find their way,"—recommends the substitution of presents likely to produce a taste for agricultural pursuits, in lieu of those calculated to keep alive in the Indians their passion for the chase and their warlike propensities, and advises their settlement in Townships or upon detached lots of land, in a manner similar to the European settlers.

27 Jan., 1830, Sir J. Kempt having objected to the  
Ib. p. 98. Indians being placed under the Civil  
Governors, the Secretary of State replied that he saw  
22 March, 1830 no good reason for not adhering to his  
Ib. p. 90. original instructions.

From this time forward, therefore, a different system has been adopted towards the Indians, upon the express authority of the Secretary of State. A subsequent correspondence shows that several measures in anticipation of these instructions had already been taken. But unfortunately the difficulties already pointed out, and the unsettled political state of the Provinces, have prevented any systematic arrangements for carrying out in their full spirit the benevolent intentions of the British Government.

Vide last reference. Sir J. Kempt proposed a scheme for settlement and education in Lower Canada, which was never acted upon. Subsequently, the Earl of Gosford transmitted a voluminous and highly valuable Report of the Executive Council of Lower Canada, containing

1839, p. 25. various recommendations for the amelioration of the Indians, which met with the entire approbation of the Secretary of State, who, in the autumn of 1838, authorised Lord Durham to carry the proposed measures into effect.

The Commissioners have already noticed the difficulties which have been opposed to the execution of these instructions, and which may account for no steps having, up to the present time, been taken for the further improvement of the Indians in this part of the United Province.

In Upper Canada much has since been done in furtherance of Indian civilization—it is true that much more was required—than in the Lower Province. The number of resident Indians was double, and many thousands more were wanderers in the remote and uninhabited districts. Almost all the tribes in Lower Canada had long been partially civilized and converted to Christianity; the majority of those in the Upper Province were uncivilized and pagans. The former possessed no annuities, and were dependent wholly on the Parliamentary Grant, the inadequacy of which, to meet any large increase of expenditure, has been already pointed out. The latter were in the enjoyment of an annual income, payable by the Government, or derived from investments in public and private securities, amounting to above £6500.

Hence the opportunities and means for promoting their improvement were much greater, and successive Lieutenant Governors, prompted and aided by the Secretaries of State, and by the zealous and laudable exertions of missionaries of all classes, have conferred great and lasting benefits on the tribes within their jurisdiction. Their efforts have been restricted by the same causes as in the other Province. In both, it appears that the Indians have now attained nearly the same stage of civilization, at which their further progress requires more enlarged measures, and more active interference.

The steps by which the Upper Canadian Indians were brought to this condition are described in the official correspondence.

14th October, 1830, Parl. Papers, 1834, p. 128. In 1830 Sir John Colborne reported that certain tribes, comprising a few hundred individuals, had been placed under the charge of a Superintendent of the Indian Department, and urged to clear a tract of land between Lakes Huron and Simcoe;—that he had directed houses to be built for them, on detached lots, and that they were clearing ground for farms. Agricultural implements had been procured for them, experienced farmers had been engaged to instruct them, and schoolmasters appointed to educate their children.

Mr. Anderson's, Rep. in Sir J. C., 22d Jan., 1836, Parl. Papers, 1833, p. 108. The successful result of this first experiment is described in an interesting Report of the Superintendent, transmitted five years subsequently, to the Secretary of State.

Similar measures were reported in 1830, to be on trial at the Indian stations on the Thames and St. Clair. The result has been alike beneficial.

The expense of these measures, which were subsequently extended by Sir John Colborne to other tribes, was defrayed out of the surplus of the Parliamentary Grant, and their annuities.

Parl. Papers, 1830, p. 138. In 1832, the Secretary of State recommended that the charge for the Indian Department in the Canadas should be submitted to Parliament in a separate estimate. Previously to this

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period the charges for the presents, including those given on account of the annuities payable for lands surrendered, had been yearly granted by the British Parliament in a separate vote, while the salaries and pensions of the officers of the Indian Department had been paid from the military chest, and provided for out of the army extraordinaries. This course being considered irregular, Lord Goderich proposed that for the future, the land-payments, or annuities payable for lands surrendered, which were confined to Upper Canada, should be charged on the Casual and Territorial Revenue of that Province, while the remaining charge, having been originally incurred with the view of securing the services of the Indians in wars, for British, and not exclusively colonial interests, ought, according to His Lordship's view, to be provided by the Imperial Parliament.

Ib. p. 146. This arrangement was completed in 1834, when the annuities were definitely ordered to be charged on the Territorial Revenue.

About this time, the project of collecting, at the Manitoulin Island, the small band of Indians hitherto scattered over the north-western parts of Upper Canada, was matured. This island, which is situated on the northern side of Lake Huron, and is in extent, about 100 miles by 30, appeared well suited for the purpose. It was uninhabited by whites, and offered few temptations to invite them thither. The land and climate were reported to be good, the country to be well watered by rivers and interior lakes, and its numerous bays, to abound in fish. Sir John Colborne authorized the commencement of a settlement by the erection of several buildings, and made it the place for the delivery of the annual presents to the visiting Indians.

In the year 1835, a select Committee of the House of Commons on Military Expenditure in the Colonies, reported the following Resolution:—

"That the Committee are of opinion from Parl. Papers, the evidence taken, and to which they refer that the Indian Department may be greatly reduced, if not altogether abolished; and they therefore call the attention of the House to the same, and also to the expense of articles annually distributed to the Indians, and whether any arrangement may not be made to dispense with such distribution in future, or to commute the presents for money."

In consequence of this Resolution, Lord Glenelg, then Secretary of State for the Colonies, addressed a Despatch to the Governors of both Provinces; the following extracts from which will explain His Lordship's views.

1. "I feel bound, after much consideration, to express my opinion, that the time is not yet arrived at which it would be possible, consistently with good faith, altogether to discontinue the annual presents to the Indians."

2. "Of the sum expended in presents, there is, however, a portion, which would appear to be placed under peculiar circumstances. It has often been represented, and lately on official authority, that of the Indians who receive presents from the British Government, a considerable number reside within the United States, and only resort to Canada at the periods of issue."

"I have to request that you will direct an immediate inquiry to be made into the truth of this statement, and that you will ascertain and report to me under what arrangements or conditions, such persons have hitherto received presents, at what periods their change of domicile took place; how far the faith of

"the country is pledged to them; and whether any bad consequences are to be apprehended from the discontinuance of their supplies."

3. "While, however, my present information leads me to believe that the immediate or early discontinuance of the annual presents to the Indian Tribes residing within the British Provinces, without a commutation, would be unjust and impolitic, I am by no means prepared to admit that they should be indefinitely perpetuated; and I have to request that you will direct your early attention to a consideration how far it may be practicable, consistently with good faith, and sound policy, gradually to diminish their amount, with a view to the ultimate abrogation of the existing custom."

4. "With reference to the idea of commuting the presents for money, His Lordship stated 'I am not disposed to question the accuracy under these existing circumstances of the opinions expressed by Lord Dalhousie and Sir J. Kempt; on the contrary, I think it probable that at the date of their despatches, such consequences might have followed from money payments to the Indians; but since that time considerable progress, I have reason to believe, has been made in the settlement and civilization of the tribes, and it has been stated by persons to whose experience it is impossible not to defer, that it would be very advantageous to them to receive in money a proportion of the annual issues. I have therefore thought it advisable again to bring the subject under the consideration of the Lords Commissioners of the Treasury, and I have obtained their Lordships sanction to a commutation of the usual presents for money."

"If, therefore, you should upon investigation find reason to conclude that the well being of the Indians would be promoted by substituting an equivalent in money, in lieu of articles at present issued, or a portion of them, you will consider yourself at liberty to effect such a commutation."

5. "Looking, however, to the moral and religious improvement of the Indians, and their instruction in the arts of civilized life, as the principal object to be kept in view in our intercourse with these tribes, I am anxious that your enquiries should be specifically directed to the practicability of effecting a commutation of the presents for some object of permanent benefit and utility to the parties now receiving them. It was with this motive that agricultural implements have of late been included among the presents; but I hope it may be possible to carry the principle into more extended operation."

6. "From the Reports in this Department, it appears that not only among the more settled and civilized tribes, but even among those inhabiting the remote Districts of Canada, a strong desire for knowledge has recently been evinced in Upper Canada, schools have been established by societies and by private individuals, and are said to be well attended. In Lower Canada, also, similar efforts appear to have been made, though perhaps not with so favourable a result: these circumstances, combined with the general docility of the Indian tribes, lead me to hope, that a scheme of a more general nature would not fail of ultimate success. I cannot, of course, pretend to enter into the details of such a scheme; it is sufficient for me to impress upon you the readiness and the anxiety of His Majesty's Government to co-operate to the utmost of their power in its promotion. With this view they are pre-

\* This is a mistake, no such change had been made in the presents, but part of the annuities in Upper Canada had been expended in the purchase of such articles.

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“pared, should you think such a measure practicable, and if the consent of the Indians can be obtained to it, to sanction the application of at least a portion of the sums now expended in the purchase of stores and presents, to the erection of school houses, the purchase of elementary books, and the payment of resident school-masters, for the benefit of the Indian tribes. Nor if so important a commutation could be effected, would they think it necessary to postpone its commencement from any consideration of economy, in regard to articles which may have been already consigned to the colony for distribution, and which might in such a case remain on hand. Upon this subject, however, I shall be anxious to receive from you, at as early a period as possible, such suggestions as the means of information within your reach may enable you to offer for the guidance of His Majesty’s Government.

“7. It remains for me to notice the expenditure on account of the Indian Department. Of this I do not hesitate to express my opinion that it bears an undue proportion to the whole amount of expenditure under consideration. \* \* \* \* \* From the evidence adduced before the Committee of the House of Commons on Colonial Military Expenditure it would appear that the duty of distributing the presents, even if that system should be maintained, might be wholly performed by the existing Commissariat establishment in Canada. If the distribution of presents be not continued, whether by reason of their commutation for money, or of the application of the price of them to purposes connected with education, the service of the Indian Department might still more easily be dispensed with. In this branch of the expenditure I am inclined to think that an extensive reduction might immediately take place, and with this view I am anxious to direct your early and particular attention to the subject.

\* \* \* \* \*

“8. It is not my intention to make any reduction in the sum to be required for the ensuing year, but it will at the same time be distinctly intimated to the House of Commons, that the vote is only taken provisionally; that steps are in progress for ascertaining the practicability of immediate reductions in the expenditure on account of the Indians: and that His Majesty’s Government entertain a confident hope, that they will not be compelled in future years to make so large a demand for this service upon the liberality of Parliament.”

This despatch led to the consideration of the whole subject by the Executive Council of Lower Canada, and to the production of the Report already referred to. It also suggested an interesting and somewhat memorable despatch of Sir Francis Head, in which he broached the opinion (happily almost unsupported by other testimony), that it is hopeless to attempt to civilize the Indian tribes in Canada. Parl. Pap. 1839, p. 124, and Sir F. B. Head’s narrative.

The immediate results were the reduction of several officers in Lower Canada, and the preparation for reductions in the upper Province, which, however, were not carried into effect, in consequence of the outbreak in 1838.

In Lower Canada the question of commuting the presents for money payments, was referred to the Chiefs and was unequivocally condemned by them and all the Officers of the Department.

On the point of employing part of their allowance towards the furtherance of their religious and moral improvement, they urged that although willing to be instructed, yet as their white brethren in the

Province were provided with the means of education at the public expense, they did not think that they ought to be called on to give up a portion of their small allowance for these purposes.

The chief recommendations of the Committee of the Executive Council are embraced in the following extracts from their Report, and from the Earl of Gosford’s Despatch, submitting it to the Secretary of State:—

*Extract from Report.*

“The Committee therefore deem it their duty to express, in the strongest manner, their conviction that good faith, justice, and humanity alike forbid the discontinuance of the Presents, until the Indians shall be raised to a capacity of maintaining themselves on an equality with the rest of the population of the Province.”

*Extracts from Despatch.*

“The other principal recommendations of the Report are:—  
Ib. p. 25.

“1st. The recommending, as suggested by the Commissary General, a different kind of clothing to be distributed for that hitherto supplied, viz: something more resembling the European mode of dress.

“2nd. The substitution of Agricultural implements for trinkets and ornaments, and the discontinuance of the issuing of fire arms and ammunition, except to old hunters, or such adult Indians, as shall have become settlers in the forest.

“3rd. That the wandering Indians, about 125 in number, who resort here annually for presents, should cease to receive them after the ensuing year, unless they choose to settle and cultivate the soil in some part of the Province.

“4th. It deprecates the proposal for commuting the presents for money payments, as not only repugnant to the wishes of the Indians, but as fraught with mischief and degradation to the whole race.

“5th. The Report next strongly recommended the establishment and maintenance of schools, in which instruction shall be given as well in the rudiments of education, as in agriculture and some of the handicrafts, and the English as well as the French language taught; and to promote these objects it is suggested for consideration, whether some of the medals or ornaments now given as presents, might not be converted into prizes for proficiency in these pursuits; and whether it might not be advisable to make the gift of presents to Indians and their families, conditional on their sending their children to such schools.

“6th. The Report then advances to the consideration of a question of primary importance in conducting the experiment for inducing the Indians to change their present for more civilized habits of life, viz: their settlement; and after adverting to the advantages and disadvantages of locating them in separate masses, and dispersing them over tracts already peopled, recommends that compact settlements should be formed of such as may be disposed, upon lands not very remote from existing settlements, allowing, however, those that may be willing to take separate locations elsewhere, to follow their own choice, and giving them agricultural implements, but no other description of presents.

“7th. The Report closes with some account of the different tribes of Indians in this Province, and their possessions, and recommends that certain portions of

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“land should be reserved in specified parts of the Province, for such of the tribes as appear to need such an augmentation of their property.” Some of these and other minor recommendations, Lord Gosford at once commenced to carry out, as far as he felt himself authorized without the previous sanction of the Secretary of State. And he reports to the Secretary of State the measures he had adopted.

As Sir F. Head's views differ from the most competent authorities, and do not appear to be supported by experience, it will only be necessary to state them in his own concise words.

“1st. That an attempt to make farmers Ib. p. 125. of the Red men has been generally speaking a complete failure.

“2nd. That congregating them for the purpose of civilization has implanted many more vices than it has eradicated; and consequently

“3rd. That the greatest kindness we can perform towards these intelligent, simple minded people, is to remove and to fortify them as much as possible from all communication with the Whites.”

The practical result at which he arrived was the general removal of the Indian tribes to the Manitoulin Island, and the cession to the Crown of the Lands which they had previously held in different parts of the Province.

In the impolicy of discontinuing the issue of presents, or commuting them for a money allowance, he concurred with the authorities already quoted.

With regard, however, to the visiting Indians from the United States, he was of opinion, that the issue of presents to them might be stopped after the expiration of three years, which would give them time to prepare for the change; and he recommended that a declaration to this effect should be formally announced at the next distribution. This suggestion met with the approval of the Secretary of State, and was carried into execution.

In the spring of 1837, the Lords of the Treasury, with the view to enable His Majesty's Government to determine what ulterior arrangements it might be expedient to adopt for the purpose of encouraging the Indians to adopt agricultural pursuits, and acquire habits of settled industry, and of regulating the expense of building villages for their occupation, issued the following series of queries, which were transmitted to the Governor of either Province, and answered in considerable detail.—

Ib. p. 76.

“1st. The number of tribes and of Indians resident within the British Territory.

“2nd. The pursuits of each tribe, with the number of fixed locations occupied by the Indians.

“3rd. The situation of the locations of the settled parties or of hunting grounds occupied by the other Indians.

“4th. The extent of lands set apart at the different locations, for the use of the Indians, or of the hunting ranges.

“5th. The persons employed in the superintendance of the settled Indians, or of the other Tribes, with the designations and salaries, and a summary of the duties they have to perform.”

“6th. The number and description of the Clergy or teachers attached to each tribe or party, and

“7th. Whether the expenses of the tribe or party are defrayed by the Parliamentary grant or from the land payments, out of the Territorial Revenue of the Crown.”

With this information before him, Lord Glenelg addressed Despatches to the Governors of both Provinces in August, 1838. Ib. p. 6.

To the Earl of Durham, he wrote:—

“With respect to Lower Canada, the Report of the Committee of Executive Council leaves little to be desired, either as to the details of the question, or as to the principles on which it ought to be dealt with, or as to the practical application of those principles. The sentiments and suggestions of that Report coincide, not only with my own views, as explained in former Despatches, but also with those of the persons in this country, and in the Canadas, who most interest themselves in the fate of the Indians. I have, therefore, to authorise you to carry the proposed measures into effect.” \* \* \* \* \*

He desired a Report upon the result of the several measures adopted by Lord Gosford, and with a view of furnishing the Government from time to time with an accurate account of the state of the Indians and of their progress in the arts of civilized life, directed that a detailed Report on these subjects should be proposed and transmitted periodically.

The early return of Lord Durham, and the more momentous affairs which have occupied the attention of his successors, will account for these instructions not having hitherto been executed.

His Lordship concluded his Despatch with the following three general observations.

“1st. 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 superintendance 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 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; until circumstances make it expedient that they should be turned over by the Crown to the Provincial Legislature, and receive Legislative provision and care, the Committee conceive that all arrangements with respect to them, must be under the immediate directions of Her Majesty's Government, and carried into effect under the supervision of officers appointed by it.’”

“2nd. I recommended (in a former Despatch) that although the modes of applying the money destined for the Indian Department might be varied, yet the whole amount applied to that service should not exceed the sum actually voted by Parliament for that purpose, and certainly the strictest economy should be exercised in the application of the money so voted,—at the same time, no real interest of the Indians ought to be sacrificed, nor any practical improvements deferred, on the sole ground of expense. From what source any necessary supplies for this object, beyond the sum annually voted should be drawn, may be a question; but although it would be inexpedient to apply to Parliament or an increased vote, resource might be had to the Provincial Revenues, including in that term the Crown Revenues as well as those of other kinds. There is surely no object for which those revenues can be more justly and legitimately rendered available than this.”

“It is to be regretted that in the proposals made to the Assembly of the different Provinces respecting

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“ the cession of the Crown Revenues in return for a fixed Civil List, some stipulation was not introduced, securing a portion of the annual revenue for the social and religious improvement of the the Indians. In these cases, as in Upper and Lower Canada, where the negotiations will have to begin *de novo*, it may be right to insert some provision to that effect, for in such cases it is clearly open to the Crown to vary or add to the terms of the proposal. But even were it too late to take this step, I have no doubt that an appeal to the justice and liberality of the local Legislature, in behalf of the Indians, would meet with a cordial and efficient return.

“ 3rd. I would, in the same spirit, deal with the question of lands for the Indians,—however rigidly the rules respecting the disposal of lands may be observed in general, and it is necessary to observe them with the utmost strictness, yet if in any case it be for the clear advantage of the Indians to depart from those rules, the departure ought without hesitation to be sanctioned.”

To Sir George Arthur, who succeeded Sir Francis Head in the Government of Upper Canada. His Lordship wrote as follows: “ The Report of the Committee of the Executive Council of Lower Canada so completely accords with my sentiments, both as to the principles which it lays down and to the detailed suggestions which it recommends that I might well abstain from addressing to you any instruction except that of acting on that Report, in so far as the difference of circumstances in Upper and Lower Canada may permit.

“ It is to be regretted that there exists no Report or account of the actual state of all the Indians in Upper Canada on the plan of this Report of the Committee of Executive Council of the Lower Province; of the condition of some of them, accurate statements are given by the Missionaries most conversant with them; but the desideratum is a clear and comprehensive representation of the position, number, habits, circumstances, and degrees of moral and social advancement of each tribe. I must request you to take means to supply this defect.”

The Commissioners must here observe that this Report, although subsequently called for on several occasions has never yet been furnished, nor has any periodical report on the state and progress of the Indians, which His Lordship in this despatch ordered to be supplied at least once a year, ever been transmitted.

His Lordship dissented from Sir F. Head's opinion that there was any peculiar inaptitude among the Indians to profit by the doctrines of Christianity, or to adopt the habits of civilized life; but concurred with him and the Committee of the Executive Council of Lower Canada, in the necessity of separating the Indian locations as much as possible from the white settlers, and directed that in any scheme for the improvement of the Indians, the first object to be arrived at, should be their location in compact settlements, apart, if possible, from the population of European descent. He added, however, that where settlements had already been made and land brought into cultivation, Her Majesty's Government would be most unwilling to interfere.

With regard to the settlement at Manitoulin, His Lordship, upon the representations made against it, required information, and directed that special inquiry into their truth should be made on the spot, and the result be reported to him. The enquiry appears to have been made, and a report was presented to the Lieutenant Governor, but not transmitted to the Secretary of State.—(See Appendix No. 25.)

The general principles by which His Lordship considered that the Executive Government should be guided in its treatment of the Indian tribes, are stated in the following extracts:—

“ The first step to the real improvement of the Indians is to gain them over from a wandering to a settled life; and for this purpose it is essential they should have a sense of permanency in the locations assigned to them; that they should be attached to the soil, by being taught to regard it as reserved for them and their children by the strongest securities. Their locations therefore should be granted to them and their posterity for ever by a grant under the great seal of the Province, on such terms, and accompanied by such provisions, as shall render them unattachable by creditors, and inalienable either by the tribe or any occupant, without the joint concurrence of the Lieutenant Governor for the time being, the principal chief of the settlement, and the resident missionary or missionaries,

“ In this connection I recommend to your consideration the means of encouraging and promoting among the Indians the pursuits of agriculture. By reasonable and judicious intervention it seems not unlikely that the Government may materially aid that object.

“ 2nd. The next important object to be obtained is the establishment among them of schools, with competent teachers; schools affording elementary instruction, not only in the common branches of education, but in the rudiments of agriculture and of mechanics, and superintended by masters of competent knowledge, and of strictly moral and religious character. The requisite authority for applying towards purposes of this nature a portion of the Parliamentary vote on account of the Indian Department, was conveyed to your predecessor in my despatch of the 14th January, 1836. I have little doubt that among the missionaries who have so zealously devoted themselves to the conversion of the Indians, teachers for such schools may be found.”

“ 3rd. In order to stimulate the exertions of those who attend the schools, it would probably be advantageous, that periodical examination should take place, accompanied by public trials of skill in agriculture. On such occasions prizes should be distributed to those who have shown peculiar diligence or ability or who have distinguished themselves by regularity and good conduct. The consideration which would attach to those who obtained such prizes would be an incentive to some who might otherwise neglect the schools.

“ 4th. The gradual conversion of the usual presents into agricultural implements. And the introduction, if possible, of a change in the dress of the Indians, would probably conduce to wean them from their former habits. In promoting such a change, however, great care would be required not to offend the national habits and prejudices of these people, or to deprive them too suddenly of any articles which by custom have acquired a fictitious value in their eyes. Still more carefully is it to be provided, that interfering changes of any kind, no room shall be given for any just imputation on the good faith of this country.”

“ 5th. The penalties denounced by law against persons selling spirits to the Indians should be strictly enforced.

“ 6th. The instructions which you have previously received, and which are reiterated in this despatch, in regard to the title-deeds of Indian lands, should

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“ be made known to the Indians as extensively as possible.

“ 7th. The co-operation of the officers of the Indian Department, should be cheerfully afforded to the Missionaries employed in the various settlements in any arrangement calculated to promote the common interests.”

In consequence of this despatch, Sir George Arthur directed the whole subject of Indian Affairs in the Upper Province to be thoroughly investigated by Mr. Tucker, the Provincial Secretary; but the attention of that gentleman having been called to other duties, the task was assigned to Mr. Justice Macaulay, who in April, 1839, presented a lucid and valuable report, in which, however, the consideration of the future constitution of the Indian Department was omitted. As this was one of the chief points on which Sir G. Arthur desired information, since he had reported to the Secretary of State that, “ it was his intention to suggest a plan for remodelling the whole Indian Department at the earliest opportunity,” he referred the report to Mr. William Hepburn, who had for a period of nearly two years carried on the superintendence of the Department, but was not then connected with it. The Commissioners have been unable to discover, and Mr. Hepburn has not been able to supply a copy of the remarks and suggestions which he in consequence furnished.

In the latter part of the same year, the Indian Department came under investigation, in consequence of an Address from the House of Assembly to the Lieutenant Governor, praying that he would order an investigation into the business, conduct, and organization of the several public Departments. The inquiry was conducted by the Vice Chancellor, Mr. Justice Macaulay, (who had already reported on the subject,) and Mr. Hepburn, one of the present Commissioners.

According to their instructions, they were to investigate—first, the present condition, both in a moral and political point of view, of the different tribes, forming the Indian population; also, the extent of their lands and annuities; and second, whether any alteration or amendment might be beneficially introduced in the mode of conducting the Indian Department. The enlarged and benevolent views of the Lieutenant Governor are shewn in the enumeration of the topics connected with the first head into which they were directed to inquire; but unfortunately, owing, as the Commissioners stated, to the very extensive and complicated nature of the first branch of inquiry, and the remoteness of the sources of information upon which the Committee can alone form accurate opinions, they were induced, while such information was in the progress of collection to confine their first Report, which appeared in February, 1840, to the subject of the Department, and they did not subsequently resume their labors, nor have the present Commissioners been able to recover much of the information at that time collected.

The Report, however, was printed and became public, although it was never formally adopted nor transmitted to the Secretary of State, and its recommendations were never carried out.

At the Union of the two Provinces, Lord Sydenham combined and remodelled the various public Departments, with the exception of that connected with the

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Indians, which, from the want of sufficient information, and the many difficulties with which the whole question of Indian Affairs was surrounded, he was obliged to leave untouched; but it was his intention, whenever the state of the public business enabled him to apply himself earnestly to the subject, to reform the Department. His general views, which coincide in some respects with those of Sir F. Head, are stated in the following despatch:—

GOVERNMENT HOUSE,  
Kingston, 22nd July, 1841.

MY LORD,

I have the honour to acknowledge the receipt of your despatch of the 1st instant, No. 393, on the subject of the Indian Department in Canada. I beg to assure your Lordship that I have given the subject my attentive consideration, and I hope to be able to submit for your approval, a scheme for the consolidation of the Department. At the same time the matter is attended with great difficulty, arising from the peculiarity of the duties which the officers of the Department have to perform, the extent of country comprised within their jurisdiction, and, above all, from the system pursued with regard to the Indians, which, in my opinion, is of the most mistaken character. All my observation has completely satisfied me, that the direct interference of the Government is only advantageous to the Indians who can still follow their accustomed pursuits, and that if they became settlers, they should be compelled to fall into the ranks of the rest of Her Majesty's subjects, exercising the same independent controul over their own property and their own actions, and subject to the same general law as other citizens.

The attempt to combine a system of pupilage with the settlement of these people in civilized parts of the country, leads only to embarrassment to the Government, expense to the Crown, a waste of the resources of the Province, and injury to the Indians themselves. Thus circumstanced, the Indian loses all the good qualities of his wild state, and acquires nothing but the vices of civilization. He does not become a good settler, he does not become an agriculturist or a mechanic. He does become a drunkard and a debauchee, and his females and family follow the same course. He occupies valuable land, unprofitably to himself and injuriously to the country. He gives infinite trouble to the Government, and adds nothing either to the wealth, the industry, or the defence of the Province.

I have, &c.

(Signed,) SYDENHAM.

The Right Honorable  
Lord J. RUSSELL.

Subsequently, but not until the Governor General had again been called upon for the information required by Lord Glenelg, in 1838, the present Commission was appointed in the autumn of 1842. Their labours have been retarded by circumstances over which they had no controul, and which will be pointed out in a separate Report; but they trust that the delay will have enabled them to give a more attentive consideration to the numerous and varied topics connected with this important subject, and to mature their opinions on the measures which they have to recommend.

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## PAST AND PRESENT CONDITION OF THE INDIANS.

The earliest detailed information on the condition of the Indians to which the Commissioners have had access, is that contained in General Darling's Report, made in July, 1828, which embraced the tribes in both Provinces.

No similar document appears among the printed records, until the year 1837, of which date are the replies of the two Governors, to the queries put by the Lords of the Treasury, and the Report of the Committee of the Executive Council in Lower Canada. These, however, will enable the Commissioners in some degree to exhibit the process of the several bands of Indians, up to the present time.

Parly. Papers, 1839, p. p. 21 and 139.

Ib. page 27. It is necessary to premise that there appears to be at present a marked difference between the Indians in Canada East and Canada West (Lower and Upper Canada). In the former Province the native tribes had, from a period as remote at the middle of the 17th century up to the Conquest, been under the especial care and direction of the Jesuit Missionaries, who collected some of them in the settlements which now exist, obtained grants of land for them from the French Crown, to be applied to their education and civilization, and became themselves their instructors in so much of the knowledge and arts of life as they thought it advisable to impart to them. These Indians therefore early embraced Christianity, and became members of the Roman Catholic Church, zealous devotees at the shrines of their saints, and docile, but unenlightened followers of their appointed missionaries. Since the cession of the Province to Great Britain, when the Crown succeeded to the Guardianship of the Indians, little or no advance has been made in their education and improvement. Their conversion being already complete, there was no strong incentive or call for fresh measures on the part of the Government, and

the missionaries, who were not disturbed in their appointments, were not likely to initiate any. In Canada West, on the contrary, to which the influence of the Jesuits and Roman Catholic Clergy did not extend, the Indians remained, until a very recent period, in a state of heathen barbarism. With the exception of the Mohawks on the Grand River and Bay of Quinté, and a small Moravian settlement at Fairfield on the River Thames, which was founded in 1793, there was not a Christian community of Indians previous to the present century. The missionaries of the Church of England and the Wesleyan Methodist Church have since converted almost all the resident tribes, and have endeavoured, in some instances with much success, to imbue them with that spirit of inquiry, and desire for improvement, which, in all countries, peculiarly characterise the Protestant convert. The Indians, too, are less enervated by a long dependence on their missionaries, and by intermarriage with the whites.

Their proximity to settlers of activity and enterprise, and their constant exposure to deception and robbery by the more unprincipled of their neighbours, have aroused some of their dormant energies; and these circumstances, with the attention which they have recently received from the Government, have raised them in intelligence and knowledge, above their brethren in the other Province.

The physical formation of the red man in his native state, the sole inhabitant of his ancestral hunting grounds, and stranger to the practices and vices of civilisation, is of the finest description. Height, beauty of proportions, nobility of carriage, activity, strength and suppleness, are its general characteristics. These, however, have all decreased with civilisation and the progress of settlement, and the present race exhibit but faint traces of their former organisation. Intemperance may be cited as the chief cause.

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It has already been observed, that the untutored Indian is inordinately fond of liquor. For this he will sacrifice every thing in his possession, and he seldom meets with compunction at the hands of the covetous and unprincipled trader. This passion for liquor among the Indians, and its baneful effects, have led to statutory enactments making it an offence, punishable by a fine of £20, to sell or give liquors to individuals of this race. Notwithstanding, however, all the efforts of the Government and the missionaries, intemperance has been the red man's worst enemy.

The next causes of his physical deterioration have been the exposure and increased hardships attendant upon his hunting expeditions, and the alternations of extreme hunger and repletion, to which he is usually subject on these occasions.

Formerly, the Indian, accustomed to the shelter of a rude wigwam, or to the canopy of heaven, and inured to the exertions of the chase, found little difficulty, and was exposed to little hardship in procuring the game necessary for his sustenance, which was abundant in his native forests. But now, the game is exhausted in his old hunting grounds, and has become scarce in those far distant to which he is obliged to have recourse. He now hunts for the sake of the fur alone, to produce which he is often pledged to the trader. His expeditions become long and distant; his success precarious; his supply of food is often exhausted, and he is frequently exposed to the horrors of starvation, both by hunger and cold. The civilised Indian, too, who has been familiar with the warm log hut and other comforts of civilisation, and who quits these for a few months or weeks in the year, is no longer qualified to brave the exposure consequent on the chase, and their expeditions to the sugar camp; and thus diseases, numerous and fatal, are engendered. Consumption, catarrh, rheumatism, which, with scrofula, the consequence of insufficient or bad food, exhaust the strength of their victims, and lay the seeds of disease and degeneration in their descendants. The frequent intermarriages of blood relations in small bands, and the irregular connexions with profligate whites, are also stated among the circumstances leading to the same result.

To these must be added the natural indolence of the Indian temperament, which, in the absence of the excitement of savage life, keeps many of his race in a state of inertness, destructive alike to the energy and health of body and mind.

The same causes, it is obvious, must have had a material effect upon their mental energies and habits; and it is a melancholy truth, that the example and encouragement of vicious white neighbours have been among the chief causes of the deterioration of the Indian character. In his native state the Indian is simple-minded, generous, proud and energetic; his craftiness is exhibited chiefly in the chase and in war. He is generally docile, and possesses a lively and happy disposition. He is very hospitable, never refusing to share his provisions with the indigent, and usually dividing the fruits of the chase with his neighbours. An Indian *brave* would rather die than commit an act derogatory to his character as a warrior; and a true medicine man would prefer the torments of the stake, rather than violate the rights of his medicine bag. In his half civilised state, he is indolent to excess, intemperate, suspicious, cunning, covetous, and addicted to lying and fraud. These are not the fruits of Christianity, and therefore it is evident that in such cases the mode of their treatment has been defective, and calls for alteration.

With these preliminary observations, the Commissioners will enter upon a more detailed account of the several tribes in Canada.

I.

## INDIANS OF CANADA EAST.

The last Return of Indians in Canada East, states their number at 3727, exclusive of a small body at the King's Posts, on the River Saguenay, within the territory of the Hudson's Bay Company, which, however, never come under the observation and protection of the Government.

There has been little fluctuation in the number for many years past, as in 1827 it was reported to be 3649, and 3575 in 1837. But it is stated to be at present on the increase from natural causes; the greater part are half-breeds; in some settlements there is scarcely a single pure-blooded Indian. At present, however, they seldom intermarry with whites, and an instance of less legitimate connexion is almost unknown.

The Indians of Lower Canada, belong to seven tribes, viz: Iroquois, Algonquins, Nipissings, Abenaguais, Hurons, Amalacites and Micmacs, and occupy seven villages or settlements, viz:—

1. Caughnawaga, on the Lake St. Louis, near Montreal, (Iroquois.)
2. At St. Regis, at the head of Lake St. Francis, (Iroquois.)
3. At the Lake of Two Mountains, on the Ottawa, about thirty six miles north-west of Montreal, (Iroquois, Algonquins and Nipissings.)
4. At St. Francis on the River of that name, (Abenaguais.)
5. Becancour, in the River Becancour, nearly opposite the town of Three Rivers, (Abenaguais.)
6. La Jeune Lorette, nine miles north of Quebec, (Hurons.)
7. Restigouche, on the River of that name, in the Bay of Chaleurs, (Micmacs.)

These settlements and the lands which they possess elsewhere, are secured to them either by deeds from the French or British Crown, or from individual proprietors, or they hold them by long undisputed possession, confirmed by the Proclamation of 1763, already adverted to. They have all embraced Christianity, and profess the Roman Catholic Faith, with the exception of four or five families at St. Francis, who have been converted to Methodism. Almost all have their own chapel, or access to that of the village at which they reside; and at each settlement there is a missionary either appointed by the Government, or by the Seminary of St. Sulpice, for their special instruction; they are generally zealous and regular in their attendance to their religious duties. It is considered a great punishment when an Indian is prohibited, for any offence, from entering his church. They usually attend service once or twice daily, and it is stated that one of the motives for their regularity, is their love of singing, of which a great portion of their Worship consists. Their progress in religious sentiment and moral conduct, is reported to vary at the different settlements. There has been some improvement within the last two years, caused in a degree, by the introduction of Temperance Societies among them. The birth of illegitimate children is less frequent than formerly, but an event of this nature does not cast a stigma upon the mother, nor upon the child, which is usually adopted into the tribe.

As regards education, these Indians appear stationary. In most of the settlements there is no school, and the attempts which have, at various times, been made by the Government and Charitable Societies, to establish Schools among them in this part of the Province, have been frustrated by the jealousy of the missionaries, who are generally opposed to the influence of a Protestant teacher, and to the introduction

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of the English language among the tribes. In some settlements, however, the English solely, or the English and French jointly, are spoken. In all, their native language is retained and encouraged. The aptitude of the Indians for the acquisition of knowledge, is as great as that of the whites, or may even in some respects be said to surpass it. Their qualifications as artizans, are stated to be less marked than in the Upper Province, and the number acquainted with handicraft to be smaller.

In agriculture, considerable progress has been made of late years. Formerly, they cultivated only Indian corn, using the hoe and spade. At present, barley, oats, peas, beans and potatoes, are cultivated to a considerable extent, and each settlement possesses a greater or less number of ploughs; several have adopted the system of a rotation of crops, and apply manure to the land, like the English and Scotch settlers in their neighbourhood.

Most of the tribes possess stock, chiefly horses, cows, and a few oxen, but they are not skilful in the management of them.

One of the peculiarities of the Indians, in their native state, is their proud aversion to labour; hence in the early stages of civilization, they are accustomed to impose upon the women the greater part of the labour in the field and household. This continues to prevail to a considerable extent among the Indians of Lower Canada. A systematic division of the day and of the hours of labour, is not yet practised among them. The Indian seldom leaves home in the morning before eight or nine o'clock, when the sun being risen the air begins to grow warm; he then in some settlements goes to chapel, in others to his field, where he continues at work during the heat of the day, for six or seven hours, leaving off at about four P. M. The rest of the day is spent in idleness in the village, or in fishing and fowling, and sometimes in attendance at church. At times he will stay at home all day, or sleep during the heat of noon-tide.

The Indians have in general, no stated hour for their meals, except their breakfast, which they eat before they leave home. Indeed their language does not contain terms for the periodical meals of civilized life; they are all included in the term "eating." Such as can afford it, eat three times a day, when they happen to feel hungry; but the majority eat only twice a day, morning and evening. When they stay at home and have food at their command, they eat several times in the course of the day.

Their health is generally stated to be as good as that of their white neighbours, and they are subject to the same diseases. It has been remarked, however, that Epidemics have proved more fatal among this race, than among the whites; but this difference arises probably from moral and social, rather than from physical causes. Since the year 1823 the Indians of Canada East have received advice and attendance, when necessary, from the Army Medical Officers, in consequence of a regulation to that effect, established by the Earl of Dalhousie.

The usual number of children born to a married couple, is stated, by the greater number of authorities, to be six or seven; the number reared to be four or five. The number among the wilder tribes, however, is less, and is reported not to exceed two or three.

Few of them live in wigwams, except the Algonquins and Nipissings, at the Lake of Two Mountains, and some of the Iroquois at St. Regis, who occupy them temporarily during the summer season, when their fields are at a distance from their fixed residences.

Few, if any, of their national institutions and customs remain, since their conversion. Their Pagan ceremonies and observances are abandoned. The rites of baptism, marriage and burial, are observed among them as among the whites. The possession and descent of property are regulated by the same rules, except that by provision of the Government, their land cannot be alienated from the tribe to which it belongs, without the consent of the Crown. The land is not divided among the members of the tribe, but it is not occupied nor tilled in common. Each member chooses any parcel of ground, within the reserve of his tribe, which he pleases, provided it be not already appropriated by another, and this he cultivates for the support of his own family, without the interference, and secure from the intrusion of his neighbours. This parcel he can bequeath to his heirs, or to any member of his tribe; if he expresses no wish on the subject, his heirs take undisputed possession of it.

The fondness of the Indians for hunting is stated to have abated considerably, owing, in a great measure, to the difficulty of indulging it. Formerly it was usual for the male adults to pass the winter in the forests, in pursuit of game; but now few, except the Algonquins and Nipissings, already referred to as living in wigwams, and a few of the Abenaguais, continue the practice. A general view of the Indians of Canada East, is shewn in the following Table, a description of the several Bands will supply the information peculiar to each.

TABLE.

NAMES OF THE TRIBES:	WHERE SETTLED.	CHIEFS.	MEN.	WOMEN.	BOYS.			GIRLS.			TOTAL.
					From 10 to 15 years of age.	5 to 9.	1 to 4.	10 to 14 years of age.	5 to 9.	1 to 4.	
Iroquois,.....	Caughnawaga,.....	19	247	306	61	67	72	53	66	64	955
Ditto,.....	St. Regis,.....	12	106	127	33	35	33	17	33	54	450
Algonquins,.....	Lake of Two Mountains,...	3	92	116	23	20	19	29	26	5	333
Nipissings,.....	Ditto,.....	4	71	85	23	15	12	17	29	7	263
Iroquois,.....	Ditto,.....	9	78	103	17	19	24	22	21	23	316
Abenaguais,.....	St. Francis,.....	9	91	111	14	27	32	14	26	29	353
Ditto,.....	Becancour,.....	5	19	33	7	5	4	2	7	2	84
Hurons,.....	La Jeune Lorette,.....	6	58	55	8	6	11	16	13	16	189
Algonquins,.....	In the neighbourhood of } Three Rivers,..... }	3	22	34	5	9	10	3	3	3	92
Têtes de Boule.....	River St. Maurice,.....	3	28	22	1	10	7	6	6	3	86
Amalacites, Micmacs, and Abenaguais, }	..... Uncertain,.....	11	54	66	11	7	0	0	3	28	180
Grand Total,...		84	866	1058	203	220	224	179	233	234	3301

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1. IROQUOIS OF CAUGHNAWAGA OR SAULT ST. LOUIS.

Parliamentary Paper, 1839, Page 50. Evidence of Secy. of Indian Affairs. Do. Revd. Jno. Marcoux. Appen- dix Nos. 3 and 4. This settlement is at Caughnawaga, a village on Lake St. Louis, ten miles west of the City of Montreal. The village covers about forty acres of ground. It contains forty-five stone houses, 182 wooden houses, and 100 barns and stables of the latter material. The population is upwards of 1100, but the number of Indians entitled to receive presents is only 955, the remainder being half breeds, and, as such, excluded from a participation in them. In 1837 it was 932, and in 1827, 967, but it is probable that, in the earlier of these years, fewer precautions were taken to prevent an abuse of the issues. During the seven years, from 1835 to 1841, the number of Baptisms which took place was 413, averaging fifty-nine yearly; and the number of deaths was 241, averaging thirty-four yearly. The increase, therefore, by the excess of births over deaths during this period was 172. There is scarcely a pure blooded Indian in this settlement, Their general health is the same as that of their white neighbours. Pulmonary diseases are the most prevalent among them. There has not been an instance, at Caughnawaga, of an Indian woman living unmarried with a white man, for a long period. The birth of illegitimate children has also become less frequent than formerly, and particularly since nocturnal assemblies and dances have been abolished in the village; only one illegitimate child was baptized during the year 1842.

The Seigniory of Sault St. Louis, was granted to

the Jesuits in the year 1680, "Pour contribuer à la conversion, instruction et subsistence des Iroquois." This concession was made by two separate instruments; the first from Louis XIV, dated 29th May, 1680, confined the grant to a front of two leagues; the second from the *Compte de Frontenac*, dated 31st October, 1680, made an addition to that front of one league and a half or thereabouts, by a depth of two leagues. The title deeds contain a clause to the effect, "que la dite terre nommée le Sault appartiendra toute défrichée à Sa Majesté lorsque les dits Iroquois l'abandonneront."

The Seigniory continued under the superintendence and management of the Jesuits until the 15th April, 1762, when it was entirely and exclusively vested in the Iroquois, under the supervision of the Indian Department. The terms and conditions of the new titles or declarations, under the Letters Patent *de Tennier*, dated 19th December, 1827, are such as are usual, and have been stipulated in the grants made in the Seigniories heretofore belonging to the late order of Jesuits in this Province.

The Seigniory is at present under the immediate management of an Agent duly authorized, who is required to render an annual account, formally attested, of the transactions of his agency, and to explain to the Iroquois Chiefs, in full Council, (in the presence of the missionary and Superintendent of Indians,) the particulars of the receipts and expenditure, and finally to transmit the accounts and vouchers to the Secretary of Indian Affairs, by whom the abstract is printed and furnished to the Indians. The following is an abstract of these statements for the last fifteen years:—

ABSTRACT.

	INCOME.						EXPENDITURE.					
	WHEAT.			MONEY.			WHEAT.			MONEY.		
	Minots.	Pots.	Qts.	£	s.	d.	Minots.	Pots.	Qts.	£	s.	d.
From April 17, 1826, to Jan. 16, 1827,	161	3	1½	25	7	5½	161	3	1½	27	10	4
" Jan. 27, 1827, to " 31, 1828,	161	1	0	60	12	0¼	161	1	0	56	6	6
" Feb. 1, 1828, to " 31, 1829,	116	5	0½	49	2	9½	116	5	0½	34	15	6
" " 1, 1829, to " 31, 1830,	83	4	0	48	1	8½	83	4	0	66	11	0
" " 1, 1830, to April 1, 1830,	144	7	0	25	13	2½	144	7	0	23	13	10¼
" Sept. 1, 1830, to Oct. 31, 1831,	639	8	0	54	8	5	553	0	0	100	3	9
" Nov. 1, 1831, to Oct. 31, 1832,	343	16	1	181	13	9	401	0	0	156	4	5½
" " 1, 1832, to May 31, 1833,	360	11	1½	163	9	5	389	16	0¼	163	3	4½
" June 1, 1833, to Oct. 31, 1834,	723	1	0¾	234	14	7½	769	2	1	219	6	11
" Nov. 1, 1834, to Jan. 31, 1836,	267	4	0½	95	0	9½	258	16	0½	97	3	3
" Sept. 4, 1837, to Sept. 30, 1838,	62	10	0¼	52	19	7½	69	11	0½	52	19	7½
" Oct. 1, 1838, to April 17, 1839,	278	4	1½	177	8	2½	251	4	0	186	9	9½
" April 18, 1839, to April 7, 1840,	180	17	0	164	4	8½	181	19	0	164	10	1
" Dec. 29, 1841, to May 8, 1843,	320	7	1	123	17	0½	320	17	1	131	2	0

A copy of the accounts for the last year is inserted at length in the Appendix, No. 86, with the view of exhibiting the nature of the transactions. In addition to these revenues the tribe is entitled to an annuity of £62 10s. 0d. currency, from the State of New York, for land sold to that State, under a treaty executed in the City of New York, on the 31st May, 1769, which the Chiefs receive in person from the American Authorities, and expend without the interference of the Government.

The quantity of land under cultivation in this settlement is about 2250 acres; in 1837 it was reported to

be 2230 acres. The land is of inferior quality along the front of the tract. But in the rear concessions, and in those on the River La Tortue, it is better adapted to agricultural purposes. The number of acres cultivated by each family may be averaged at ten; a few families cultivate from thirty to forty acres each. In those cases in which families have no land, they procure their subsistence, in summer, by the wages of the men who are employed in navigating boats and rafts down to Montreal; and in winter by the profits arising from the sale of snow-shoes, baskets, mocassins, &c., which they make up themselves; some

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engage as labourers with white settlers. There are not any who derive the whole of their support from agriculture, and many depend chiefly on fishing and hunting; at present very few of the tribe pass the winter in hunting. The summer hunt lasts about two months, but it is only when they can obtain leave from the tribes occupying the north side of the River St. Lawrence and the Ottawa, to hunt on their grounds, that they can pursue the chase, as they have no hunting grounds of their own. Occasionally, they resort to the upper part of the River Chateauguay, near the Province line. Their attachment to the chase and fishing is stated to be on the decline.

Within the last fifteen years between forty and fifty families have commenced to till the land; they at first followed the old Canadian mode of agriculture, and used only the hoe, which is still retained by a considerable number; but others have adopted the more advanced method, introduced among their white neighbours. The members of the tribe own forty-five ploughs, and forty harrows, with a number of spades, hoes, axes, &c. They appear to understand the use of these implements, and, with few exceptions, to take care of them. They possess 115 oxen, 172 cows, 206 horses, and 344 swine, with some poultry, but unfortunately many of them perish in consequence of the Indians not understanding the management of their stock in the winter season. In the year 1841 they raised 2876 bushels of Indian corn, 950 bushels of oats, forty bushels of barley, 790 bushels of beans and peas, 2307 bushels of potatoes, and 635 tons of hay.

A resident Roman Catholic missionary, perfectly conversant with the Indian language, and paid by the Government, is attached to this settlement, where he has been stationed for a long period. There is in the village a substantial and spacious stone church, with a steeple and two bells, and a Presbytery for the missionary, also of stone; both buildings were erected by the Jesuits; and in the year 1832, the Imperial Government granted £200 for the repairs of the church, and in the following year a large bell was sent out by command of Her Majesty. The missionary celebrates the mass and preaches every Sabbath and Holiday, and there is daily service morning and evening, throughout the year; he also catechises the children daily. The Iroquois have every means of religious instruction, which are enjoyed by other Roman Catholics, and they are reported to be regular in their attendance at confession, and at the holy Communion.

There is not at present a school of any description at Caughnawaga, but five boys of the tribe are educated at the school at Christeville. In the year 1835, Lord Aylmer appointed an English teacher of the Roman Catholic persuasion to conduct a school at this village; but, like a former similar attempt, on the part of the Society for Promoting Education and Industry among the Indians and destitute settlers, it failed, through the prejudices of the missionary to the introduction of the English language. The teacher was in consequence withdrawn in 1838, by order of the Earl of Gosford. There are not any tradesmen, strictly speaking, among the tribe, a few may be classed as self-taught carpenters and joiners, and nearly all are expert in the use of the axe and saw.

With regard to their moral habits, the Superintendent states, that he considers these Indians to be very little inferior to the lower order of the French Canadian population in the District.

The Chiefs and all other respectable Indians, acknowledge that their condition has been improved within the last few years, and they appear to be very desirous of advancing. In the summer of 1841, a

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Temperance Society was established among them by the Bishop of Nancy. The missionary reports that he finds them much less addicted to vicious habits than formerly, their morals are improved, and a larger number follow agricultural pursuits. For a few years this settlement was much disturbed by petty local disputes and dissensions, but during the last two years tranquillity has been restored. The gallantry of these Indians, in resisting and defeating the Rebels who collected at their village in November, 1838, met with the marked approbation of the Governor and the Secretary of State, and was brought under the notice of the Queen, who authorized a special issue of presents, in token of Her commendation.

## 2. IROQUOIS OF ST. REGIS.

Parliamentary Papers, 1839, 51. Ev. donee of Mr. Chesely, Supt. Ind. Dept. Do. of Revd. F. X. Marcoux, Ap. pendix Nos. 5 and 6. These Indians occupy a tract of land intersected by the boundary line of the Province, on the parallel of 45° N. latitude, so that the southern portion of the tract belongs to the State of New York, and the Indians occupying it are American subjects. This circumstance has at various times given rise to feuds and disputes, to which, since the Treaty of Washington has now removed all doubts to the true line, it is very desirable to put an end as far as possible, by determining and clearly making out the line of boundary throughout the tract; the village is wholly within the Canadian Territory.

The portion of land occupied by the British Indians is of a triangular form, extending from the Peninsula of St. Regis, on which the village is situated, about twelve miles along the shore of the River St. Lawrence, and Lake St. Francis, by which it is bounded on the north; along the boundary line on the south, it extends nearly fourteen miles; on the east it is bounded by the Township of Godmanchester. Its area is about 21,000 acres.

The village covers about thirty acres; it contains seventy-nine dwelling houses, and fifty-one small barns and stables, all of wood, owned and occupied by British Indians, and forty houses and twenty-eight barns and stables, also of wood, owned and occupied by American Indians.

The number of British Indians entitled to receive presents is 450. The American Indians are stated to be more numerous. In 1827 the number of British Indians was only 348, and in 1837, 381.

The increase, therefore, within the last six years, has been considerable, and more rapid than in the preceding ten years. The number of baptisms during the last ten years, has amounted to 165. The number of deaths during the same period is not stated. The number of half breeds of legitimate birth, is stated not to exceed ten; but it is probable, that this does not include the quarter breeds and others of still more impure Indian blood, and there is no means of ascertaining the number of those illegitimately born. The resident Superintendent, however, estimates the latter at between thirty and forty. He reports that such births occur as frequently as formerly, in proportion to the number of the tribe.

Besides the land at St. Regis, those Indians are also the proprietors of nine Islands in the River St. Lawrence, and of a reservation of land, called Natfield, in the Eastern District of the Upper Province, lying between the counties of Stormont and Glengarry, and containing 30,690 acres.\*

\* This is the extent, according to the Report of the Surveyor General, in the Report of the Indian Department made in 1837; the extent of this Reserve and the Islands, is stated to amount together to 28,250 acres.

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These lands form but a small portion of the hunting grounds of the once powerful Iroquois Nation, and are supposed to have been occupied by this tribe since the first settlement of Canada. Their title was originally a mere occupancy for the purpose of hunting; but it was recognized and acknowledged by the Government of France before the conquest, and was subsequently secured to them by that of England, in common with all similar titles existing at the time of the conquest.

About the year 1769, when the vicinity of the new settlement had rendered the tract in Lower Canada useless as a hunting ground, the Iroquois Indians, in order to turn it to advantage, leased out all but a Reserve of about 3000 acres, in small farms to settlers, for an annual rent, and since the year 1822, the leases so granted, have been ratified and confirmed by the Commander of the Forces or the Governor. These leases are granted for periods varying from thirty to ninety-nine years. The reservation in Upper Canada has been nearly all granted by the chiefs upon leases of 999 years, but the difficulty experienced in collecting the rents, led, about the year 1836, to an offer to surrender the property to the Government of Upper Canada, in exchange for a perpetual annuity of £200, Halifax currency. The arrangement, however, appears never to have been completed.

The management of the property of these Indians is in the hands of a resident Agent, who is also the Superintendent, and a Committee of twelve chiefs and warriors nominated by the tribe. The accounts are made up in the same manner as those of the Caughnawaga Indians, and are annually transmitted to the Secretary of Indian Affairs, for the information of the Governor. The amount of income and expenditure for some years past, is shown in the following Table—the details of the last year in Appendix No. 87:—

	<i>Income.</i>	<i>Expenditure.</i>
1821,	£184 6 3½	£495 1 11
1822,	398 16 7½	398 16 7½
1823,	not stated.	not stated.
1824,	376 3 8½	376 3 8½
1825,	409 16 2	409 16 2
1826,	351 5 1	351 5 1
1827,	308 5 9½	306 5 9½
1828,	432 13 9	433 10 5½
1829,	368 19 9	368 19 9
1830,	362 11 1	362 11 1
1831,	411 3 3½	363 18 10
1832,	304 15 5	334 11 11½
1833,	359 19 2½	361 9 2
1834,	not stated.	not stated.
1835,	320 6 10	336 4 10
1836,	381 8 7	381 8 7
1837,	461 18 8	460 13 8½
1838,	440 6 5½	423 15 0½
1839,	390 13 6½	417 16 0
1840,	353 13 8	353 9 8

The reserve in Lower Canada occupied by these Indians, although rather low and swampy in some places, is generally well adapted to agricultural purposes. The average quantity of land cultivated by the British Indians during the last ten years is about 500 acres, and the average number of families during the same period was about ninety, of which twenty-one did not employ themselves in agriculture. The average quantity, therefore, of land cultivated by each family, may be stated at seven and a quarter acres, exclusive of the prairies or marshes producing wild grass, of which the Indians cut large quantities. In 1837, the quantity of land under cultivation was 361 acres. In six years, therefore, the increase has been more than one third.

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In 1820, not more than one half of the tribe procured any part of the means of subsistence from tillage. Since that year, about thirty families have commenced to till the land for a livelihood; and at present, there are not more than twenty families who do not, in some degree, support themselves by farming. These depend upon a precarious subsistence procured by hunting in winter, and by working on rafts and in boats during the summer. The women, also, employ themselves in making up the skins of animals killed in winter, into mitts and moccasins, and in manufacturing splint baskets and brooms. Very few of the men follow hunting for a livelihood; those who do, resort chiefly to the mountainous wilds in the State of New York, the neighbourhood of the Rice Lake, Perth and Richmond; and those who go beyond the immediate neighbourhood to fish, generally frequent the Thousand Islands, where the river abounds with eels, a fish which the Indians prefer to all others.

In summer, during the seasons of planting, sowing and reaping, many of the Indians who have their fields at a considerable distance from the village, reside in temporary wigwams, but they return to their permanent residences in the autumn. Their mode of agriculture, with respect to new land, is invariably to put in as many consecutive crops of Indian corn as the soil will bear, after which a rotation of wheat, peas and oats, until the land is quite worn out, when they do not attempt to restore it by artificial means, but allow it to run to grass or abandon it altogether, and select a new spot for tillage. Although the Indians do not make any use of manure, which they leave for years collected about their barns and stables, this may arise more from the distance at which their plantations are from the village, and the consequent expense and trouble of transport, than to any disinclination on their part to imitate the example of their more enlightened white neighbours;

Their stock consists of horses, oxen, cows, swine, and poultry, none of which are properly attended to during the winter; the consequence has frequently been the loss of half their stock during severe and scarce seasons. A great improvement in that respect has been shown in the last two years by the introduction of an improved breed of cattle, and by laying in larger stores of wild hay for the winter supply. Indian corn, wheat, peas, beans, and oats, are the principal crops; rye and buckwheat have also been introduced lately. In the year 1841, these Indians produced by their own labour—

2293	bushels of Indian Corn,
65	do of Wheat,
225	do of Peas and Beans,
304	do of Oats,
633	do of Potatoes,

besides pumpkins, vegetables, apples, and some rye and buckwheat. Their agricultural implements consist of seven ploughs, four harrows, three carts, one waggon, besides a number of hoes, scythes, sickles, pitchforks, axes and crowbars.

The St. Regis Indians have the same means of religious instruction as those of Caughnawaga. A French Canadian missionary, of the Roman Catholic Church, is maintained by the Government at the village, where he resides permanently, and devotes his whole time to the tribe. There is a large and commodious stone church of about 100 feet by 40 feet, with a steeple and two bells. This church was erected upwards of fifty years ago, at the sole expense of the Indians. The form of public worship is the same as that of the Canadian Roman Catholics, excepting that a greater portion of the service consists of singing, of which the Indians are passionately fond; nothing being considered by them

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a higher honour than admittance into the choir. In the attendance at church they are more regular than many white communities; but this the resident agent attributes rather to their love of psalmody. The old people practice private devotion morning and evening, and on some occasions the young people of both sexes assemble together to sing psalms.

From the earliest settlement of these Indians at St. Regis, a period of about eighty years, no attempt was made by the resident clergy to establish schools among them; and as often as the proposition has been made by Government or by individuals, it has been resisted by them. In July, 1835, through the exertions of the resident agent, Major Plenderleith (now Plenderleith Christie) of Montreal, and the late Rev. G. Archbold, Rector of Cornwall, a school was opened by the Rev. E. Williams, a native Indian of Caughnawaga, educated in Connecticut, and seventeen children attended at the opening, the number continuing to increase until it reached forty. For the support of the school £100 was obtained from a Society in England, and books to the value of £25 from a Society in New York, together with money and clothing to the amount of £75, collected by private subscription. The Government likewise allowed a salary of £24 per annum to the teacher, out of the Parliamentary Grant. About two months after the school had been in operation, the resident Missionary commanded the parents of the children attending the school to withdraw them immediately, on pain of his displeasure and the anathema of the church, which threat in a great measure proved effectual, as the number of scholars was reduced to seven; with those, however, Mr. Williams persevered, until the arrival of the Earl of Gosford, who, upon the complaint of the Roman Catholic Bishop of Montreal against Mr. Williams' interference with his flock at St. Regis, withdrew his salary and the patronage of the Government; the school was then closed, and has not since been opened. If a school were established with the co-operation of the missionary, a large number of children, from sixty to eighty, would probably attend it. The aptitude of the children to learn during Mr. Williams' short stay, was found, generally, to exceed that of the white children, considering that the instruction was given from English books, of which language, it is stated, they knew nothing.

These Indians do not evince any inclination for mechanism or handicraft. There have been two instances among them of a turner and a carpenter, both self-taught, who were tolerable workmen.

A steady but very slow improvement has been manifested in the morals of the St. Regis Indians during the last twenty years, which is said to be attributable mainly to the example of their white neighbours, with whom they have more intercourse than formerly. The influence of Temperance Societies has also been beneficial; three-fourths at least of the population of the village have, since the commencement of 1842, been reclaimed from habitual drunkenness. They have not advanced much in piety or religious knowledge, and their progress in industry has not been marked by any very satisfactory results.

### 3. THE ALGONQUINS, NIPISSINGS, AND IROQUOIS, AT THE LAKE OF TWO MOUNTAINS.

Parliamentary Papers, 1839, P. 53. Evidence of Mr. Superint. Hughes. Appendix No. 7. The tribes at this post do not possess any lands from which a revenue is derived, and have hitherto depended upon the chase for the principal part of their support. They occupy a portion of the Seigniorship of the Two Mountains, which was granted to the Seminary of St. Sulpice, at Montreal, for the maintenance

and instruction of the Indians stationed there. They take as much land as they can cultivate without paying any rent for it; but the quality of the soil throughout is very bad, the tract being a mere sandhill, and the produce bears no proportion to the extent occupied.

The total number of these Indians is 1050, of whom 418, including 62 heads of houses, are Algonquins, 318, including 90 heads of houses, are Nipissings, 314, including 60 heads of houses, are Iroquois, at least two-thirds are stated to be half breeds.

As the Algonquins and Nipissings differ very much from the Iroquois, in character and habits, it will be necessary to describe them separately.

The two former tribes lead a roving life, dwelling in huts and wigwams during the greater part of the year, and some throughout the year; the majority, however, resort to the Lake of the Two Mountains for about two months annually; and during that period they occupy houses in their village, which is separate from that of the Iroquois. These two tribes possess 68 houses, 10 stables, and only one barn. The Iroquois, although the smallest of the three bands, occupy 44 houses, and possess 33 stables and 2 barns. The latter devote themselves in a considerable degree to agriculture; but in the other two tribes, only the women and aged men, who are unable to follow the chase, and are consequently left at home, cultivate small patches of land to a very limited extent.

The quantity under cultivation by each tribe, is as follows:

	Tillage.	Meadow-land.
Algonquins,	60 acres.	120 "
Nipissings,	50 "	100 "
Iroquois,	250 "	780 "

The two former tribes have not increased their tillage for many years. The Iroquois have brought 100 acres of fresh land into cultivation since 1837.

The same differences exhibited themselves in the produce raised by the three tribes, and the stock and carts in their possession, as will be seen in the following statement. The plough is little used by any of them.

Quantities raised.	In 1842.		
	Algonquins.	Nipissings.	Iroquois.
Indian corn, bushels,	150	100	750
Oats, "	150	100	750
Peas and Beans, "	25	8	200
Buck Wheat, "	2	0	100
Potatoes, "	150	60	460
Hay,—tons,	5	3	35

#### STOCK AND IMPLEMENTS OWNED.

	Number.		
Horses,	4	2	32
Cows,	6	3	45
Oxen,	2	0	4
Swine,	10	5	56
Carts,	2	2	18
Ploughs,	1	0	1

The greater part of the field labour is performed by the women, assisted by their husbands. The young men generally attend to the cattle, hay, oats, and firewood. A few of the Iroquois find employment during the summer, as pilots and raftsmen, to the rafts which are brought down the Ottawa to Montreal. Their condition, however, is far from prosperous; and as they have no other resource than their crops, a failure in the harvest reduces them to a state of absolute destitution. The si-

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tuation of the Algonquins and Nipissings is still more deplorable: their hunting grounds on the Ottawa, which were formerly most extensive, abounding with deer, and other animals, yielding the richest furs, and which their ancestors had enjoyed from time immemorial, have been destroyed for the purposes of the chase. A considerable part has been laid out into townships, and either settled or taken possession of by squatters. The operations of the lumber-men have either destroyed or scared away the game throughout a still more extensive region, and thus, as settlement advances, they are driven further and further from their homes, in search of a scanty and precarious livelihood. Their case has been often brought before the Government, and demands early attention.

As all the present appearances of superior wealth and industry; exhibited in the written statements of the agents, are in favour of the Iroquois, it is right to quote the comparison which General Darling drew between them in the year 1827, and which will shew the disastrous effects of the progress of settlement on the Indians dependent upon the chase before they have exchanged their roving tastes and habits for the customs and comforts of civilization:

"About two hundred of the Iroquois are found in a small miserable village contiguous to, but apart from that of the Algonquins and Nipissings of the Lake of the Two Mountains, by whom they are despised and looked upon with contempt. The difference of character in these tribes is shewn at once on an examination of their dwellings. That of the Algonquins and Nipissings presents an appearance of comparative wealth and advancement in civilization, which is shewn in its interior cleanliness and arrangement, in useful articles of furniture and utensils, while the huts of those of the Iroquois bespeak wretchedness and inactivity in the extreme."

The Missionaries who attend to their religious instruction, are appointed and maintained by the Seminary of Saint Sulpice. The resident Indians are attentive to their religious duties; and the wandering Indians are said to be regular in their private devotions, morning and evening.

There is a school conducted by a French Canadian at the settlement, but the number of scholars does not exceed six, who are very irregular in their attendance. A few girls receive instruction from two nuns residing at the Post. The books used are spelling-books, and the prayers of the Roman Catholic Church. It is mentioned of the Algonquins and Nipissings, that there are many among them, who, although living a wandering life during the greater part of the year, can read and write tolerably in their own language; and it is observed of them, that they are generally much more intelligent and civilized than the Indians that remain in the vicinity of the towns. There can scarcely be stronger evidence of the demoralizing effects of partial civilization. These wandering and almost destitute tribes, far from being sensible of any improvement in their condition, say that forty years ago they were much happier and more independent than they are now; they then had game and peltries in abundance; they lived well, and were well clothed; but now they are ragged and starved half the year. This statement accords with that of the Superintendent.

#### 4. ABENQUOIS OF ST. FRANCIS.

The lands belonging to this tribe are located within the Seigniories of St. Francis dence of Mr. and Pierreville. The extent of territory Supt. Hughes, originally belonging to the Abenquois in Ditto of Rev. the seignior of St. Francis, comprehends Appendix Nos. half a league in depth, ascending the river, 7 and 8. by a league in breadth. The land in Pierre-

ville extends half a league and five acres in depth, adjoining the above, by a league and a half in breadth, the river St. Francis passing nearly through the middle of the grant. They have also acquired in the Seignior of St. Francis about a mile more in front on the north-east side of the river only, and situated below the above mentioned block, by the depth existing between that and the adjoining Seignior of Susandiere. They also possess fourteen islands in that part of the river which passes through their property; one of them contains probably one hundred acres, and produces a quantity of hay; the others are small, and average from one to ten acres each.

The grant for St. Francis is described as a Title of Concession, dated 23rd August, 1700, from Dame Marguerite Hertel, widow of Sieur Jean Crevier, Seigneur of St. Francis, to the Abenquois Indians, represented by their missionary, the Rev. Jacques Bigot; and that for Pierreville, in an act passed at the town of Three Rivers, on the 10th of May, 1701, by Sieur Antoine Plagaish, and Charlotte Giguere, his wife, to the said Indians so represented.

In these grants, the Seigneurs have reserved the right of re-uniting to their respective Seigniories any land abandoned by the Indians, and of dispossessing the latter as soon as the religious mission should cease to reside upon the conceded tracts. The land in the concessions is of a very inferior quality, consisting chiefly of a dry, sandy soil, without any admixture of clay.

In the year 1805, a number of lots in the Township of Durham, amounting to 8900 acres were granted in free and common socage to seventeen heads of families belonging to the Abenquois tribe of St. Francis, for their own private use and benefit; and that of their heirs and successors forever, subject to the following condition:—"That the said lots of land so granted, nor any nor either of them, nor any part thereof, shall in any wise be capable of being alienated, leased, transferred, conveyed, or otherwise disposed of, by our said grantees, or any or either of them, to any person or persons, in any manner or way whatsoever; and that, if at any time or times hereafter, the said lots of land so granted, or any, or either of them, or any part thereof, shall cease to be occupied by them, the said grantees, or some or one of them, or their, or some one of their lawful heirs; that then the said grant for such part thereof which shall so cease to be occupied, shall thereupon become void and of none effect; and such part shall thereupon revert and escheat to His Majesty, His heirs and successors, and become the absolute and entire property of Him and them, in the same manner as if the said grant had never been made, anything herein contained to the contrary thereof, in anywise notwithstanding." It does not appear, however, that the original grantees or their heirs, were made acquainted with the terms of this grant, as they have leased several of their lots for ninety-nine years, to discharged soldiers, and the settlers in the neighbourhood of Drummondville. In the year 1829, these tenants addressed a petition to Sir James Kempt, praying to be allowed to purchase the lots held by such leases, or to hold them at a quit rent from the Crown, and that hunting grounds might be assigned to the Abenquois elsewhere;—but the Commissioners have not been able to trace any proceedings upon this application.

The management of the St. Francis property is in the hands of an agent, selected by the chiefs, and approved by the officer at the head of the Indian Department.

The amount of income and expenditure from 1832 to 1842, is shewn in the following table,—and the details for the last year in Appendix No. 88.

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	Income.	Expenditure.
1832, . . . . .	£ 9 11 6	£ 9 7 4½
1833, . . . . .	137 4 11½	111 5 2½
1834, . . . . .	47 17 11½	42 14 0
1835, . . . . .	42 8 2	37 9 2½
1836, . . . . .	34 11 9	63 10 6½
1837, . . . . .	66 11 1½	42 15 9
1838, . . . . .	51 18 9½	47 10 8½
1839, . . . . .	42 0 4	39 16 10½
1840, . . . . .	50 1 1	13 0 11
1841,—42, . . . . .	169 3 2	94 18 1

The present number of this tribe at St. Francis is 353. In 1841, it was 306, at which time there were 96 heads of families. Owing to the migratory habits of this tribe, there may be some fluctuation in their number from year to year, but since 1827 there has been no material increase or decrease. The number of baptisms in 1841, was 12; of marriages 4; and of burials 21. The majority of these Indians reside in the village of St. Francis, which is about 3½ acres in extent: they occupy 44 houses, built chiefly of wood, with a few of stone, which are tolerably comfortable; they possess 4 barns, and 16 stables. About a dozen families, who don't cultivate any land, live in wigwams for about three quarters of the year, frequenting the forests near fish lakes. These seldom resort to their villages more than once annually, to receive their presents, and to perform their religious duties. Their wives contribute to the support of the family by the manufacture of baskets, mocassins, snow-shoes, &c.

The land which they have reserved for their own use is about 500 acres; the quantity under cultivation about 200 acres; they are backward in their mode of agriculture, having made no progress during the last fifteen years; their fondness for the chase is stated to be as great as formerly. Few of them subsist wholly by agriculture. They produced in 1841:—

180 bushels of Indian Corn,
23 do. of Wheat,
40 do. of Oats,
68 do. of Peas and Beans,
1469 do. of Potatoes,
79 tons of Hay.

Their stock consists of 16 horses, 34 cows, and 50 swine; they possess 2 ploughs, and 10 carts.

The Government supports a Roman Catholic Missionary at this settlement, and the Indians frequent the church at St. Francis. A Methodist Missionary resident at this place has converted four families to his persuasion. The Roman Catholics have full service on Sabbaths and holidays, and evening service throughout the year. They are regular in their attendance, and the Missionary reports that, their spiritual condition leaves nothing to be desired.

There is a school in which about thirty children of both sexes are instructed. They are taught reading and writing and the elements of arithmetic. The French language is used in the school. The only books in use are the Old and New Testaments. The scholars are stated to evince good ability, but little inclination for the acquisition of knowledge, and the teacher is frequently obliged to fetch them from their homes.

On the whole, these Indians are less advanced than those of the Iroquois tribe, especially in agriculture and habits of industry. The establishment of Temperance Societies amongst them during the past year, has proved beneficial in weaning many from their habits of drunkenness, and may lead to further improvement.

## 5. ABENQUOIS OF BECANCOUR.

Parliamentary Paper, 1839, page 53. Evidence of Mr. J. B. De Rolirceau, Chevalier, Siegneur of Port-Niverville, formerly Interpreter, Indian Department, Appen. No. 9.

These Indians were at one time proprietors of the Seigniory of Becancour, which was granted to them by Messere Pierre Rolirceau, Chevalier, Siegneur of Port-Niverville, &c., by an Act passed on the 30th April, 1708, but by an Act passed in the year 1760, they ceded to Monsieur DeMontesson, in consideration of a certain sum of money paid to them, the whole of their territory, keeping only the small portion in their actual occupation, consisting of a few acres round their village, and three small islands in the river Becancour; subsequent encroachments by their white neighbours have still further reduced their Reserve, and have compelled them to solicit the protection of the Government.

Their present number is eighty-four. In 1836 it was 119; the decrease is owing chiefly to migration; about a twentieth part are half-breeds. The village is nearly six acres in extent. It contains only eleven small wooden houses. One chief has a house and property in the town of Three Rivers. The tribe cultivate, in small patches, about thirty acres, including the islands, but their method is of the rudest kind; they use no instruments but the hoe and rake, and of these they have so small a number as to be obliged to lend to one another.

They have made no progress in agriculture, and have broken up no fresh ground since the year 1812. This, however, may be partly owing to the limited extent of their Reserve, and to the necessity of preserving the wood for their winter supply. There are several poor members of their tribe, who have taken shelter in their village, with whom they share their means of subsistence. All are obliged to make out a livelihood by dressing skins and making snow-shoes and baskets. During the winter some of the able-bodied men hunt. In summer, as soon as the potatoe and corn crop are taken in, scarcely a man is left in the village. Most of them establish themselves on the banks of rivers, where they catch a supply of fish and, make baskets; others go about the country, some as far as Quebec, in search of a livelihood; they remain absent from two to four months.

There is no missionary attached to these Indians, but they are regular attendants at the church of Becancour, and constant in the performance of their religious duties, both public and private.

There is no school in the settlement. They are reported to have made some progress in religion and morality, and to have benefited by the recent establishment of a Temperance Society among the tribe.

## 6. HURONS OF LA JEUNE LORETTE.

Parliamentary Paper, 1839, page 54. Evidence of the Rev. Mr. Fortier, Appendix No. 10.

These Indians have long been settled at Lorette, which is only nine miles from Quebec; they claim to be the descendants of part of those Indians, for the conversion and instruction of whom the Seigniory of Sillery was granted to the Jesuits by the French Crown in the year 1651; their present number is 189. In 1836 it was 219, having increased from 179 in 1827. They are all half-breeds.

The land at present in their possession, besides the site of their village, consists of forty square acres in the Seigniory of St. Gabriel, about two miles distant. With the exception of two families, they all reside in the village, which covers about twenty acres of ground, and contains thirty-four houses, (two of stone,) and nine barns and sheds. Their number is on the

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decrease, owing to the difficulty of finding a subsistence, which is forcing them gradually to abandon the village. Whatever advantage they may derive from their proximity to Quebec, in the ready sale that they find for the game and fish taken by the men, and for the various articles manufactured by the women, these are more than counterbalanced by the vicious habits which have in consequence been introduced amongst them. At one time Lorette was the constant resort of the dissipated youth of Quebec. It became the scene of midnight orgies, and profligacy of the worst description, until the extent of the evil attracted the attention of the Police authorities in Quebec, who took measures to repress the mischief. Since then a considerable improvement has taken place in the village, and within the last two years the Indians have made a sensible progress in religion and morality. Owing, in some measure, to the want of land, agriculture has made but little progress among them. They cultivate part of the forty acres which they possess, in patches of three or four acres to each family. They use the system and implements common among the Canadians, and grow oats, peas, Indian corn, potatoes and vegetables. In 1835, they produced—

43 bushels Wheat,  
161 do Indian Corn,  
353 do Potatoes.

Their present annual produce is about—

400 bushels Oats,  
10 do Indian Corn,  
25 do Peas,  
1000 do Potatoes.

They do not, however, depend upon agriculture entirely for support—they hunt and fish, and their women make moccasins, snow-shoes, &c., which they sell to visitors and in Quebec. Some of them employ Canadian labourers for the field work. Their fondness for fishing and hunting still continues, and they commonly devote three months in the spring, and the same period in the autumn, to these pursuits, but with less ardour than formerly, as they meet with greater difficulties and less success. They resort chiefly to the district between the St. Maurice and the Saguenay.

They have a chapel, and a missionary is maintained by the Government for their instruction. There is a school which is attended pretty regularly by twenty-five children. The instruction and books in use are the same as those to be found in common Canadian schools. The children are apt scholars—the adults are skilful artizans. Formerly there were among these Indians, masons, carpenters, joiners and blacksmiths; but at present there are only two masons.

Within the last two years they have improved considerably in conduct and industry and, with assistance; they would make further progress.

### 7. MICMACS OF THE RISTIGOUCHE.

Parliamentary Papers, 1839, page 54. These Indians form one of the scattered remnants of a tribe formerly numerous in Nova Scotia and New Brunswick, and whose descendants are still found lingering in the vicinity of the more populous settlements in those Provinces. The estimated number in the latter Province is 1200, and in Canada 442; of these 353 are settled in a village called Mission Point, on the north side of the Ristigouche, in a very advantageous position at the head of the Bay of Chaleur. The village contains seventy-five houses and wigwams. A few of the chiefs inhabit substantial wooden buildings; the majority live in small log houses, or in wigwams, destitute

of almost every convenience. They partially cultivate 325 acres, but know little about agriculture. Their reserve contains between 500 and 600 acres, but they lay claim to a further quantity of about 1250 acres, granted many years ago by the Government to a white settler, to which they appear equitably entitled, and for the loss of which they ought to be adequately compensated. They belong to the Roman Catholic religion, and profit by the services of the missionary on that station, who receives a salary from the funds of the Indian Department for devoting part of his time to this band. They have no school and no means of obtaining instruction, but some of them can read and write. Some years ago, they commenced to build a church, but it has remained unfinished for want of funds. In 1842, three of the tribe visited England with the hope, among other objects, of obtaining contributions towards its completion, but with what success is unknown; and, in the present year, the Governor General directed that £30 should be advanced to them out of the Parliamentary Grant, for the same purpose.

These Indians have never been admitted to a title to share in the annual distribution of presents. On three occasions, viz: in 1826, 1831 and 1842, they received them as a special favour, under particular circumstances accompanying each occasion. Their distance, also, from the Government of both Lower Canada and New Brunswick, from the latter of which they have been in the habit of claiming assistance, has removed them from observation, and been the cause of their falling into a state of neglect and misery from which they have only within a year or two commenced to emerge.

They have lately joined the Temperance Society, and display considerable anxiety to improve, and a disposition to assume habits of industry. They have been encouraged by the visits of agents on the part both of New Brunswick and Canada, and a manifest improvement is reported to be visible in their condition and prospects.

There is also a band of eighty-nine Micmac Indians settled at Cascopediac (New Richmond), on the north side of the Bay of Chaleur, but there is no information respecting them.

### 8. UNSETTLED TRIBES.

Parliamentary Papers, 1839, pages 53 & 54. The foregoing description comprises all the settlements at present known to exist in Canada East.

In the year 1828, about thirty families of Amalacites were induced to form a settlement on a branch of the River Verte, about 140 miles below Quebec, under the auspices of the Government. By an Order in Council, dated 28th May, 1827, they received a grant of 3000 acres, in lots of 100 acres to each family.

They were assisted by Government for two years in seed, and some provisions in sowing time. The expense incurred was £138, of which £44 was for the survey, and £11 for the travelling expenses of the Superintendent. During the first year they cleared 70 acres, and sowed part of the seed which they received on this clearance, and part on ground belonging to Canadian settlers. The return was good and satisfactory, and the experiment offered a fair prospect of successful results; but unfortunately no further notice of the settlement was taken by the Government. From 1829 up to the present time, it has not been visited by any officer of the Indian Department, and it is supposed to be now abandoned.

The Committee of the Executive Council, in noticing this settlement in their Report, justly observe,

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that "from the circumstance of these Indians having been left very much to themselves, without sufficient superintendence, and from the fact that some families still remain on the land, the Committee do not see reason to think that a fair chance of success was offered to the settlement in its progress, or that its apparent failure would justify the entire abandonment of it." They therefore suggested the expediency of endeavouring to induce the Indians who had left their lands to return to them, and of continuing that superintendence, support and encouragement which it was, no doubt, the intention of the Earl of Dalhousie to afford, and without which no attempt to settle the Indians on land can ever succeed." No steps, however, have been taken to carry out this suggestion.

Besides the Indians already described, there are a few who have no fixed place of residence, although they generally frequent certain localities, and are known by the names of those places.

### I. THE ALGONQUINS OF THREE RIVERS.

Evidence of Mr. De Niverville. *Appendix No. 9.* These are ninety-two in number. With the exception of a chief, who has a farm at Batiscan, and three other families, who have houses and plots of land at Three Rivers, they do not possess any landed property, and subsist wholly by hunting and fishing.

They reside in wigwams, being unable, from their poverty, to procure or build houses. Having no land, they are altogether ignorant of agriculture. Their chief resort for the chase is the river St. Maurice.

The women are much engaged in the manufacture of embroidered mitts and mocassins and other fancy articles, for which they find a ready sale at Three Rivers. The Chief at Batiscan employs a Canadian farmer.

They are members of the Roman Catholic Church, and attend service at Three Rivers and Batiscan.

### 2. TETES DE BOULE OF THE RIVER ST. MAURICE.

Evidence of Mr. De Niverville. *Appendix No. 9.* These are wandering Indians, eighty-six in number, who live wholly by fishing and hunting. They are the least civilized of any tribe in the Lower Province;—have no fixed residence, and never quit their hunting-grounds on the upper part of the River St. Maurice, until the approach of the period for receiving their annual presents. Part of them appear to have been heathens up to a recent period, but are now, like the rest, admitted into the Roman Catholic Church.

### 3. WANDERING AMALACITES, MICMACS, AND ABENQUOIS.

These Indians, who are for the most part in a state of complete destitution, subsist exclusively by fishing and hunting, and by the produce of fancy articles made by their women; their present number is estimated at one hundred and eighty. In 1827 they were twice as numerous. Among them are included the Amalacites, who are supposed to have abandoned the River Verte settlement; some of the Abenquois, who were formerly included in this number, have probably settled with their brethren at St. Francis and Becancour.

## II.

### INDIANS OF CANADA WEST.

The Indians of Canada West may be divided into three classes.

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1. Resident Indians, located within the Province.
2. Wandering Indians, having no fixed location, but living within the Province and the Territory of the Hudson Bay Company.
3. Visiting Indians, resident in the United States, who attend annually to receive presents.

With regard to the two latter classes, very little information can be furnished. They only come under the observation of the Government once in the year, when they attend to obtain their presents, which they have hitherto been allowed to receive on the same footing as the Resident Indians.

It is impossible to form an accurate estimate of the number of these two classes. The number frequenting the shores and islands of Lake Huron, the country about Lake Nipissing, and the northern shore of Lake Superior, as far as Fort William, were estimated by Mr. Superintendant Anderson, in 1839, not to exceed 3,300, and this calculation is borne out by the numbers who have attended annually to receive presents. The number of those in the North-West and the Territory of the Hudson's Bay Company, have been variously stated; but the Commissioners have no data on which to form an estimate. They are for the most part, wild and uncivilized, dependant upon the chase and fishing for subsistence, and constantly exposed to the severest privations. Those who are in the employment of the Hudson's Bay Company as hunters and trappers, are understood to receive much attention from the Agents of the Company, who, as well as various religious Societies in England and North America, employ several missionaries for their religious instruction and temporal improvement.

The Visiting Indians, as already described, are those who fought on the side of the British in their wars with the Americans, but who retained their lands in the territory of the United States. Their number must be considerable, but only a small portion have attended annually to receive presents. The distance to the place of distribution, the opposition of the American authorities to their attendance, and the necessity for leaving a sufficient number to protect their villages and crops, have, for some years past, limited the attendance to between 2000 and 3000.

The issue of presents to those Indians will be discontinued for the future. In 1836, Lord Glenelg suggested the propriety of this course, which was justified on the grounds, first, that as the recipients were subjects of another state, there was no reason why the British Government should continue to make annual payments to them; and secondly, that it amounted almost to an act of hostility to the Government of the United States, to supply guns and ammunition to the American Indians, with whom it was at that time engaged in civil war. Upon the proposition of the Lieutenant-Governor, Sir Francis B. Head, sanctioned by the Secretary of State, notice was given at the general distribution at Manitoulin, in 1837, that, after the expiration of three years, presents would only be given to those Indians who should actually reside in the British territory. This notice was interpreted to signify that the American Indians would be deprived of the presents only while they continued to reside in the United States, and that those who should settle in British North America at any time after the expiration of the three years, should become re-entitled to presents. This interpretation, however, was repudiated by the Imperial Government; and in 1841, a second notice was given, that those Indians who should not have become settlers in Canada previously to the issue in 1843 should henceforward and forever cease to receive presents. These notices have led to a considerable immigration of the American Indians into Canada.

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It remains then to describe the Resident Indians:— Owing to the manner in which the issues to these Indians have been recorded, it is impossible during past years to separate them from the Wandering and Visiting Indians with any accuracy, and consequently, the fluctuations in their numbers cannot be stated. There is no doubt, however, that their number has increased, partly by the excess of births over deaths, partly by the settlement of several bands who were formerly wanderers, and in a still greater measure, by the immigration from the United States, already noticed.

The number to whom presents have been annually issued, appears, from facts and statements which have come under the observation of the Commissioners, to present no accurate index of the number actually existing in the Province; and the Records of the Department are, upon this and many other subjects, very imperfect.

The existing settlements, and the number of Indians residing at them, are shown in the following Table.

Several tribes are under the charge of Local Superintendents, of whom there are six; the remainder, which consist chiefly of small bands scattered in various parts of the Province, are under the care of the Chief Superintendent, who resides at the seat of Government.

The principal and aboriginal tribes in Canada West, are the Chippewas, or as their name is more correctly spelt, the Ojibways, with the Mississagas, who are a branch of the same nation,—there being some doubt which is the national term. The Ottawas and Pottawatimics, who are mostly immigrants from the United States, are closely connected with the Chippewas. Besides these, there are only the tribes formerly the Six Nations, who settled in the Province at the close of the American war; and who consist of the Mohawks, Oneidas, Onondagas, Senecas, Cayugas, and Tuscaroras, with some Delawares and Munsees, on the river Thames, some Hurons and Wyandotts at Amherstburg, and a few small bands of other tribes on the Grand River.

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T A B L E .

Superintendences.	SETTLEMENT.	TRIBE.	NO.
1	On the Grand River, ... ..	{The Six Nations, with a few} other small tribes, ... }	2223
2	2. At New Fairfield, on the River Thames, in the Township of Oxford, Western District,	Delawares, (Moravians), ... ..	153
	3. At Munsey Town and Colborne, on the River Thames, in the Township of Caradoc, ... ..		
3	4. At New Oneida, in the Township of Delaware, adjoining the last Settlement, ... ..	Oneidas, ... ..	436
	5. The Wyandott or Huron Reserve, near Amherstburgh, ... ..		
4	6. Point Pellée, ... ..	{Chippewas, Hurons, Shaw-} noes and Munsees, ... }	368
	7. St. Clair Rapids or Upper St. Clair Reserve, in the Township of Sarnia, ... ..		
5	8. At the River aux Sables on Lake Huron,	{Chippewas, with some Pot-} tawatimics, ... ..	741
	9. At Kettle Point, near the last Settlement,		
6	10. Walpole Island or Chenail Ecarté, ... ..	{Chippewas, Pottawatimics} and Ottawas, ... ..	1140
7	{11. Manitoulin Island, two Settlements, Manitow-} awning and Wequemakong, ... ..	Chippewas and Ottawas, ... ..	1098
	12. Bay of Quinté, Township of Tyendenaga, ... ..		
7	13. At the River Credit, ... ..	Mohawks, ... ..	383
	14. Alnwick, on Rice Lake, ... ..	Mississagas, ... ..	239
	15. Rice Lake, ... ..	Do. ... ..	220
	16. Mud Lake, ... ..	Do. ... ..	114
	17. Balsam Lake, ... ..	Do. ... ..	94
	18. Rama, Lake Simcoe, ... ..	Do. ... ..	90
	19. Beausoleil Island, Matchadash Bay, Lake Huron,	Chippewas, ... ..	184
	20. Snake Island, Lake Simcoe, ... ..	Do. ... ..	232
	21. Saugeeng, Lake Huron, ... ..	Do. ... ..	109
	22. Big Bay, Owen's Sound, Georgian Bay, ... ..	Do. ... ..	197
	23. In the Township of Bedford, near Kingston, ...	Algonquins, &c., ... ..	130
			91
	Total, ... ..		8862

1. SIX NATIONS INDIANS OF THE GRAND RIVER.

Evidence of Mr. Superintendent Win- niott,—Do. of Rev. Mr. Nel- les,—Do. of Elliott,—Do. of W. H. Lan- don.—Appen- dix Nos. 17, 27, 28, and 29.

At the termination of the War of Inde- pendence, the Six Nation Indians of the Mohawk Valley, who had taken part with the British against the Americans, became apprehensive that injurious consequences might result from their hunting grounds being within the territory assigned to the United States. They accordingly deputed their celebrated chief Captain, Joseph Brant, (Tyendenaga,) to represent their fears to Gene-

ral, afterwards, Sir Frederick Haldimand, who was then Governor of the Province of Quebec. His Excellency's answer, dated 27th May, 1783; the speech of the Superintendent of Indians, Brigadier-General, Sir J. Johnson, made to these Indians at Niagara, in the subsequent July, are furnished in the Appendix as documents of historical interest. (No. 47.)

In the following year, Sir F. Haldimand, by a Pro- clamation dated 25th October, 1784, granted to the Six Nations and their heirs, forever, a fine and fertile tract of land on the Ouse, or Grand River, in Upper

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Canada, six miles in depth upon each side of the river, beginning at Lake Erie and extending in that proportion to the head of the river.\*

This grant was confirmed and its conditions defined by a Patent under the Great Seal issued by Lieutenant

\* FREDERICK HALDIMAND, Captain-General and Governor-in-Chief of the Province of Quebec and the Territories depending thereon, &c. &c. General and Commander-in-Chief of His Majesty's Forces in the said Province, and the Territories thereof, &c. &c.

Whereas His Majesty having been pleased to direct, in consideration of the early attachment to His cause manifested by the Mohawk Indians, and of the loss of their settlement which they thereby sustained, that a convenient tract of land under His protection, should be chosen as a safe and comfortable retreat for them and others of the Six Nations, who either lost their settlement within the Territory of the American States, or wish to retire from them to the British; I have, at the earnest desire of these, His Majesty's faithful allies, purchased a tract of land from the Indians situated between the Lakes Ontario, Erie, and Huron, and I do hereby, in His Majesty's name, authorize and permit the said Mohawk Nation, and such others of the Six Nation Indians, as wish to settle in that quarter, to take possession of, and settle upon the banks of the river commonly called the Ouse, or Grand River, running into Lake Erie, allotting to them for that purpose, six miles deep from each side of the river, beginning at Lake Erie and extending in that proportion to the head of the said river, which they and their posterity are to enjoy forever.

Given under my Hand and Seal at Arms, at the Castle of St. Lewis, at Quebec, this 25th October, 1784, and the twenty-fifth year of His Majesty's Reign, King George the Third.

(Signed,)

FREDERICK HALDIMAND.

(Signed,) R. MATHEWS.

Registered 20th March, 1795.

(Signed,) WM. JARVIS.

† J. GRAVES SIMCOE.

GEORGE the Third, by the Grace of God, of the United Kingdom of Great Britain and Ireland, KING, Defender of the Faith, and so forth.

TO ALL TO WHOM THESE PRESENTS SHALL COME.

GREETING:—

KNOW YE, that whereas the attachment and fidelity of the Chiefs, Warriors and People of the Six Nations, to us, and our Government, has been made manifest on divers occasions by their spirited and zealous exertions, and by the bravery of their conduct, and we, being desirous of shewing our approbation of the same, and in recompense of the losses they may have sustained, of providing a convenient tract of land under our protection, for a safe and comfortable retreat for them and their posterity; have of our special grace, certain knowledge, and mere motion, given and granted, and by these presents do give and grant to the Chiefs, Warriors, Women and People of the said Six Nations, and their Heirs forever, all that District or Territory of land, being parcel of a certain District lately purchased by us of the Mississaga Nation, lying and being in the Home District of Our Province of Upper Canada, beginning at the mouth of a certain River commonly known by the name of the Ouse or Grand River, now called the River Ouse, where it empties itself into Lake Erie, and running along the banks of the same for the space of six miles each side of the said river, or a space co-extensive therewith, conformably to a certain survey made of the said tract of land, and annexed to these presents, and continuing along the said river, to a place called or known by the name of the Forks, and from thence along the main stream of the said river for the space of six miles on each side of the said stream, or for a space equally extensive therewith, as shall be set out by a survey to be made of the same, to the utmost extent of the said river, as far as the same has been purchased by us, and as the same is bounded and limited in a certain deed made to us by the Chiefs and People of the said Mississaga Nation, bearing date the 7th day of December, in the year of Our Lord One thousand seven hundred and ninety two, to have and to hold the said District or Territory of land so bounded as aforesaid, of us, our Heirs and Successors, to them the Chiefs, Warriors, Women and People of the Six Nations, and to and for the sole use and behoof of them and their Heirs forever, freely and clearly of and from all and all manner of rents, fines and services whatever, to be rendered by them or any of them to us or our Successors for the same, and of and from all conditions, stipulations and agreements whatever, except as hereinafter by us expressed and declared, giving and granting, and by these presents confirming to the said Chiefs, Warriors, Women and People of the said Six Nations, and their Heirs, the full and entire possession, use, benefit and advantage, of the said District or Territory, to be held and enjoyed by them in the most free and ample manner, and according to the several customs and usages of them the said Chiefs, Warriors, Women and People of the said Six Nations. Provided always, and be it understood, to be the true intent and meaning of these presents, that for the purpose of assuring the said lands as aforesaid, to the said Chiefs, Warriors, Women and People of the Six Nations, and their Heirs, and of securing to them the free and undisturbed possession and enjoyment of the same, it is our Royal will and pleasure, that no transfer, alienation, conveyance, sale, gift, exchange, lease, property or possession, shall at any time be had, made or given, of the said District or Territory or any part or parcel thereof, by any of the said Chiefs, Warriors, Women or People, to any other Nation or

Governor Simcoe, and bearing date 14th January 1793.

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The original extent of the Tract was 694,910 acres, but the greater part of this has been since surrendered to the Crown, in trust, to be sold for the benefit of these tribes, and some smaller portions have been either granted by the Government in fee simple, to purchasers, with the assent of the Indians, or have been alienated by the Chiefs, upon leases, which, although legally invalid, the Government did not at the time, consider it equitable or expedient to cancel.

The following is a list of the principal surrenders:—

15th January, } 1793.
6th February, }

The lands now forming the Townships of Dumfries, Waterloo, Woolwich, and Nichol, extending downwards on both sides of the River from the Northern extremity of the Reserve: and the greater part of the Townships of Canboro' and Moulton, on the Eastern side of the entrance of the Grand River,.....352,707 acres.

19th April, 1830.

The site of the Town of Brantford on the Grand River,..... 807 "

19th April, 1831.

The Northern part of the present Township of Cayuga, on the lower part of the River,..... 20,670 "

8th February, 1834.

The residue of Cayuga, the present Township of Dunn, which adjoins that of Cayuga, and part of Canboro' and Moulton,..... 50,212 "

26th March, 1835.

A confirmation of all the preceding surrenders,.....

body of people, person or persons whatsoever, other than among themselves, the said Chiefs, Warriors, Women and People, but that any such transfer, alienation, sale, gift, exchange, lease or possession, shall be null and void and of no effect whatever, and that no person or persons shall possess or occupy the said District or Territory or any part or parcel thereof, by or under pretence of any such alienation, title or conveyance, or by or under any pretence whatever, under pain of our severe displeasure; and that in case any person or persons, other than the said Chiefs, Warriors, Women and People of the said Six Nations, shall, under pretence of any such title as aforesaid, presume to possess or occupy the said District or Territory or any part or parcel thereof, that it shall and may be lawful for us, our Heirs and Successors, at any time thereafter, to enter upon the lands so occupied and possessed by any person or persons other than the people of the said Six Nations, and them the said intruders thereof and therefrom wholly to dispossess and eject, and to resume the part or parcel so occupied to ourselves, our Heirs and Successors. Provided always, that if at any time the said Chiefs, Warriors, Women and People of the said Six Nations, should be inclined to dispose of and surrender their use and interest in the said District or Territory, or any part thereof, the same shall be purchased for us, our Heirs and Successors, at some Public Meeting or Assembly of the Chiefs, Warriors, and People of the said Six Nations, to be holden for that purpose by the Governor, Lieutenant Governor or person administering our Government in our Province of Upper Canada.

In testimony whereof, we have caused these our letters to be made Patent and the Great Seal of our said Province to be hereunto affixed. Witness, His Excellency John Graves Simcoe, Esquire, Lieutenant Governor and Colonel Commanding our Forces in our said Province.

Given at our Government House at Navy Hall, this Fourteenth day of January, in the year of our Lord One thousand seven hundred and ninety three, in the thirty-third year of our reign.

(L. S.)

(Signed,) J. G. S.

(Signed,) WILLIAM JARVIS, Secretary.

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The residue of the land, with a reservation of 20,000 acres, and the lands actually in the occupation of Indians, or upwards of,.....220,000 "

Of the earlier surrenders, the greater portion has been already sold, and the proceeds have been invested either in Consols in England or in the Grand River Navigation Stock. The survey of the portion last surrendered is not complete, but a considerable part is already occupied by settlers or squatters, and the whole will probably be soon settled.

The Six Nations consist properly of the Mohawks, Oneidas,\* Senecas, Onondagas, and Cayugas, which formed the original confederacy of the Five Nations, called Iroquois by the French, with the Tuscaroras, who were adopted into the confederacy.

But the community on the Grand River includes also a few Delawares, Tutulies, Muntures, Nunticokes, and some other Indians, together with a few families of Negroes, adopted into the Nation. The number, according to a census taken in 1843, is 2,223. They are settled in small bands, divided according to their tribes, or collected under separate Chiefs, on both sides of the River, from the Cayuga Township line, to the south side of the Hamilton road, but are, at present, about to retire altogether to the south side.

The greater part live in log houses scattered over this tract; very few, comparatively, live in villages; of these there are properly but three, the Mohawk, Tuscarora and Cayuga. The first, which is between one and two miles from Brantford, was established in 1784-5, the year after the emigration of the Six Nations. It contains about twenty-four houses, and

extends in a very irregular form from a quarter to a half a mile. Its church, which is said to be the oldest in Canada West, is a very neat building in excellent repair, and contains the family vault of the celebrated Chief of the Mohawks, Joseph Brant. All the Indian inhabitants of this village, with the exception of four or five families, have sold their improvements to white settlers, and have removed to other parts of the Reserve, for the convenience chiefly of procuring fuel, which they had great difficulty in obtaining at the village.

The Tuscarora village is a mile and a half from the site of the Six Nations Council House, which is eleven miles distant from Brantford; it was established ten or fifteen years later than the Mohawk Village, and is of nearly the same extent; but the houses, of which there are about thirty, are less scattered; it contains few or no white settlers, and there is a neat little church at one end of the village.

The upper Cayuga Village is now deserted by the Indians. The Onondaga and Salt Spring settlements, mentioned in former Reports, can scarcely be called villages.

The houses are all of logs, and in each settlement there are several barns. None of the Six Nations Indians reside in wigwams. The wealth and condition of each tribe is sufficiently shewn in the following table, from the Abstract of which, it appears that 2223 individuals, forming about 500 families, occupy 397 houses, having fifty-five barns attached to them. They possess eighty-five wagons, 127 sleighs, 153 ploughs and ninety-seven harrows. Their stock consists of 350 horses, 561 oxen, 790 cows, 2070 swine, and eighty-three sheep.

\* In an agreement executed between the Government and Captain J. Brant, in 1798, the Oghquaga (Auchquaga) is mentioned as one of the Five Nations, and the Oneida is omitted.

T A B L E .

STATEMENT of the Names and Number of the several Tribes of the Six Nations, with the quantities of improved Land, Houses, Barns, Agricultural Implements and Stock, belonging to each, in the year 1843.

NAMES OF THE TRIBES.	No. in each Tribe in 1843.	No. of acres.	Houses.	Barns.	Wagons.	Sleighs.	Ploughs.	Harrows.	Horses.	Oxen.	Cows.	Hogs.	Sheep.
Upper Mohawks.....	364	1163½	64	8	17	28	29	21	36	90	107	377	...
Lower Mohawks.....	310	1648	60	15	18	28	28	23	32	74	110	253	30
Bay of Quinté Mohawks.....	94	183	11	2	5	5	6	2	13	8	15	92	...
Clear Sky's, Onondagas.....	219	700	51	3	7	2	14	5	55	109	125	184	...
Barefoots, Onondagas.....	64	111	12	...	1	1	2	1	3	9	9	44	...
Nekarontasa's, Senecas, included in the Onondaga Return.....	55	...	...	...	...	...	...	...	...	...	...	...	...
Kaghnohtasas, Senecas, ditto ditto.....	52	...	...	...	...	...	...	...	...	...	...	...	...
Oneida, Joseph.....	42	124	6	1	5	6	2	2	7	12	9	30	8
Peter Green's Aughquagas.....	75	283	15	4	3	5	5	5	8	10	19	45	11
Upper Cayugas.....	114	417	18	1	5	7	10	4	33	26	36	161	...
Lower Cayugas.....	287	1003	76	7	10	21	25	12	58	82	151	403	21
Tuscaroras.....	192	500	38	7	7	10	21	9	44	76	105	183	...
Tuteillies, included in the Upper Cayuga Return.....	40	...	...	...	...	...	...	...	...	...	...	...	...
Delawares (Tom).....	127	347	29	2	3	6	5	5	22	23	38	167	12
St. Regis, included in the Onondaga Return.....	6	...	...	...	...	...	...	...	...	...	...	...	...
Mantures, included with the Lower Cayuga.....	20	...	...	...	...	...	...	...	...	...	...	...	...
Old Nantecokes, included in the Delaware Return.....	30	...	...	...	...	...	...	...	...	...	...	...	...
New Nantecokes.....	17	169	6	3	3	3	5	3	14	17	25	61	...
Aughquagas (Joseph).....	82	260	11	2	3	5	8	5	25	27	41	70	1
Canada family, (included in the Lower Mohawk Return).....	9	...	...	...	...	...	...	...	...	...	...	...	...
Rayentagowa, included in the Upper Mohawk Return.....	14	...	...	...	...	...	...	...	...	...	...	...	...
Brant family, ditto ditto.....	10	...	...	...	...	...	...	...	...	...	...	...	...
Total.....	2223	6908½	397	55	85	127	153	97	350	561	790	2070	83

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The extent of improved land among them is 6,908 acres, or on an average, about fifteen acres to each family; some, however, hold extensive farms, as will be seen by the following abstract:—

Number of Indians holding no improved land,	50
“ “ holding under five acres,	96
“ “ “ from 5 to 10 “	85
“ “ “ from 10 to 20 “	67
“ “ “ from 20 to 50 “	68
“ “ “ from 50 to 100 “	28
“ “ “ from 100 to 150 “	9
“ “ “ from 150 to 200 “	1
Total	404

In those cases in which the family has no improved land, the males generally work out in the winter, chopping and carrying wood for fuel, &c. In the spring and summer, and in the early part of the autumn, they engage as labourers, for which they receive high wages. The females remain with their relations, and are supported by the earnings of the men. Many of the Indians work on the farms of the white settlers during harvest time, being excellent cradlers of various kinds of grain.

The land is not subdivided into regular plots. Each Indian selects his own locality, and takes as much land as he can cultivate, or wishes to reserve to himself, without the interference of the Chiefs. They are generally secure from the intrusion of other Indians; and they can transmit their land to their heirs, or convey their interest in it to any other Indian.

If any disputes arise, they are submitted to the Chiefs in Council, who decide upon the matter. These Indians, however, suffer a good deal from the encroachments of the whites, against whom it has been found impossible entirely to protect them; and they have been rendered very uneasy and unsettled by the uncertainty attending the possession of their farms, in consequence of the frequent removals rendered necessary by the successive surrenders of portions of their tract.

They depend almost entirely upon agriculture for their subsistence, and seldom resort to hunting and fishing for a supply of food, although many of them indulge in these sports for various periods, extending from a fortnight to three months, towards the close of the year. Their chief hunting-grounds are in the Townships of Norwich, Zorra, Denham, Wendham, Blenheim, and at the Chippewa Creek; but when unsuccessful at these places, they resort to more distant localities. At least one-third do not hunt at all; and it is probable, that, when the game becomes exhausted in the surrounding Townships, the inclination of the remainder to the chase will have altogether ceased.

They are much improved in their habits of industry and their mode of agriculture, and they raise a greater variety of grain and vegetables than formerly; but it has been observed, that their crops have been less abundant, and their houses and stock less numerous than at former periods. This may be accounted for by a large portion of their cultivated land having fallen into the possession of white settlers,—and, by the erection of certain dams on the Grand River, which have flooded much of their marsh land, and obliged them to abandon it.

The large farmers pursue exactly the same mode of agriculture as the whites, except they sow less seed, and are not so careful in preparing it; hence, their crops are frequently severely injured by smut. They sow wheat and oats, and grass down with timothy; they also grow peas in large quantities, with which, and Indian corn, they fatten their hogs. The small far-

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mers grow little else than Indian corn and potatoes, in the cultivation of which they only use the hoe. On the large farms the field labour is performed by the men, with the exception of the cultivation of Indian corn, which on large or small farms, is always performed by the women. The young men of the Upper Tribes, who are Christians, and further advanced in civilization, engage more in farm labours, and are more industrious than the young men of the Lower Tribes, who are mostly heathens. They perform a fair share of the work on the farms. The regular division of the day as to labour and meals is pretty generally attended to on the large farms, but not so systematically as among the whites. From the irregular habits in which the Indian children are brought up, they are not, when they arrive at mature age, so regular in these particulars as whites.

No statement can be furnished of the quantities of produce raised. The Indians only measure such as they intend to take to market; and this bears a very small proportion to the quantity consumed in their families. They seldom hold any stocks of grain; and when their crops fail they are often reduced to great distress, and obliged to purchase large quantities of flour. At various periods the Government have had occasion to come to their aid, and to take steps to furnish them with necessary supplies.

As regards religion, the Mohawks had been Christians for many years before the American revolution. The church at the Mohawk village was built by the Government for their use, the year after the settlement; for many years, however, they had no resident missionary among them; the nearest clergyman lived at Niagara, seventy miles distant. He visited them about twice a year; but so strong were their religious principles, and their feelings of devotion, that the Liturgy of the church was regularly read every Sabbath by one of their body, and by this means a congregation was always kept up among them. About sixteen years ago, a clergyman was first settled here for the benefit of the Indians, by the “Company for the Propagation of the Gospel in New England and the parts adjacent in America,” commonly called the “New England Company.” Some attention had been previously paid to the inhabitants of this neighbourhood, by one of the missionaries of the Society for the Propagation of the Gospel in Foreign Parts, but by an arrangement with the New England Company, the care of this station was entirely resigned to that Company, who have ever since maintained a missionary at the Mohawk Village, kept the church in repair, and have established several schools, and a Mechanics’ Institute for the Indians in and about the station. More recently they have established an assistant missionary in the Tuscarora village, where they have built a church and a parsonage-house. Besides the services in these two churches, divine worship is performed in a school-house in the Johnson settlement; in the neighbourhood of the Salt Springs; in a private house at the Four Springs settlement at the Lower Onondaga; and at the Delaware settlement; and in a private dwelling near the Council-house. There is also a Methodist Chapel at the Salt Springs, and a congregation of Baptists hold service in private houses at Tuscarora.

A large majority of the Indians on the Grand River are Christians, and belong mostly to the Church of England. A few years ago, some of the Lower Mohawks left that Church and attached themselves to the Episcopal Methodists; but lately, part of these have returned to the Church. During the last year, about forty of the Tuscarora Tribes joined a sect of Baptists. There are also some Wesleyan Methodists. A considerable number, however, of the Upper and Lower Cayugas, the Onondagas, Senecas, and some of the De-

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lawares, are still heathens. The missionaries of the New England Company have been zealous and persevering in their efforts for their conversion, and not entirely without success. Within a few years they have baptized one hundred adults, and within the last year, sixty of the Delaware tribe, who are gradually renouncing paganism, were baptized. The Indians who still remain professedly heathens, do not, for the most part, deny the truth of Christianity, and their spiritual condition has been manifestly improved by their intercourse with the Christian Indians. Many of them occasionally attend divine service, which is performed in a language they understand; and thus they are led almost imperceptibly to imbibe the doctrines and sentiments of Christianity. The chief obstacle to their conversion is a joint determination on the part of certain of their Chiefs to persevere in their rejection of Christianity, and to induce all under their influence to follow their example. The glaring inconsistency, which they cannot fail to discover, between the profession and practice of many of the nominal Christians among the white people who have settled around them, and who are generally of a very bad character, has furnished them with a plausible objection to the Christian religion.

The improvement among the Christian Indians has been very perceptible. They frequently express the sense which they entertain of the benefits arising from their change, and their disgust at the heathen ceremonies in which they once delighted. Among the evidences of their desire for advancement, is their attention to religious instruction and divine worship, and their eagerness to obtain admission for their children into the boarding school of the New England Company at the Mohawk village. A few years ago, there was difficulty in procuring fourteen scholars for this school; there are now fifty applications in addition to the fifty already there. The discouragement of drunkenness is another sign of improvement.

Besides the boarding school above mentioned, in which the scholars are taught handicraft, and are instructed generally upon the system adopted in white schools of industry, there are five day schools, including one at the Methodist Mission;—these, however, are very irregularly attended. The total number of children under instruction, including those at the boarding school, is 160. The mode of teaching is the same as that among common schools for the whites, and the books in use are those recommended by the Board of Education, viz: the Bible, Mavor's Spelling Book, English Reader, Daboll's Arithmetic, Murray's Grammar and Geography. The instruction is carried on altogether in English. The children shew as much aptitude in acquiring knowledge as the whites. At the New England Company's School, fifteen boys are under instruction in the several trades of waggon-maker, blacksmith, carpenter, and shoe-maker. The girls, twelve in number, are taught house-keeping, needle-work, spinning, and knitting. The adults evince much aptitude for mechanical arts. Many of them, without instruction, are blacksmiths and carpenters, capable of erecting and finishing a frame-house. Many, and particularly among the women, are sufficiently good tailors to be able to make their own clothes.

These tribes have increased by about 100 during the last ten years;—the average number born to a couple is three or four, of whom two arrive at maturity. The estimated number of half-breeds among them is small,—not above three in 100.

The Six Nations Indians are under the superintendence of an Officer of the Indian Department, who resides at Brantford. They receive medical attendance from practitioners in the same town, who are remunerated out of the funds of the tribes.

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If the property of these Indians had been properly managed, they would, at the present time, have been an independent and opulent people. Of the extensive tract which they have surrendered, a large portion has been sold for their benefit, and large quantities of excellent timber have been either sold or pilfered from their lands. There is at present a sum of £25,733 arising from the source, invested in the British Funds; a further sum of £38,000 has been invested, upon the authority of Sir John Colborne, in the Grand River Navigation Company, in which they hold three-fourths of the stock. This investment, which was made by the Lieutenant-Governor, in the expectation that it would not only yield an early profit but greatly enhance the value of the remainder of the Indian lands, has proved very unfortunate. It has absorbed all their funds for the last seven years, leaving no surplus for distribution in money or provisions, as formerly. The works are far from complete: and advances have already been made to the amount of £9,000, to meet past instalments. The Indians have frequently complained of the transaction, and have petitioned the Government to take the stock off their hands.

## 2. THE DELAWARES, CHIPPEWAS, MUNSEES, AND ONEIDAS OF THE RIVER THAMES.

Evidence of Mr. Superint. Clench; ditto of Rev. R. Flood. *Appendix, Nos. 19 and 19.*

The Delaware settlement was one of the first established by Indians in Canada West. In 1792, the principal remnant of the once flourishing congregations of the Moravian or United Brethren Church in the United States, was compelled to seek an asylum in Upper Canada, where they were favourably received by the Provincial Authorities, and were permitted to settle on the river La Tranche, now called the Thames. By an Order in Council, dated 10th July, 1793, a large tract of forest land on the river, comprising about 50,000 acres, was granted for their use, on which they proceeded to build a village called Fairfield; a church and other premises, at the expense of a Voluntary Society, established at Bethlehem, in the State of Pennsylvania, in the year 1787, under the name of "The Brethren's Society for the Propagation of the Gospel." By a second Order in Council, dated 26th February, 1799, a survey of this tract was directed to be made, and the land was appropriated to the Trustees of the Moravian Society, "to be reserved forever to the Society, in trust, for the sole use of their Indian converts."

The first settlement having been entirely destroyed by the invading American army, during the campaign of 1812, a new one was formed on a site at no great distance from the former, where, in a short time, the Indian congregation was again collected, and where it now resides.

In 1836, these Indians were induced by Sir F. Head to surrender a large portion of their lands, about six miles square, in exchange for an annuity of £150; and the tract which they now possess, situated in the Township of Orford, Western District, contains about 25,000 acres.

The number of the Indians who belong to the tribe of the Delawares, was 302 in 1837, but owing to a dissension which arose in the previous year, relative to the sale of their lands, a portion of the community retired to Missouri, United States, and their present number is only 153.

The Chippewas and Munsees occupy a tract of land containing about 9000 acres, in the Township of Caradoc, within the London District, at a distance of about twenty-five miles from the Moravian village. It is only within ten years that the Chippewas have been reclaimed from a wandering life, and settled in their

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present location. The Munsees have been settled since the year 1800, on land belonging to the Chippewas, with the consent of that tribe. The present number of Chippewas is 378, and of Munsees 242.

The Oneidas are a band of American Indians, who came into Canada in the year 1840, and have purchased, with the produce of their former lands and improvements sold to the American Government, a tract of about 5000 acres, in the Township of Delaware, District of London, which is separated by the River Thames from the Chippewa and Munsee settlements. Their number is 436.

There are also several Pottawatamie families, who have fixed their residence among the Chippewas, during the last year; and a band of about 500 Senecas, from Tonawantee, in the State of New York, are expected shortly to form a settlement near their brethren, the Oneidas.

These Indians are under the general charge of a Superintendent of the Indian Department, who resides at Delaware.

The Chippewas possess an annuity of £600, granted by the Government for a surrender of land made in 1832; the Moravians have £150 a year, in exchange for land ceded to Sir F. Head. The Munsees have no annuity. These three tribes partake of the presents. The Oneidas neither possess an annuity nor are entitled to presents; but they brought with them into Canada a considerable sum of money, received from the American Government, in purchase of their lands and improvements, which they lodged in the hands of the Chief Superintendent. On the first occasion after their arrival, they were included in the annual issue; but when the circumstance came to the knowledge of the Administrator of the Government, Sir Richard Jackson, by the insertion of the band in the estimates, and it appeared on enquiry, that they had never before received presents, nor were entitled to them by having fought on the British side, orders were given that no further issues should be made to them.

The Moravian Delawares are collected in a village, which contains one frame, and thirty-four log-houses, with ten barns. They have 292 acres under cultivation. Their stock consists of 14 oxen, 40 cows, and 47 heifers, 60 horses, 35 sheep, and 200 swine; they possess 8 waggons, 16 ploughs, 5 harrows, 3 fanning mills, 11 ox chains, 21 scythes, 12 sickles, 6 spades, with a number of hoes, axes, &c. &c.

The Chippewas and Munsees are not collected in a village, but live on small farms scattered over their tract. Some of the Chippewas are settled on surveyed lots of twenty acres each. This tribe occupies 76 log houses, and six wigwams; they possess 25 barns. They have 450 acres under cultivation. Their stock consists of 30 oxen, 27 cows, 44 heifers, 82 horses and colts, and 400 swine. Their agricultural implements include 9 ploughs, 9 harrows, 23 scythes and sickles, 19 ox chains, a fanning mill, 4 waggons and carts, 7 spades, &c.; they have a blacksmith's forge, and two and a half sets of carpenters' tools.

The Munsees occupy one farm, and 50 log houses, to which are attached 10 barns. They have 269 acres under cultivation. They possess 14 oxen, 50 cows, 30 heifers, 55 horses and colts, and 250 swine. Their implements consist of 11 ploughs, 7 harrows, 17 scythes and sickles, 10 spades, a fanning mill, 5 waggons, 7 ox chains, with hoes, axes, &c.

The Oneidas, who are more recently settled, but who brought with them means of purchasing from old settlers, occupy six frame and 48 log houses, with four wigwams; they have also five frame and 15 log barns.

They cultivate 335 acres of land. Their stock consists of 64 oxen, 61 cows, 27 heifers, 17 horses, and 162 swine; they possess 13 ploughs, 16 harrows, 14 waggons and carts, 42 ox chains, 43 scythes and sickles, three fanning mills, two sets of carpenters' tools, with hoes, axes, &c. &c.

Those families who live in wigwams do so from necessity, and not from choice; a number of the Chippewas are settled on surveyed lots, as already stated, but in general, each Indian selects the spot which he wishes to cultivate, and the Chiefs do not interfere. The extent of land cultivated by each family, varies from one to fifteen acres. When a family has no land under cultivation they depend upon the bounty of their neighbours, who are always ready to share with those in want. They also hunt,—and make bows, brooms, and baskets, which they sell to the whites. There is very little decrease in the partiality of these Indians for hunting and fishing. They usually leave home towards the end of October, and remain away until the beginning of January; they also spend about a month during each spring, in the chase. They resort to the unsettled lands in the London and Western Districts; and it is probable, that as soon as those lands are occupied, they will be compelled to abandon the chase. The effect of the gradual settlement of the country has been to assimilate their habits to those of the whites, and to attach them to their homes; they now hunt and fish as near home as possible.

They who follow agriculture carry on the different branches of husbandry on a small scale, adopting the same method generally as the whites. They raise wheat and grain, but Indian corn and potatoes are their chief crops. The quantity of their produce cannot be stated, but in some years they raise more corn and potatoes than are required for their own consumption. The field labor is divided among the men and women. The young men do their share with but few exceptions. The labor of an Indian, compared with that of a white farmer, may be estimated at about one-tenth of the latter.

With regard to their religious and moral condition, a very decided improvement has taken place within a recent period. The Delawares have been converted from Paganism, since the year 1783; and many of the others have a tolerable knowledge of the leading doctrines of Christianity, and can repeat the Lord's Prayer, Creed, and Ten Commandments. The Delawares are all Christians, and belong to the Church of the United Brethren, who maintain a missionary among them.

The converted Chippewas and Munsees belong to the Church of England, and the Wesleyan Methodist Church, but some of them remain heathens. The Pottawatamies and Oneidas are for the most part heathens.

The Church of England claims 25 communicants, and from 100 to 150 usually attend its service. A clergyman who has ministered among these Indians during the last seven years, was appointed missionary in 1840, at a salary of £100, borne upon the Parliamentary Grant.

There are 261 communicants among the Wesleyan Methodists, and the attendance at their service is from 300 to 400. A missionary for this community is supported by the Canadian Branch of the Methodist Church.

When at home, these Indians seldom neglect to attend divine service, and appear more zealous even than their white neighbours. During the service they are orderly and attentive. They have family worship in their houses, morning and evening, and say grace before and after their meals.

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About 283 persons are still heathens, but many of these attend church or chapel, and there is every prospect of their prejudices being overcome. These, and their fondness for liquor, which they know that they must renounce with their other vices before they can be admitted into the Church by baptism, are the chief impediments to their conversion.

During the year 1842, the clergyman of the Church of England baptized twenty-three individuals, the Methodist Missionary sixty-six, and the Moravian ten.

The Moravians have a place of worship at their own settlement; the Episcopalians and Methodists have each a Chapel in the Chippewa and Munsee settlement; and there is a Methodist Chapel in the Oneida settlement.

The Clergyman of the Church of England has two services on the Sabbath, and assembles the Indians for religious instruction, twice a week, in the evening, besides visiting them as time permits, from house to house. There is a school in the Moravian settlement,—two among the Chippewas and Munsees,—and one among the Oneidas.

The former is attended by forty-one scholars of whom twenty-three are boys from 5 to 15 years of age, and eighteen girls, from 6 to 14. The schoolmaster is maintained by the Moravian Missionary Society. The children, in their respective classes, spell and read together, and repeat their lessons individually.

They use the Union Primer, Webster's Spelling Book, the English Reader, and Hutton's Arithmetic.

The school at Lower Munsee is under the control of the Missionary Society of the Church of England, and the scholars belong to the Chippewa and Munsee tribes. Its schoolmaster receives an annual salary of £50 from the annuity of the tribe. It is attended by twenty-one boys, from 6 to 15 years of age, and by four girls, from 6 to 10, besides a number of young men and women who attend occasionally; some of the former are learning arithmetic and English grammar.

The children are taught spelling and reading in classes, with writing at the desk, from copy lines, and occasionally from dictation. The books used are Primers, Mavor's Spelling Books, New Testaments, and Grammars, and Daboll's Arithmetic.

The second school for the same two tribes is under the control of the Methodist Wesleyan Missionary Society in Canada. It is attended by seventeen boys and eighteen girls, between 6 and 14 years of age, and by three young men. The method of instruction is the same as in the common schools established among the whites. The books used are the New London Primer, Mavor's Spelling Book, Richardson's Reading made Easy, New Testament, and Rogers' Arithmetic.

The School in the Oneida settlement is also under the control of the Wesleyan Methodist Society. The teacher is an Indian of the Oneida tribe; it is attended by sixteen boys, from 6 to 16, and seventeen girls, from 5 to 15 years of age. The books used are the Spelling Book and New Testament in the Oneida language, and the English Testament. The children taught in their own language, learn very fast, but they make slow progress in the English; the master, however, is reported not to be well qualified to instruct in that language.

One of the greatest impediments to the education of the Indian children, is their practice of leaving school to accompany their parents on their hunting, fishing, and sugar making excursions. They exhibit considerable aptitude in learning. The adults are very inge-

nious, and shew ability for becoming good mechanics. Among the Chippewas there is a self-taught blacksmith, who is capable of doing common work, such as shoeing horses, repairing farming implements, fire-arms, &c.; there are also tailors, who work for their own people. Among the Moravians there are two rough carpenters, and four tailors. The Oneidas have two good carpenters at plain work.

These tribes are on the increase since their conversion to Christianity. Their health is generally good, although many are stated to die from want of proper nourishment and medical treatment. Diseases are on the decrease among them. The average number of children born to a married couple, is eight, of whom about three are reared. A small number only are half-breeds; among the Moravians there are two; Chippewas, fourteen; Munsees, five; Oneidas, two.

The Indians who have recently become converted and settled, appear to be sensible of the great good that may be derived from the culture of their lands; and they are anxious to have their children educated. Two large school-houses, and a good dwelling house, for one of the teachers, have been erected by the Chippewas, out of their own funds; and it is understood that one of the teachers is supported from the same source. The plan adopted to promote their spiritual and temporal welfare has been to combine religious instruction and education with the inculcation of habits of industry; and the Superintendent and Church Missionary, report that their efforts have been attended with as much success as could have been expected from the limited means placed at their disposal.

### 3. THE CHIPPEWAS, HURONS, SHAWNEES, AND MUNSEES, AT AMHERSTBURG AND POINT PELEE.

Evidence of Mr. Superint. Ironsides, Do. of Rev. E. Mack. Do. of Rev. B. Slight. Appendix Nos. 19, 31, and 32. These Indians are under the charge of a separate Superintendent. Their number is very small. At the issue of presents in 1842, there were only 324 in attendance, and the estimate of 1844 includes 368. The number belonging to each Tribe is as follows;—

Chippewas,	258
Hurons,	88
Munsees,	22
Shawnees,	6 (in 1842.)

Formerly Amherstburg was the chief post for the distribution of presents to the Indians residing west of Toronto, and to those of the United States. Since the formation of the establishment at Manitoulin Island, the distributions at Amherstburg and Drummond Island, have been discontinued, except to the Indians in the immediate neighbourhood of the former place, and have since been made at Manitoulin.

The Hurons possess an extensive reserve of land on the bank of the River Detroit, a little above Amherstburg. In the year 1790, when the Council of the Four Nations, (Chippewas, Ottawas, Hurons and Pottowatomies) surrendered to the Government, the extensive tract of land in Western Canada, known by the name of the Huron District, they stipulated for a reservation of the hunting grounds, then occupied by the Hurons and Wyandots, which comprised 22390 acres, extending about six miles along the shore of the River Detroit, and having a depth of seven miles. In the year 1836, in consequence of the encroachments of the whites upon these lands, and the desire which existed in that part of the country, to be allowed to settle upon them, the Government induced the Indians to surrender a large portion of their reserve,

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in trust to be sold for their exclusive benefit. By a subsequent agreement made in the next year, by Sir P. Head, they resigned two-thirds of the reserve, the proceeds of one third to be applied to their exclusive benefit, and those of the second and third for the general purposes of the Indians in Upper Canada. The portion of the Reserve still remaining in their possession is about 8,000 acres in extent. Upon this are settled, each on a separate farm, the Chippewas and other Indians. The Munsees and Shawnees, with respect to whom the Superintendent gives no separate information, are chiefly migratory, but the few families who have become in some measure, stationary, live on the above Reserve, but have not had separate farms assigned to them, nor erected any dwellings.

The Hurons have thirty-four dwelling houses, of which thirty-three are made of logs, and one is a very comfortable farm dwelling of two stories, for the erection of which they paid £250. They have also ten barns, of which four are framed, and twenty-three log stables. None of the Hurons live in wigwams, but all the Chippewas, except their Chief, who resides at Pointe Pelée, have no other habitations.

The land occupied by the Hurons, is laid out in regular blocks of 200 acres each, which are selected for the several families by the Chiefs. Among this tribe a man's children inherit his property, but if he leaves no children, his farm becomes at the disposal of the Chief. He has not the power of conveying his interest to other members of the tribe, nor to strangers. These Hurons have for a long time been engaged more or less, in cultivating the land, but until a few years ago, they made little progress in husbandry. More recently, they have greatly and regularly extended their farms by clearing, and have improved in their mode of agriculture.

Many of them are good farmers, and they are annually becoming more prosperous and happy. About twelve years ago, they had scarcely any agricultural implements but the hoe, they now possess nineteen ploughs, ten harrows and six fanning mills; they have also twelve wagons and carts, fourteen sleighs, one caleche and three carioles, of all of which they are very careful. They have cleared 259 acres, each male adult has a farm of 200 acres allotted to him, on which many have from fifteen to thirty acres under cultivation; the average is between seven and eight acres. Their stock consists of seven yoke of oxen, nine bulls, eight steers, twenty-seven cows, fifteen heifers, ninety-three horses, 290 swine and seventy-three geese.

They cultivate their farms in the same manner as the whites; they raise Indian corn, wheat, oats, potatoes, beans, peas, buckwheat and vegetables, but chiefly the first of these crops.

The men perform the greater part of the labor, the women assisting in some kinds. The division of the day, as regards labour and meals, is observed as systematically as among the whites.

They have given up the chase in a great measure, and only hunt occasionally when their absence does not interfere with their farming operations, usually in the autumn.

They all profess christianity, and several of them are examples of true piety. The majority are Wesleyan Methodists, and the others Roman Catholics. They have no place of Worship of their own. They can command the means. The Methodist minister, however, who is stationed in the town of Amherstburg, visits those of his persuasion every Sunday, and with the aid of an Interpreter, preaches, reads and

expounds the Scripture to them. They also have a general Prayer Meeting among themselves, once a fortnight, and they meet occasionally more privately for social prayer; some of them maintain family worship. The Roman Catholics attend chapel at Amherstburg, which is about three miles from their settlement.

There is at present no school among them, but they have expressed their desire to establish one, and would gladly avail themselves of instruction for their children. When there was one, the attendance of the scholars was very irregular, but their ability in acquiring knowledge was in no way inferior to that of the white children.

The adults are ingenious and show aptitude for mechanical arts, particularly in wood work. There is only one regular tradesman, a tailor, among them, but the men usually make and mend their own farming implements. The women make baskets, brooms and other articles for sale, and do their own needlework. Their health is good. Their numbers are on the increase.

The average number of children born to a family is between three and four, the number reared is the same as among the whites.

The Chippewas are in a very different and inferior condition. They chiefly depend upon hunting and fishing. About ten families commenced to till the ground within the last twelve years. They have no more than three or four acres each under cultivation; they raise only Indian corn, and use no implement but the hoe. The women perform almost all the field work. The hunters resort occasionally to the surrounding country, but principally to the forests in Michigan, United States.

They are all heathens, and it does not appear that any efforts have been made for their conversion; the only obstacle mentioned by the Superintendent, is their migratory habits. Their number is on the decrease, occasioned by exposure, intemperance and insufficiency of food.

Of the Indians at this post, those who are stationary, have improved very much within a recent period, in morals and habits of industry. They are quite sensible of their improvement, and express themselves desirous of advancing. Among the evidences of their amelioration, may be mentioned the decrease of intoxication; the yearly progress in clearing the land, the raising of surplus produce for sale, and the attendance of their women at market at Amherstburg for the sale of various articles of agricultural produce.

The Chippewas, however, who continue their roving habits, scarcely exhibit any perceptible improvement, except a growing desire to become settled on land.

#### 4. CHIPPEWAS OF THE ST. CLAIR RAPIDS OR UPPER ST. CLAIR RESERVE, RIVER AUX SABLES AND KETTLE POINT.

Evidence of Mr. Superintendant Jones, and Do. Rev. W. Scott. These Indians are among the first whom Sir John Colborne endeavoured to settle and civilize. Previously to 1830, they were wandering heathens like their brethren elsewhere, scattered over the western part of the Upper Province; they were drunken and dissipated in their habits, and without either religious or moral restraint. In 1830 and 31, a number of them were collected on a reserve in the Township of Sarnia, near the head of the River St. Clair, and containing 10,280 acres. A number of

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houses were built for them, and an officer was appointed for their superintendence. Their conversion to christianity and their progress in religious knowledge, and in the acquisition of sober, orderly and industrious habits, has been under the care of Missionaries of the Wesleyan Methodist Society, both rapid and uniform. From the formation of the mission 221 adults and 239 children, have been baptized and admitted into the Methodist Community. The total number up to the year 1839-40, does not appear to have exceeded 350. Since then their number has increased greatly by immigration, chiefly from the Saginaw Bay, in the State of Michigan, and by the settlement of wandering Indians; and in 1842, as many as 741 received presents.

Their are two other settlements under the same superintendence, one at the River aux Sables in the Township of Bosanquet, on a reserve of 2650 acres, and another almost adjoining it, on a reserve of 2446 acres at Kettle Point, where five families reside.

These Indians also possess a fourth reserve, on the River St. Clair, within the Township of Moore, containing 2575 acres.

Owing to the immigration which has taken place on this frontier, since the notice to the visiting Indians of the United States was first issued, and the removals which have occurred at these and the other Indian settlements in the neighbourhood, together with the mode in which the returns have been rendered, it is difficult to state with precision the progress and the increase of each settlement.

At present they are established chiefly on the front of the Upper Reserve, having small farms of six and a half chains in width on the River St. Clair. The total number of separate farms is forty-two, on sixteen of which there are good substantial log houses, erected by the Government on the first formation of the settlement; but on the lower part of the Reserve, where no houses were built by the Government, the Indians reside in small log or bark houses of their own erection. There is only one log building resembling a barn, but almost all the Indians have small out-buildings or sheds in which they house their crops.

From a Return made in 1839, there were twenty families occupying houses, who had 140 acres of land cleared, of which 100 were under cultivation. Their stock then consisted of two oxen, three cows and two pigs, and they possessed three ploughs, two harrows, and nine sleighs.

At present there are thirty-two families settled on the Reserve, who have improved 205 acres of land; four individuals have improved from ten to thirty acres; of the others, fifteen have five acres or more, and the remainder under five acres cleared. There are also five families settled on some land purchased with their annuity, and some held by License of Occupation under the Government, in Enniskillen. These have about forty acres under cultivation, and possess two good log houses and two small log barns.

The Indians of the River aux Sables have about sixty acres under improvement, and one log house. Those at Kettle Point have twenty acres of improved land and two log houses. The land on the Upper Reserve was regularly surveyed and laid out in farms. The Chief, with approval of the Superintendent, placed most of the present occupants on these lands, but it is not indispensable that he should be consulted, as the members of the tribe may choose any unoccupied spot; when once in possession they are secure from intrusion, but repeated ill conduct or drunkenness

would subject them to be expelled from the reserve of the Chief.

They are decidedly improved in agriculture; they now understand ploughing, seeding, harrowing, the management of cattle &c. They possess eight ploughs and four harrows, which each family uses alternately, a number of scythes and sickles, two fanning mills and four cross cut saws form part of their general stock, besides which, each family possesses an axe and a sufficiency of hoes, shovels, &c.

They have nine yoke of oxen, eight cows and some young stock, besides a large number of horses and pigs. Few families are without one or two breeding sows. They are exceedingly attentive to their cattle and feed them well during the winter.

They cultivate chiefly Indian corn and potatoes, with small quantities of spring wheat, oats, and peas; the quantity of produce cannot be exactly stated, but two years ago it was estimated to be between 3 and 400 bushels of wheat, with the same quantity of oats, and 100 bushels peas. The field labor is entirely done by the male adults, but the women do all the lighter work of weeding and hoeing the Indian corn and potatoes. They work and take their meals according to their inclination, without any system, but the greater part of the day is spent in labour. Their fondness for hunting is much diminished; they seldom hunt except when obliged to by want of meat—their stock being at present insufficient; as for fishing, they live on the banks of the river, and during the run of the fish in both spring and fall they devote a great part of their time to fishing. There are two excellent fisheries, yielding an abundance of herring and white fish: they have seines, which the young men, combining in bands, use alternately.

The majority of these Indians are Wesleyan methodists in connexion with the British Conference. All those residing in the Upper Reserve belong to that community; those at the River aux Sables are either members of the Church of England or are desirous of being admitted into it. About 30 families are reported to have applied to the Bishops for such admission. There are also one or two families of Roman Catholics, and those residing at Kettle Point are heathens. The number of Wesleyan Methodists reported to the conference in 1842 was 172; but the missionary states that this is no index to the number of his flock, as those only are returned who have come to the years of maturity and discretion, and who are walking as far as can be ascertained in the fear of God. These attend public worship, which is performed in a capacious meeting-house, built for the joint purpose of a church and school-house by the Government, and lent to the mission—with regularity, decency, and solemnity. They maintain private worship, according to the practice of the methodists, consisting generally of a hymn sung in their own language, followed by a prayer from the head of the family. As a body, they are religious and moral, and will bear a comparison with any Christian community of the same class. They are deeply sensible of the improvement of their condition, and many attribute the preservation of their lives to their conversion.

The members of the Church of England, at the River aux Sables, to which they retired two years ago, have as yet neither a clergyman nor a place of worship. This year a Catechist, an Indian by birth, has been appointed by the Bishop to the charge of this settlement.

There is a school at the Upper Reserve under the direction of the missionary which is attended by 20 or

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30 scholars of both sexes. The mode of instruction is the same as in common primary schools; the children are taught spelling and reading in English—arithmetic, writing, and vocal music. Their reading consists of passages from the Scriptures, and in the Sunday School they are taught their catechism. The scholars are regular in their attendance from 9 to 12 A.M., and from 1 to 4 P.M., and are as quick in learning as whites.

The health of these Indians is good—their numbers on the increase; they have usually families of five children, of whom perhaps three arrive at maturity.

5. CHIPPEWAS, POTTAWATAMIES, AND OTTAWAS, OF WALPOLE ISLAND.

Evidence of Mr. Superintendent Kenting, Do. of Rev. J. Colman, *Appendix, Nos. 21 & 34.* These Indians are also known under the name of Chippewas of Chenaille Ecarté. The Chippewas who have long hunted over the waste lands about the Chenaille Ecarté and Bear Creek are a branch of the same nation which is settled in Sarnia, and share in the same annuity.

The Pottawatamies are recent immigrants from the United States.

The settlement at Walpole Island was commenced at the close of the American war, when Col. McKie, called by the Indians "White Elk," collected and placed upon the island which lies at the junction of the River and Lake St. Clair, the scattered remains of some tribes of Chippewas who had been engaged on the British side. Being left for many years without any interference or assistance on the part of the Government, they became a prey to the profligate whites settled on the frontier, who, by various frauds and in moments of intoxication, obtained leases and took possession of the most fertile and valuable part of the island.

When the settlement was first placed under the charge of an Assistant Superintendent in 1839, these Indians possessed scarcely an acre of arable land, but he has succeeded in expelling many of the most mischievous intruders, under the authority of an Act of the Provincial Legislature, passed in 1839; and has placed their farms at the disposal of the Indians, who have since become more settled, and have turned their attention more generally to agriculture.

The number at this post has increased considerably since 1839, 40, owing to the influx of several bands of Pottawatamies and Ottawas, invited by the Proclamation of 1837, relative to the discontinuance of presents to Visiting Indians. Previously to that year they did not exceed 300; but in 1842, presents were distributed to 1140, viz.—

Chippewas,—old residents,	319
Ditto, arrived within a year,	197
Pottawatamies and Ottawas, from } Michigan,	507
On their way to settle,	117
	—
	1140

The new comers are very different in character and habits from the resident Chippewas: The Pottawatamies especially, are skilful hunters, and have long depended solely upon the chase. They are wild, turbulent, mendicant, and dishonest. They possess no land or property. They have been kindly received by the resident tribes, and allowed to settle on their lands; but their roving habits render them averse to settling; they prefer remaining poor, ragged, and filthy, to the restraint of civilized life: they are a burthen on their

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brethren, a nuisance to the white farmers in the district which they frequent, and their arrival in the Province is in every respect to be regretted. Their chief hunting grounds are near the Thames and the upper parts of the two branches of Bear-Creek. They also hunt in the United States, but with some danger to themselves, as the Americans do not allow it.

The Indians who are settled upon Walpole Island, occupy the farms and houses hitherto possessed by the white squatters, together with a few houses erected by themselves. The present number of dwellings is twenty-eight, of which three are framed, with several more in the course of erection, and four log barns. There is no village, the farms being detached as among the white settlers. There are five inferior Chiefs among the Chippewas, who live surrounded by their own relations and connections by marriage; and the young men, who, though under the control of the head Chief, recognise especially their own leader. These, on the expulsion of the squatters, met together and subdivided the farms and arable land among themselves according to their numbers. Thus, each separate band cultivates one vast enclosure; each man planting more or less land, according to his industry. It is intended, however, to lay out the fields more regularly.

Their acquaintance with agriculture is of recent date, but their progress has been satisfactory. In 1839 they planted only Indian corn, and used no other instrument but the hoe. At present they have nine ploughs and as many yoke of oxen, besides scythes and sickles in abundance. They have also a large number of pigs and horses, and the Chief has two cows. Steps have been taken to improve the breed of these animals; a large quantity of marsh hay is saved for winter fodder. The extent of cleared land is estimated at 600 acres, and it is annually on the increase. The greatest extent cropped by one Indian, may be twelve acres—the smallest, about three acres. At least, one hundred heads of families have commenced to till the land within the last two years. When a family has no land in cultivation, its members depend upon the chase and fishing, and the sale of baskets and mats. The chief crop is Indian corn, but they also plant large quantities of potatoes, some oats, buckwheat, and peas. They are about to begin the cultivation of wheat. Much of the lighter part of field labor is still done by the women; the division of the day as well as the hour of their meals, is irregular.

The fondness for hunting and fishing is very much on the decrease among the Chippewas, who seldom indulge in either, except during the winter. The game has almost disappeared in the neighbouring hunting grounds.

All these Indians are heathens; but twenty families have applied for religious instruction. In January, 1841, a missionary of the Church of England was appointed on a salary of £100, borne upon the Parliamentary Grant, but whether through the want of a proper interpreter, the distance of the residence, (there being no suitable house on the island,) or other circumstances, the Indians have not profited by his labours, and the Bishop has been obliged to appoint another clergyman in his place. It is now intended to erect on the island, with the funds belonging to these Indians, a building adapted for a chapel and school-house, with a house for the missionary; and the plans and estimates have received the approval of the Governor General. A schoolmaster, also, is to be appointed and paid from the same source. The Indians are anxious for the education of their children; and since the recent death of their old Chief, their aversion to become Christians has diminished, and may be expected to be gradually overcome.

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The health of the settled Indians is very good, and surpasses that of the neighbouring whites; their numbers are also on the increase, but the contrary is the case with the roving Pottawatemies, many of whom have been known to die from the effects of intoxication, or in broils, and from the effects of severe weather during the winter. The number of children born to a family is about five, and the number reared, three. There are no regular half-breeds among them, recognised as such.

## 6. MANITOULIN ISLANDS.

Evidence of Mr. Superintendent Anderson. Do. of Rev. E. Brough, Do. of Rev. E. O'Meara. Appendix Nos. 29, 35, and 36. The present settlements on Manitoulin Island are of recent establishment. Previously to the year 1829, the distribution of presents to a larger portion of the Indians, included under the term "Western Tribes," consisting of the Visiting Indians, north of Penetanguishene—of those at Sault St. Marie, and on the shores of Lake Superior,—of those from the South-west and Lake Michigan, Green Bay, the Fox River, Wisconsin, even from the distant Mississippi,—was made at Drummond's Island, the old military Post on Lake Huron.

In that year, the Island having been finally ceded to the Americans, and the Government being desirous of ascertaining the disposition of the Indians to embrace civilization, the distribution was made at the Island of St. Joseph's, about nine miles north-west of Drummond's Island. On that occasion the intentions of the Government were announced in the following terms:

"Children,

"It is the wish of your great Father, that all his red children should become civilized; and for this purpose, he has named a place near Penetanguishene, to settle all those who wish for the change. He will furnish a few of each Tribe with cattle, farming implements, and materials, to assist in building their houses; and for the young he will provide a school, with teachers, and a minister; and also, mechanics to instruct them in habits of industry."

"Children,

"I am aware that you cannot all change your mode of life immediately; but some of you have it in your power, and others will in a short time find it their interest to join the settlement. You are all, without exception, invited. The Ottawas have a large Island, the great Manitou, near Penetanguishene, on which the land is good, and where there is abundance of fish. Should they not wish to join the new settlement, their Father would be happy to hear of their occupying and settling themselves on it."

"Children,

"Whether ye accept of your great Father's kind offer or not, his bounty will be continued to all his faithful children. But they must go to Penetanguishene in the months of June and July, every year, for their presents."\*

The proposition of settling at Manitou appears to have been founded on a Report from Major Winnett, in the early part of the same year, in which, in reference to the civilization of the Indians, he stated, "From personal knowledge, I am enabled to name the Great Manitoulin Island as a point offering great advantages in the formation of the settlement for the Indians; much greater than St. Joseph's could present with respect to soil, climate, and lake fishing, the last a great object in the estimation of old Indians.

\* The whole of this speech and the answers of several Tribes, together with an address to the same Tribes, from Chief Aisance, inviting them to come and settle at his village near Penetanguishene, are given in the Appendix No. 48.

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"It is distant one hundred miles and upwards from any American Military Post, and between sixty and seventy from any part of the American Territory."

In 1830, and the following five years, the distribution of presents was made at Penetanguishene, and thus, the Western tribes were brought within the influence of the efforts of the Government to civilize them. Their visits to the prosperous settlements of Coldwater, and the Narrows, were frequent; they witnessed the advantages enjoyed by their brethren who were settled there, and applications were consequently numerous for a participation in the same benefits.

In 1835, after Mr. Superintendent Anderson had visited the Island, a scheme was matured and authorised by Sir J. Colborne, for forming an extensive establishment upon it, and for making it the future place of distribution, instead of Penetanguishene and Amherstburg, where the remainder of the Western Tribes had previously been supplied.

In the spring of that year, Mr. Anderson found, on his visit, five or six families of the Ottawa Tribe, Roman Catholics, from Lake Michigan, settled in Wequamekong Bay (Smith's Sound,) where they had cultivated two or three acres of land, and were living in temporary bark huts. These, and a few wandering Chippewas, were all the Indians he met with on the Island,—amounting to, perhaps, 70 or 80 persons.

In 1836, the present settlement at Manitowawning, (Hudson's Sound,) about eight miles distant from Wequamekong, was commenced,—some land was cleared and houses built. It does not appear how many Indians were settled on the island this year. The first issue of presents at this Post was made in the autumn, as announced by Sir John Colborne, and was attended by 2697 individuals.

On this occasion the Lieutenant-Governor, Sir F. Hoad, was present, and formed the view of collecting at Manitoulin, not the wild Indians from the north of Lake Huron, as had been at first proposed, but all those who had settled, or were wandering among the white population, in various parts of Upper Canada. With this intention, he induced the Chiefs of the Ottawa and Chippewa Nations then present, to resign their exclusive rights to the occupancy of the Great Manitoulin, and all the other Islands, estimated at above 23,000, on the north shore of Lake Huron.

He also obtained from the Saugeon Indians the surrender of the greater proportion of their Territory, and proposed their removal to Manitoulin. To other Indians whom he visited in the western part of Canada, he likewise made the same proposal; offering them the assistance and encouragement of the Government at this island. These offers, however, to the settled Indians, do not appear to have been generally acceptable, as few or none availed themselves of them. The settlers at the island have, for the most part, come from the United States, or from the shores of Lake Huron and Lake Superior.

In 1837, further progress was made in clearing land and building houses,—the number of settlers on the Island was reckoned at 268.

In the autumn of 1838, the Officers appointed to form the future establishment of this settlement, including the Superintendent, Mr. Anderson,—a clergyman of the Church of England,—and a surgeon, with several artizans and labourers, arrived at Manitowawning, and took up their residence there, being the first white men who had wintered in the Island. This year the number of Indian settlers was 307.

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In the following year, the clearings were extended; a saw-mill was built; and the number of settlers increased to 655. A school was commenced at Manitowawning, but it was ill attended. The Roman Catholics at the other settlement would not allow their children to frequent it.

In 1840, 732 Indians reported themselves as settlers, of whom only 437 were Christians. The number of houses and extent of clearing were further increased.

In 1841, many Pottawatemies from the River St. Clair, who had promised to settle, and some Ottawas and Chippewas from Lake Michigan, returned to their homes: but the actual number thus reduced was not recorded. Some Indian houses, a carpenters' shop and a smith's were erected. The school was better attended, and eight Indian boys were in the course of instruction in different branches of handicraft. A school was also opened, and a Roman Catholic schoolmaster in the other settlement.

In 1842, twenty-five Indian houses were built, by contract, and a large store, coopers' shop, and barn, were erected by the mechanics attached to the establishment. A saw-mill was also nearly finished at Wequamekong Bay.

The attendance at the Roman Catholic school had fluctuated greatly. At one time as many as seventy pupils were present, but more frequently from five to twenty; and at some seasons, not one. The number at the Manitowawning school had not exceeded forty-five, but it had never fallen below twelve.

On the 15th November, there were resident at Wequamekong, 94 families, and at Manitowawning 44 families, making together 138 families, which on an average of four members to a family, would form a population of 552. The number settled or wandering in other parts of the Island, and living in wigwams or temporary bark huts, were estimated at 150 at least, making a total population of 702.

The following is the present size and extent of the two settlements. Each occupies about 200 acres of land. The several houses are surrounded with gardens, and the farms are for the most part at a distance. This arrangement was resorted to with a view of preserving their crops from the cattle, without the trouble of making enclosures; but it has not answered the intention, as the cattle roam much farther than was expected, and it has been found necessary to commence fencing.

The Wequamekong Village, which has been longest established, contains in all, seventy-eight buildings, viz.—seventy-three Indian houses, one for the missionary, and another for the schoolmaster, a church, a school-house, and a saw-mill.

The Manitowawning Village contains fifty-five buildings, viz.—thirty-seven Indian houses, six of the same description occupied by the mechanics and labourers,—four larger houses, occupied by the Superintendent, missionary, surgeon, and schoolmaster, three shops, (blacksmiths, carpenters, and coopers,) an excellent frame store of 60 by 30 feet, and two stories in height, one log-barn, a school-house, a saw-mill, built by contract in 1839, and a sawyer's house; preparations have been made in the present year, (1843) for the erection of a church. Besides these, there are in both villages, a number of out-houses for cattle, small store-houses, &c.

All the buildings are of wood. Those of the latter village have been erected either by the resident arti-

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zans in the employment of the Government, or by contract. Those at Wequamekong having been chiefly built by the Indians themselves, with the assistance of nails and glass, axes, &c., afforded by the Government, are neither so neat nor substantial as the others.

Soon after the commencement of the settlement of the Manitoulin, doubts were entertained as to the climate and fertility of the island, and its fitness for the residence of the Indians, which increased the reluctance of the Indians settled in the more southern parts of the Province to resort to the Island, and has continued to prove an obstacle to the increase of the settlement. These objections having been represented to the Secretary of State, His Lordship suggested that an enquiry should be made on the spot by Major Bonnycastle, of the Royal Engineers. The result has not come under the notice of the Commissioners, but the Reports of the Resident Agent leave no reason to doubt, that the Island is in every way suited for habitation. The climate is very healthy; the temperature is moderate; the winter sets in about the beginning of November; the cold is not unusually severe; the snow seldom lies more than two feet deep, and the spring opens about the middle of April. The formation of the Islands is limestone. The soil is generally a mixture of clay and sand with limestone pebbles. Some parts of the Island are stony, but there is abundance of land favourable for cultivation. The cedar swamps on the high land, of which perhaps one-third of the Island consists, though at present wet in the fall and spring, appear to be land of the finest quality, being of a deep black loam, and free from stone. When these are opened and exposed to the sun, they will become dry and fit for any kind of cultivation. The timber of the uplands is of the usual kinds of hard wood met with in other parts of the Province, viz:—maple, bass-wood, elm, red and white oak, pine, &c. &c.

Both the soil and climate are favorable to cultivation. Abundant crops of all kinds of grain raised by the Indians in other parts of the Province, have been annually produced. Cattle thrive well; during the winter they are allowed to roam about and find their own food in the bush. In 1842, a few sheep were added to the stock. There is not much game on the Island but fish is in abundance on its shores.

The Indians collected here, belong chiefly to the Ottawa and Chippewa Tribes; the former who immigrated from the United States, have all their lives been *In lian* farmers; some of them brought horses and stock with them to the Island. On their arrival they sought no other means of subsistence than the produce of the soil, and the fish they caught in the immediate vicinity of their own village; and in the autumn, each family cured a sufficiency to supply them through the winter; consequently, it was not necessary for them to leave their homes in search of food, nor to trust, like the Chippewas, to the precarious resource of spearing fish through the ice.

The Chippewas, on the other hand, who had never, until collected at Manitoulin, cultivated the soil, were slow in adopting a new mode of life. For some time they were reluctant to settle in a fixed place of residence; they frequently shifted their camps, and although many of them lived within a day's journey from the new settlement, and admitted the benefits arising from a change of life, still it required much persuasion and perseverance to induce them to make a commencement.

The Ottawas, moreover, had long been converted from heathenism, and were members of the Roman Catholic Church. In 1838, they were joined by a priest of that persuasion, who has since resided with

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them at Wequamekong. The Chippewas, on the contrary, were all heathens, and the work of conversion only commenced among them in the same year, when a missionary of the Church of England, attached to the establishment, arrived at the Island.

These differences will account for the greater increase of the settlement at Wequamekong, and its more rapid progress in the cultivation of the land, and the acquisition of stock which are exhibited in the following table:—

Extent of Land cleared and of Stock owned at the two Settlements, in February, 1843:—

	<i>Manatowawning.</i>	<i>Wequamekong.</i>	<i>Total.</i>
Acres of Land cleared,	140	200	340
<i>Stock, viz.</i>			
Horses,	2	19	21
Horned cattle,	24	58	82
Pigs,	17	161	178
Sheep,	11	8	19
Barn-door Fowls,	62	157	219
Geese,	5		8

Some families have perhaps ten acres or more cleared, whilst others have only a patch under cultivation. Their principal support at both villages is now derived from farming and fishing; they sometimes kill hares, partridges, and even deer and bears. They also manufacture considerable quantities of maple sugar, of an excellent quality, for which they find a market at Penetangusihene, Goderich, and sometimes in the towns on the American frontier.

The land in the village is laid out in half acre lots, and a few farms of fifty acres were in the commencement surveyed and staked out; but the labor and expense were found too great, and each Indian now selects such place as he pleases, and takes possession of it, in most cases, without consulting the Superintendent or the Chiefs. As long as he continues to cultivate his piece of land, he enjoys quiet possession of it, but if he happens to leave it for a season, some other Indian will most likely enter upon it, and in such cases, there is frequently a difficulty in arranging the matter amicably. They respect the boundary lines which have been drawn, but blocks of wild land marked out by the blazing of trees, or otherwise, by individual Indians, cannot be secured from intrusion. The propriety of making wills, or of transferring their property in the presence of witnesses, whether in anticipation of death, or by sale, has been pointed out to them, and they are sensible of the advantage of such precautions, and are adopting them more generally.

With regard to their mode of agriculture, they are improving but slowly. They are now beginning to plough their old fields, to make more substantial fences, to cultivate garden vegetables, &c. Each individual cultivates his farm separately. Their general mode of clearing land was, and in many cases, still is, by felling the trees in all directions during the summer season, and leaving them in this state until the spring; then setting fire to them, and after removing such of the smaller timbers as they conveniently could, planting corn and potatoes among the trunks of the trees, thereby losing at least, one-half of the ground. The evil of this has been urged upon them, and now many of them, with the aid of their oxen, clear their land more thoroughly.

Formerly the Ottawas were pretty well supplied with hoes, and an inferior kind of small axe. The Chippewas had a smaller quantity of the same implements.

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Both tribes, in planting, supplied the deficiency with a crooked stick conveniently shaped for the purpose. At present, the Government has supplied them with a sufficiency of these articles, and with a few spades, shovels, ploughs; harrows, pick-axes, &c.

In addition to their former crops of Indian corn, potatoes, and pumpkins, they now begin to cultivate wheat, oats, peas, and barley; but they are so obstinately careless about their fences, that their crops are not unfrequently destroyed by the cattle. There is, however, reason to hope that they will soon find wheat to be a more certain crop than Indian Corn, and will cultivate it more largely. The quantity of produce cannot be stated; but in 1842, being a favorable season, one family saved upwards of 80 bushels of Indian corn; others, from 20 to 40; and many, from 5 to 20 bushels; besides potatoes, a few turnips, and quantities of pumpkins, &c.

Ten bushels of corn, with potatoes, dried pumpkins, and fish, will support a moderately sized family for a year.

The men, of all ages, do most of the chopping, but after that, men, women, and children, take share in the labour, from the burning of the timber to the reaping of the crop.

The division of the day is not systematic. They generally rise about day-light and go to rest a little after sun-set. They take a hearty meal before going to work, and during the day they work, smoke, rest, perhaps sleep, eat and drink alternately, as happens to be convenient, without regard to time or place.

The fondness of the converted Indians for hunting and fishing is decidedly diminished. They seldom leave the Island for either purpose. They occasionally go out spearing fish at night, or set their nets in the evening and take them up early in the morning. They also spend from six to fifteen days in the autumn to lay in a stock of fish for the winter.

As regards civilization, they are more regular in their habits; dress more like white people, wash their hands and faces daily, and appear to be influenced in their conduct by the instructions they receive; they attend public worship regularly, and the Protestant Indians are much pleased to hear the Bible read and explained to them. Their moral habits are materially improved. They appear to feel the impropriety of injuring their neighbours, of lying, stealing, &c. and they do not talk of their ancient mode of cruel warfare with the same delight as formerly. They are sensible of their improvement, and of the blessings of Christianity. They often express their regret that they did not sooner become civilized, and they strongly advise their brethren to follow their example.

A large proportion of the Chippewas are still heathens. There were received into the Church of England in

1836-7,.....	5,	(all adults.)
1839,.....	38	"
1840,.....	84	"
1841,.....	45	"

Making a total of 172, together with 30 converts from the Roman Catholic Church. Since August, 1841, the Superintendent reports, "that he has not been made acquainted on the subject, but he is not aware that

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"even one adult heathen has been brought into the Church since that time." There is no information with regard to the progress of conversion by the Roman Catholic missionary. The principal obstacles to the conversion of the heathens are stated to be their superstition,—their fear of not being allowed to drink whiskey,—the bad advice of traders, who erroneously suppose it will destroy their trade,—and among those who have a plurality of wives, to turn them away.

The Protestants have their service in the school-house. The Roman Catholics in a log church. The form of worship is the same as among white congregations, except that the service is translated into Indian.

The schools have already been described. The quickness of the children, and the irregularity of their attendance, is noticed here as elsewhere. The mode of instruction is the same as in the Township schools among the whites. The books used in the Protestant school are Mavor's Spelling Book, the Old and New Testament, and Woodbridge's and Peter Parley's Geography. In the Roman Catholic school, neither Mavor's Spelling Book nor the Bible are allowed by the Priest to be used as school books. In the former school the children are taught partly in Indian and partly in English: in the latter, English is only taught.

The Ottawa tribes, who subsist by agriculture, are supposed to be rapidly on the increase; and the Chippewas, who live chiefly on fish, to be on the decrease. Among the former it is not unusual to meet with families having six or seven, and sometimes even ten or twelve children all living, although, in many instances, they do not rear the half of the number born. The Chippewas are neither so prolific nor so successful in rearing their children. In both tribes the adults seldom reach an advanced age.

These Indians appear to enjoy the same health and to suffer from the same diseases as their brethren in other parts of the Province; both being dependent, in a great degree, upon their mode of life. They seldom exceed the middle size, are slender, but generally well formed. The chief defect in their figure is the flatness and narrowness of their chest,

The proportion of half-breeds among them is not above one in twenty.

The Establishment of Manatowawning is under the local Superintendent. There is a resident surgeon, a clergyman of the Church of England, a school-master, a master carpenter, a blacksmith, a millwright, a mason, a cooper, a shoemaker, a sawyer, and six labourers supported by the Parliamentary grant. The school-master at Wequamekong is paid out of the same fund, but the priest is maintained by the Church to which he belongs.

Owing to the infrequency and difficulty of communication with the main land, it has hitherto been deemed necessary to engage a certain number of mechanics and laborers by the year. Part of the buildings, however, have been erected by contract, during the summer months, and in this manner as many as twenty-five were built in 1842.

The Roman Catholic Village appears to be almost entirely under the charge of the priest.

The remaining bands, which are widely scattered over the country, have no Local Superintendents, but

are under the general care of the Chief Superintendent; hence, the statistical information with regard to these smaller communities will necessarily be less perfect, except in cases where the resident missionary has supplied the details.

The settlements are altogether twelve in number.

#### 7. MOHAWKS OF THE BAY OF QUINTE.

Evidence of the Chief Supert. Rev. S. Givens. Appendix Nos. 15 and 37. These Indians separated from the Mohawk Nation, and settled in their present locality upon the Bay of Quinté, about the year 1784. In 1793, they received from the Crown a grant of land, containing about 92,700 acres; but of this, in 1820, they surrendered 33,280 acres, in exchange for an annuity of £450. Their estate was then reduced to 59,400 acres. From this the Surveyor-General deducts 14,773 acres for Crown and Clergy Reserves, (viz. 6858 for the former, and 7915 for the latter.) In December, 1835, they made a further surrender of 27,857 acres, in trust, to be disposed of for their benefit, so that their present possessions do not exceed 16,800 acres. They lie within the Townships of Tyendenaga, the name of which is borrowed from the original Indian settlement.

These Indians live, for the most part, in detached farms scattered over the Reserve. Their present number is 383. They have 1368 acres of land cleared, and about 500 acres under tillage. Some of them cultivate considerable quantities of land, as much as 50 acres; but in general, the quantity is much less. There have been some instances of successful industry and thriftiness in this community. One of their chiefs named Hill, who died a few years ago, was remarkable for his industrious habits, and for a desire to accumulate property. Besides his own homestead, to the cultivation and improvement of which he paid more than ordinary attention, he became possessed, by purchase, of some of the farms and improvements of other Indians, and at his death, left them, by will, to particular members of his family, who are at this day in full enjoyment of them.

One of his sons, who is catechist to the missionary at this settlement, recently applied for a loan to enable him to build a wharf, and commence business as a general trader among his brethren, in partnership with a white. They possess stock and agricultural implements corresponding to their progress in husbandry. Some of them grow a considerable surplus of grain for sale.

These Indians have long been Christians, probably before their arrival in Canada. A missionary was first appointed to the settlement in 1810, by the Society for the Propagation of the Gospel in Foreign Parts; their present missionary has been among them eleven years, and reports, that during that period, they have made a gradual advance in morals, piety, and industry.

The church having become too small for the congregation, they are now engaged in the erection of a new and commodious stone edifice; the expense will be defrayed out of their own funds.

Some of the young men are employed in quarrying and carrying the materials for this building.

They support a schoolmaster out of the produce of certain small rents, which they receive and manage themselves.

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## 8. MISSISSAGAS OF THE RIVER CREDIT.

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Evidence of Chief Supert, ditto of Rev. J. Coloman; ditto of Rev. Peter Jones; ditto of Rev. D. Wright. ditto of Rev. B. Slight; ditto of Dr. Adamson. Appendix Nos. 15, 34, 38, 39, 32, and 40.

These Indians are the remnant of a tribe which formerly possessed a considerable portion of the Home and Gore Districts, of which, in 1818, they surrendered the greater part, for an annuity of £532:10, reserving only certain small tracts at the River Credit, and at Sixteen and Twelve Mile Creeks. They were the first tribe converted to Christianity in Upper Canada.

Previous to the year 1823, they were wandering pagans. In that year, Messrs. Peter and John Jones, the sons of a white surveyor, and a Mississagu woman having been converted to Christianity, and admitted members of the Wesleyan Methodist Church, became anxious to redeem their countrymen from their degraded state of heathenism and destitution. They, accordingly, collected a considerable number together, and by rote and frequent repetitions, taught the first principles of Christianity to the adults, who were too far advanced in years to learn to read and write. In this manner the Lord's Prayer, the Creed, and the Commandments were committed to memory. As soon as the tribes were converted, they perceived the evils attendant on their former state of ignorance and vagrancy. They began to work, which they never had done before; they recognized the advantage of cultivating the soil; they totally gave up drinking, to which they had been greatly addicted, and became sober, industrious, and consistent Christians.

In 1826, the Government, with funds arising from their annuity, built a handsome village for them on the River Credit, about fifteen miles west of Toronto, consisting of twenty houses. They were then about 200 in number. In 1828, they had added seven more houses, erected by themselves. The Bishop of Quebec, speaking of them, in 1829, reported, "That a great proportion of the tribes had become sober and industrious in their habits, well clad as to their persons, and religious in their life and conversation." In 1831, they had added eight more houses, and a saw-mill; and the Methodist Missionary Society had helped them to build a chapel, a school-house, and a work-shop. A missionary, a schoolmaster, and a schoolmistress, were maintained among them by the same Society. From that time to within two or three years, their improvement has continued steady, although slow. Their number has been gradually on the increase. Their health, under the care of one or more resident medical men, to whom they pay an annual salary out of their annuity, has improved. Their habits of industry have been pretty well maintained; intoxication, although more frequent, has not again become habitual among them; their religious and moral behaviour is still very creditable; latterly, however, their progress has been retarded by the uncertainty which has prevailed as to their stay in the present settlement.

In 1840, the Chiefs represented to the Government, that it would tend greatly to the advantage of the tribe to move from the Credit. Their reasons deserve to be recorded, as indicating their desire to advance in habits of religion and industry, and their just appreciation of the means by which their progress might be best promoted.

"1st. The soil at the Credit is generally very poor, and consequently, the crops are light, and this, in a great measure, discourages our people from becoming good farmers. The situation of the Credit Reserve is better calculated for commercial than agricultural purposes.

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"2nd. We have learned, by experience, that living together in a village, whilst endeavouring to follow farming, is attended with many disadvantages, and loss of time; it is therefore desirable, that all the Indians who wish to become planters, should be settled on their own lots.

"3rd. The evil example of many of the white people around our village, exposes our people to the temptation of drinking fire-water, and of committing other vices.

"4th. We are of opinion, that, if we go and settle on a good tract of land, many of our young men, who are now spending their time in idleness, would be induced to become industrious, and attend to their farming."

This memorial was very favorably received by the Governor in Council, and the proper Officers were ordered to report upon the measures necessary to carry out the proposal. No report, however, was made, and although the Indians have often renewed their petition, that the Government would enable them to remove and sell their Reserve, the Indian Department, although acknowledging the expediency of the measure, has taken no steps in the matter, and appears to have retarded rather than expedited the measure. The consequence has been, that, for the last three years, these Indians have been in a very unsettled state. The favorable manner in which their request was received by the Government, led them to expect an early removal, and they have therefore been induced to refrain from any further improvement of their lands, and even to neglect their existing clearances; while the absence of their former friend and pastor, the Rev. Peter Jones, who has already removed to Munsee Town, in anticipation of the tribe following him thither, has been of much disadvantage to them in a religious point of view. The delay, too, has encouraged an opposition to the removal, which although slight at first, consisting only of one family, has generally increased, until as many as nine families are now said to object, which will render the arrangement of the removal, and the division of their several interests, very complicated and difficult. It is to be hoped, however, that this difficulty may be overcome, as there can be no doubt that the removal will tend in every way to the interests of the tribe.

The following particulars will exhibit their present condition. They are 254 in number. Their village, which is beautifully situated on the west bank of the River Credit, and at a distance of two miles from its mouth, contains at present 50 dwelling houses, a warehouse, three barns, a chapel, and a school-house. There are also two saw-mills belonging to the tribe.

Their Reserve at the River Credit contains 3189 acres. They have disposed of their lands at the Sixteen and Twelve-Mile Creeks to the Crown, in trust, for sale, for their benefit. At the Credit they cultivate about 500 acres. The farms are mostly on detached lots of 50 acres, at a distance of two miles from the village, which circumstance has been found very prejudicial to the progress of habits of industry among these Indians, on account of the fatigue and loss of time in going to and returning daily from their farms. Many of them are tolerably good ploughmen, and have made considerable progress in agriculture—growing wheat, oats, peas, potatoes, and other vegetables; several cut hay, and have small orchards; many, however, are still content merely to cultivate a small patch of Indian corn, with some potatoes and vegetables.

Under their methodist missionary, who is the only



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minister officiating in the settlement, they are constant in their attendance at chapel, and are quiet and attentive during the service.

They possess several portions of the Old and New Testaments translated into their own language, which many of the old people, and all the young can read. The youth of both sexes are taught English. The school is maintained by the Methodist Missionary Society. With few exceptions, the Indians are stated to be a quiet, inoffensive, and moral people. They live on the most friendly terms with the surrounding whites, and quarrels and disputes are exceedingly rare among themselves. They are very sensible of the improvement which they have made since their conversion, and feel grateful to those who have instructed them. They are still desirous of advancing and raising themselves to an equality with their white neighbours, whom they perceive to enjoy many comforts and privileges which they do not possess.

### 9. THE MISSISSAGAS OF ALNWICK.

Evidence of the Chief Superintendent; Memoir of the Rev. W. Case. Appendix, Nos. 15 and 41.

These Indians were converted to Christianity in the years 1826-7. They were then pagans, wandering in the neighbourhood of Belleville, Kingston, and Gananoque, and were known under the name of the Mississagas of the Bay of Quinté; in those years, between 200 and 300 were received into the Wesleyan Methodist Church, and settled on Grape Island, in the Bay of Quinté, six miles from Belleville, where they commenced planting, and where schools were established by the missionary for their instruction. On this island they resided eleven years, subsisting by agriculture and hunting. Their houses were erected partly by their own labour, and partly at the expense of the Methodist Missionary Society. The number, at length, amounted to twenty-three; besides which, they had a commodious building for religious service and schools, another room for an infant school a hospital, a smithy, a shoemaker's shop, and a building for joiners' and cabinet work.

These, however, were relinquished, to be sold for their benefit, in 1830, when they removed to a block of Crown Lands, granted to them by Lieutenant-Governor Sir J. Colborne, in the Township of Alnwick, not far from the Rice Lake, and fifteen miles north-east of Cobourg. This plot, which contains 2000 acres, is divided into lots of 25 acres each. The village or street, which is called Alderville, is about a mile and a half in length. It contains 36 houses, six barns, a saw-mill, and a large school-house, in which divine worship is performed, all erected under the direction of the Indian Department, out of the annuity of £642 10, to which this band is entitled for the surrender of a vast tract in the rear of the Johnstown and Midland Districts. Of the 36 dwelling houses, 22 are framed, and the remainder are of square logs, all of commodious size and internal arrangement. The barns are framed, of 40 by 30 feet in dimensions.

There are also a parsonage house, and school buildings, erected at the expense of the Methodist Missionary Society.

These Indians are 233 in number; each family has at least half its lots of 25 acres cleared, and several have nearly the whole under cultivation. The total quantity cleared is between 360 and 400 acres. The stock belonging to these Indians consists of eight yoke of oxen, two horses, 11 cows, 21 heifers and calves, and a quantity of pigs and poultry. They possess eight

ploughs, six harrows, three carts and waggons, and twelve ox-sleds. Their progress in industry and agriculture is satisfactory.

When on Grape Island, a cabinet-maker, blacksmith, shoemaker, and occasionally, a tailor, were employed by the Methodist Society, to instruct these Indians in their several trades. Although it was found difficult to keep the scholars at their work, and considerable losses were sustained in the undertaking, yet the Indians shewed unusual ingenuity, and gained considerable knowledge in those branches, which has been of much use to them since their settlement at Alnwick; where no shops have yet been erected. At present, only one man pursues his calling, as a house-joiner and carpenter, for a livelihood, but others occasionally work at tailoring, or at making and repairing agricultural implements.

The change produced by their conversion and their progress in Christianity will be best described in the words of their missionary, the Rev. William Case, who has ministered to them for the last fourteen years, and whose charitable zeal and self-devotion to the improvement of this community, it behoves the Commissioners to notice with approbation.

"The Gospel found them in 1826 in a pagan state, having neither house, cattle, nor fields; degraded by intemperance, and suffering from want of clothing and food; by which their constitutions and health were undermined, subjecting them to disease and death,—especially from pulmonary complaints. To gratify their thirst for ardent spirits, they expended the avails of their hunting, selling or parting with their most valuable articles, leaving themselves bare of clothing, and exposed to the frost of winter. In these drunken revels they were often led into broils with the whites, and with each other, which sometimes ended in loss of life. But their conversion to Christianity has made a most happy change in all those respects. At once and entirely they renounced all intoxicating drinks, and to which they continue, with few exceptions, resolutely to adhere. Their presents from the Government have since been applied to the comforts of their families, and their annuities have purchased lands, provided comfortable dwellings, cattle, and implements of husbandry. For seventeen years I have known of few disputes, two of which only ended in scuffling and pulling of hair; none in bloodshed. From first they became a praying people, constant and daily in family devotion: the Christian Sabbath is strictly observed; no ordinary labour or sporting is known in the settlement, but a general attendance on divine service is observed."

"On the conversion of the Indians, the parents were acknowledged man and wife, as they presented themselves in families at the altar for baptism. Since that period, marriages have been regularly performed; except in two cases, where the men left their first wives and took other women. One of these men has ever since lived back of Kingston, a wandering hunter. This couple has five illegitimate children."

"During the twelve years this body resided at Grape Island there was but one illegitimate child born; since their residence here, there have been two more."

"We have, however, to regret their infirmities, among which is a want of industry; with some exceptions, they are fond of roving, by which the best of the season is lost for farming. To remedy this evil, and to elevate their character, has been one object of the Society in the establishment of the Manual

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"Labour School,—in connexion with a Model Farm : (which will presently be described.) "A further inducement to industry, in my opinion, would be found in fixing a premium on the best improvements in farming, such as crops, fencing, stock of cows, oxen, pigs, &c. It is, however, but just to remark, that the Indians are every year bettering their condition, and the past has been the most comfortable they have yet seen. Several have raised all their bread stuffs, and provided well for their families ; some of the women taking example from the school, have, during the past season, spun and made clothing for their husbands and children.

"On the first settlement of the Indians on Grape Island, a common daily, and Sabbath school, were commenced among them, with a school on the system of Pestalazzi ; the former two have been continued, with occasional intermission, up to the present time ; the scholars generally have made commendable improvement,—some of them have excelled. Their advancement in reading, writing, arithmetic, geography, and English grammar, have been equal to that among white scholars with similar advantages. Selections of young men from this number are now teachers in the Indian schools ; others are interpreters and preachers of the Gospel."

"For four years past a school, on the manual labour plan, has also been in operation. This system combines elementary instruction with domestic economy. The girls are daily taught reading, writing, arithmetic, and geography, together with house-keeping, spinning, knitting, needle-work, and the management of a dairy. In the latter department belong seven cows. The boys are taught in the same branches as the girls, and in English grammar ; and, at stated hours, in the business of farming, as chopping, ploughing, harvesting, &c. For this purpose, a model farm of fifty acres in extent is provided. The scholars, twelve in number, are boarded and lodged in the mission family, and clothed at the expense of the Missionary Society. They are all clad in cloth spun by the Indian girls. During four years past, thirty-one girls and fourteen boys have received instruction in this school."

The band appears to be on the increase since 1826, (seventeen years;) there have been 153 births, and 129 deaths, shewing an excess of 24 births.

#### 10. MISSISSAGAS OF THE RICE, MUD, AND BALSAM LAKES.

Evidence of the Chief Superintendent; ditto of Charles Anderson, Esq. Nos. 15 and 42. These Indians belong to the same tribe, the Mississagas or Chippewas of Rice Lake, who in 1818, surrendered the greater part of the tract now forming the Newcastle District, for an annuity of £740. They have all been reclaimed from their primitive wandering life, and settled in their present locations within the last ten or twelve years.

The Rice Lake settlement is on the northern side of the lake, and at about twelve miles from Peterborough. The number of Indians is 114. They possess about 1550 acres of land, which are subdivided into 50 acre lots ; of this, 1120 acres were granted in April, 1834, to trustees, "in trust, to hold the same for the benefit of the Indian tribes in the Province, and with a view to their conversion and civilization ;" and the remaining 430 have been since purchased with their own funds. They have rather more land cleared than the Indians of Alnwick, about 400 acres ; but the cultiva-

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tion is not so good. The village contains thirty houses, three barns, a school-house, and a chapel with a bell. The Head Chief of the tribe resides here. For some time these Indians were under the charge of an officer appointed by the Indian Department, who assisted in their settlement ; but at present they have no special Superintendent.

These Indians are methodists, and have either a resident missionary or have been regularly visited by the missionary belonging to the Alnwick settlement. They have a school, and a schoolmaster is supported by the Methodist Missionary Society.

The Mud Lake Indians are settled on a point of land on the Mud or Chemong Lake, sixteen miles north-west of Peterborough. They are ninety-four in number, and possess twenty dwelling houses, with three stables. They occupy a grant of 1600 acres in the Township of Smith, made to the New England Company for their benefit, in April, 1837, of which about 200 acres are in cultivation. These Indians were for some time under the management of the late Mr. Scott, agent for the New England Company, and belong to the Wesleyan Methodist Church. A chapel is in the course of erection at the village, where there is already a mission house and a school.

The settlement is visited by the missionary at Peterborough, and the schoolmaster is supported by the New England Company.

The Balsam Lake Indians, ninety in number, are at present settled within the Township of Bexley, on a point of land jutting out into Lake Balsam, which is the most northerly of the chain of lakes, running north-west across the back Townships of the District of Newcastle. The Reserve which was granted to them by the Crown, is 1206 acres in extent. Of this they have about 200 acres in cultivation. Their village contains twelve houses, a barn, and a commodious school-house, in which divine service is performed by a resident methodist missionary. But within the present year, (1843,) these Indians having become dissatisfied with the climate and the quality of the land at the Balsam Lake, have purchased six hundred acres on the banks of Lake Scugog, to be paid out of their share of their annuity, and are making preparations for removing from their former settlement. Their improvements will be sold for their benefit. Their reason for removing evinces their desire to advance in the pursuit of agriculture.

#### 11. CHIPPEWAS OF RAMA.

Evidence of the Chief Superintendent; Appendix, No. 15. These Indians formerly occupied the lands about Lake Simcoe, Holland River, and the unsettled country in the rear of the Home District. General Darling reported of them in 1828, that they had expressed a strong desire to be admitted to Christianity, and to adopt the habits of civilized life ; and that in these respects they might be classed with the Mississagas of the Bay of Quinté and Rice Lake, but were then in a more savage state. In 1830, Lieutenant-Governor Sir J. Colborne, collected them on a tract of land on the north-west shore of Lake Simcoe, of 9800 acres in extent, where they cleared a road between that lake and Lake Huron. They consisted of three tribes, of Chippewas, under Chiefs Yellowhead, Aisance, and Snake, and a band of Pottiwatomies from Drummond Island ; their number was about 500, under the care of Mr. Anderson, now the Superintendent at Manitoulin, who was appointed to take charge of their settlement and civili-

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zation; they made a rapid progress. The tribe under the Chief Yellowhead, now settled at Rama, were located at the Narrows on Lake Simcoe; Aisance's tribe, at present residing at Beausoleil, Matchidash Bay, was settled at Coldwater, at the other extremity of the Reserve, the distance between them being fourteen miles. Their condition, after an interval of five years, is thus described by Mr. Anderson:—

“Prior to the year 1830, these tribes had become much demoralized from their long residence near the white settlements. They were in the constant habit of drinking spirituous liquors to excess; not one of them could read or write, and they scarcely knew anything of religion. Their hunting grounds were exhausted; the Government presents were exchanged for whiskey. They were in debt to all the traders, and unable to obtain more credit; and thus were constantly in a state bordering on starvation. Their suffering and misery were strongly marked in their personal appearance, and the condition of their wigwams; the latter imperfectly made, and very insufficiently supplied with fuel, could scarcely be said to afford shelter to the ragged and emaciated frames of the elder Indians, whilst the wretchedly diseased appearance of the children, spoke still more forcibly of the intoxication and want of food of the parents.

“Miserable as was their state, it will hardly be credited, that their minds were so debased, their listlessness and lethargy so great, that it required considerable persuasion to prevail on them to accept the bounty of Government. By studious attention to their habits and prejudices, they were at length gradually brought to assist, and the general result has been, that each Indian with a family has now a little farm under cultivation, in which he raises, not only potatoes and Indian corn, but also wheat, oats, peas, &c.; his wigwam is exchanged for the log-house; hunting has, in many cases, been altogether abandoned, and in none appears, as formerly, to be resorted to as the only means of subsistence. Habitual intoxication is unknown; the Sabbath is carefully observed; their religious duties carefully attended to, and reading and writing, with a moderate knowledge of arithmetic, is almost universal among the young people. I attach great importance to their habits of drunkenness being overcome; at the first, it was necessary to prohibit the bringing of spirits within the bounds of the settlement. The near approach of white settlers has rendered this restriction no longer possible, and yet instances of intoxication are very seldom met with, whilst numerous examples may be brought forward of total abstinence from ardent spirits.”

“The log dwelling houses for the Indians were erected by Government. Frame-houses for the Superintendent and the two chiefs, Aisance and Yellowhead, with school-houses at Coldwater and the Narrows, were also built at the commencement of the establishment; since that time, a saw-mill and a grist-mill have been added at Coldwater; and a saw-mill is in progress at the Narrows. About 500 acres of the whole have been cleared and are under cultivation, and it is very gratifying to observe this year, that many of the Indians are, of their own accord and unassisted, erecting log-barns and stables.”

“Another strong mark of amendment is in the article of dress. All the Indians here, compared with the Indians in a wild state, are well clothed, and have in most instances, abandoned the Indian dress for that of their white neighbours. They have also become anxious to possess furniture, and some have

“exercised their ingenuity in the manufacture of articles of household furniture for themselves. All have advanced to a knowledge of the difference between barter and cash transactions,—the main source of imposition by the trader; and they are alive to the advantages of pursuing their fishing in the fall, as a source of profit, and not merely for their own food. To enable them to do this more extensively, they have built for themselves two batteaux, each capable of holding forty or fifty barrels of fish.

“I must not omit what I consider highly in their praise, that, though obliged frequently to submit to irritating and extremely unjust treatment on the part of the neighbouring white settlers, no Indian has, during the whole period of my superintendence, been complained of for any breach of the laws, with one solitary exception,—for the removal of part of a fence; and that was done in ignorance.

“Every Indian throughout the settlement is possessed of the means, with moderate industry, of providing himself with an ample supply of food and clothing, and he has acquired sufficient knowledge of the arts of civilized life to avail himself of these advantages. The minds of the younger branches are opened by education, and religion has fixed itself upon the attention of all.”

Such was the improvement made among the Indians in five years, under the careful superintendence of a zealous officer, co-operating with the missionaries engaged in their conversion and religious instruction. It was not long, however, before the encroachments of the white settlers on the line of road opened by the Indians themselves, and the ill usage, and pernicious example to which they were exposed at their hands, induced these tribes to abandon their settlements, and to seek elsewhere a refuge from the contamination of their more civilized white neighbours. In 1836, a year after the date of the above account, they surrendered their Reserve to the Government, and the tribe under Yellowhead, removed in 1838, from the Narrows to Rama, on the north-eastern extremity of Lake Simcoe, where there appeared a prospect of remaining for some years, undisturbed by the white settlers. Here they purchased 1600 acres of land, at a cost of £800, paid out of their annuities, and applied themselves diligently to forming a new clearance, and cultivating the land, in which they have made considerable progress.

Their number is now 184; their village already contains twenty houses, and four barns, and they have 300 acres of land under cultivation.

During the last two years they have been very industrious, and have raised large quantities of produce. In 1841, their crop of potatoes was sufficiently abundant to enable them to dispose of four or five hundred bushels to the white settlers in Orillia and Medonte, without inconvenience to themselves.

These Indians are stated to be Wesleyan methodists. Among the band at the Narrows there were also some Roman Catholics, but it does not appear whether these have accompanied their brethren or have separated and joined those of the same church at Beausoleil.

They have a commodious school-house, in which Divine Service is performed by a missionary of that persuasion. A respectable teacher is in charge of the school.

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12. CHIPPEWAS OF BEAUSOLIEL ISLAND,  
MATCHADASH BAY, LAKE HURON.

Evidence of Chief Superintendent, ditto of Rev. T. Williams. *Appendix, Nos. 15 and 43.* This band, under the chief "Aisance" is the same which was settled by Sir John Colborne, at Coldwater. Their present village, which is not very distant from the former settlement, was only commenced last year. It contains fourteen houses, and a barn: the number of the band is 232. They have about 100 acres under cultivation.

The majority of these Indians are Roman Catholics. They have not as yet any place of worship, or school. In the former settlement they were occasionally visited by the Roman Catholic priest, resident at Penetanguishene.

13. CHIPPEWAS OF SNAKE ISLAND, LAKE  
SIMCOE.

Evidence of Chief Superintendent, ditto of Rev. T. Williams. *Appendix, Nos. 15 and 43.* This body of Indians was one of the three bands established at Coldwater and the Narrows, and separated from them on the abandonment of those settlements. They now occupy one of the three Islands on Lake Simcoe, which were set apart for this tribe many years ago. They are 109 in number, and occupy twelve dwelling houses. They have also two barns and a school house, in which their children are instructed by a respectable teacher, and Divine Service is performed by a resident Missionary of the Methodist persuasion, to which these Indians belong. They have about 150 acres in cultivation, and are improving in habits of industry and agricultural skill. Their Missionary, who has been acquainted with them since July 1839, states that the majority of them are strictly moral in their character, that most of the adults are decidedly pious, and that many of them for consistency of character, would not suffer by a comparison with white christians of any denomination.

14. CHIPPAWAS OF SAUGEEN, (LAKE  
HURON.)

Evidence of Chief Superintendent, ditto of Rev. T. Williams. *Appendix Nos. 15 and 44.* It was from these Indians, and their brethren, since settled at Owen's Sound, that Sir Francis Head, in 1836, obtained a surrender of the vast tract of land lying north of the London and Gore Districts, and between the Home District and Lake Huron, containing about 1,600,000 acres. He reserved at the same time, for the Indians, the extensive peninsula, lying between Lake Huron and Georgian Bay, north of Owen's Sound, and supposed to contain about 450,000 acres.

Little was known of these Indians by the Government, before that period, as their village was remote from any white settlement; but they appear to have been settled and converted about the year 1831. In 1837, their missionary gave the following description of their condition:—

"This Mission is beautifully situated. Fine flats, containing from 200 to 300 acres, extend along the river, where the Indians cut sufficient hay for their oxen and cows, and grow excellent corn. There are here some good log houses, and several comfortable bark shanties. On the hill in the rear of the flats are several fine fields of corn and potatoes, and a good

"kitchen garden belonging to the Mission house. The Indians at this station have been remarkable for their steadfastness since they embraced Christianity; they appear to be a happy people; much attached to their missionaries, teachable, and give solid proofs that they are progressing in civilization."

The Chief Superintendent, however, who visited them in the same year, reported that they appeared very poor and miserable, trusting very much to hunting and fishing for their support. The fishing is very productive, and has attracted the notice of the white people, who annoy the Indians by encroaching on what they consider their exclusive right, and on which they rely much for provisions.

They hunt in the tract belonging to the Canada Company, and on the unoccupied lands south and east of the Saugeen river. Their present number is 197, including about a score of Pottawatamies.

This settlement does not appear to have been visited by any officer of the Government since 1837; and so little is it known, that it is supposed to have been incorrectly laid down on the map, by the extent of half a degree. The Chief Superintendent reports, that he cannot give an accurate account of it. He states that the greater number of the Indians lived for a long while in very small log houses, and in houses made of elm bark. The present missionary states, that there are only six log houses, and that the rest are bark huts or wigwams. The village is situated about two miles up the River Saugeen. From the report of the Chief Superintendent, it appears, that the Indians contemplated the abandonment of this situation for one nearer the mouth of the river; but they have since determined to remain in their old locality, and have this year, built by contract, six excellent houses.

The mouth of the Saugeen River forms the best, and almost the only port of refuge on the eastern shore of Lake Huron; hence, it is likely to become a place of considerable resort, and it is in contemplation to carry two roads in different directions through the Saugeen tract to this point. The rumour of this intention was lately a source of much inquietude among the Indians, as they became apprehensive of being obliged to quit their settlement and surrender their improvements. This apprehension, however, appears to have been removed, and they are now looking forward to the erection of a saw-mill, and to the supplying of the schooners touching at the port with lumber and fish.

A missionary of the Wesleyan Methodists has long resided among them; their present missionary is an Indian, brought up at the Rice Lake Mission, and at a school in the United States. They have a chapel which serves as a school-house, and a mission house, which were built by the Wesleyan Methodist Society, about the year 1831. They have also had a schoolmaster for some time past. Almost all the tribe have embraced Christianity, and many are pious and exemplary in their deportment.

They are entitled to share in the annuity of £1250, recently granted in exchange for the Saugeen territory, surrendered to Sir F. Head in 1837; and as they have already given proofs of their desire for civilization and improvement, there is every reason to hope that their progress will be at least as rapid as that of other tribes who have possessed, and are exhibiting the results of similar advantages.

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15. CHIPPEWAS OF BIG BAY, IN OWEN'S  
SOUND, LAKE HURON.

Evidence of Chief Superintendent; ditto of Rev. J. Neelands. *Appendix, Nos. 13 and 45.* These Indians were formerly either wanderers in the Saugeen tract, surrendered to Sir F. Head, or lived in scattered wigwams, on the shores of Big Bay. According to the agreement then made with them, it was proposed that they should either repair to Manitoulin or to that part of their former territory which lies north of Owen's Sound; upon which it was promised "that houses should be built for them, and proper assistance given, to enable them to become civilized, and to cultivate land."

In 1842, their present settlement was permanently formed by the erection of fourteen log houses, and a barn, out of the proceeds of their annuity, under the direction of the Indian Department. Their number is 130; and they have about 120 acres of land under cultivation, but from the short time they have been settled, and the little experience which they can have yet acquired, it is not probable that they have made much progress in agriculture. In 1842, they were supplied with two yoke of oxen, paid out of their annuity, and are anticipating an extension of their present plantations.

They are Christians, and a Wesleyan methodist missionary, resident at St. Vincent, twenty-five miles dis-

tant, has visited them regularly since October, 1841. A resident missionary was appointed to this settlement, last year, by the Canadian Wesleyan Methodist Conference. They have also had a school, conducted by an Indian, and maintained by the same body, since the close of 1842.

They share in the same annuity as the Chippewas of Saugeen.

16. CHIPPEWAS AND OTHERS, IN THE  
TOWNSHIP OF BEDFORD.

Within a few years past, some stragglers from the Rice Lake tribe have settled in the Township of Bedford, about twenty-five miles north of the town of Kingston; and recently, they have been joined by a band of eighty-one Indians from Lower Canada, belonging to the post of the Lake of Two Mountains. As the settlement is of recent formation, and the claim of these Indians upon the attention of the Department of Upper Canada, has only been brought forward last year, they have not yet been visited by any officer of the Department, and no account can be given of the settlement. By Instructions issued in 1843, they were transferred from the Roll of Lower Canada to that of the Upper Province, and, accordingly, received their presents for the first time in that Province.

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## R E P O R T.

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THE SELECT COMMITTEE to which was referred the Petition of N. SPARKS and others, of Bytown, for an Act to restore to Nicholas Sparks certain lands in Bytown, taken possession of by the Ordnance Department, for the purposes of the Rideau Canal, but not appropriated by them to that purpose,—and, also, the Bill to explain and amend part of an Act passed in the seventh year of Her Majesty's Reign, intituled, "*An Act for vesting in the Principal Officers of Her Majesty's Ordnance, the estate and property therein described; for granting certain powers to the said Officers, and for other purposes therein mentioned,*" have the honor to Report:

THAT it was the manifest intention of the Legislature, in passing the 29th Section of the above mentioned Act, that "all lands taken from private owners at Bytown, under the authority of the Rideau Canal Act, for the uses of the Canal," which had not been actually used for that purpose before the passing of the Act, should be restored to the party from whom the same were taken.

It has been satisfactorily proved to Your Committee, that the land which the Petitioner, Nicholas Sparks, now claims to be restored to him, amounting to about eighty acres, has never been used for any purposes connected with the Rideau Canal, or for any other purposes whatsoever; and it is also in evidence, that the proviso in the above-mentioned section, was introduced for the purpose of compelling the Ordnance Department to return this land to its owner, Mr. Sparks; and that in consequence of this proviso being so inserted in the Act, the Special Committee to whom, in 1843, was referred Mr. Sparks' Petition in this matter, felt it unnecessary to Report.

Your Committee find, on examination of J. S. Elliott, Esquire, the Commissioner on behalf of the Principal Officers of Her Majesty's Ordnance, and of Colonel Holloway, Commanding Engineer in Canada, that no part of the land belonging to Mr. Sparks, and taken possession of by the Ordnance, was ever used from the time it was so taken until now, for any purposes connected with the construction or defence of the Canal, and that it is now as uncertain as ever whether it will ever be required for either purpose. It further appears from the evidence of the above gentlemen, and from the circumstance of their obtaining from the Court of Chancery an Injunction prohibiting Mr. Sparks from entering upon or interfering with the land in question, that the Ordnance Department are resolved to resist his claims and to retain possession of his property, because, perhaps, at some future day, it may be required for some purpose connected with the Canal, or its fortifications.

Your Committee feel bound to express their opinion that the conduct of the Department, in thus depriving

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Mr. Sparks of his land, is in direct contravention of a Legislative enactment procured by themselves for their own purposes, and under which they now hold their property.

Whenever this or any other land may be required by the Department for actual use, they have full powers, under the provisions of this Vesting Act, to enter upon and take possession of the same; and they, therefore, can suffer no injury in giving up to the Petitioner his own land, which may be of service to him, and is at present of no use to the Department.

Under these circumstances, Your Committee would recommend the passing of the explanatory Act which was submitted to them by Your Honorable House, with some amendments.

All which is nevertheless humbly submitted.

WILLIAM STEWART,  
*Chairman.*

22nd March, 1845.

MINUTES OF EVIDENCE.

WILLIAM STEWART, Esquire, in the Chair.

TUESDAY, 4th March, 1845.

J. S. Elliott, Esquire, called in; and examined:—

1. Are you the Commissioner on behalf of the Principal Officers of Her Majesty's Ordnance at Bytown?—I am for Canada generally.

2. Were you instrumental in getting the Ordnance Vesting Act passed last Session of Parliament; and are you versant with the general matters affecting the case of Mr. Nicholas Sparks of Bytown?—I was; and I have a general knowledge of the case of Mr. Sparks.

3. What did you mean by permitting the following words in the Act 7th Vict. chap. 11, section 29, viz:—"Provided always, and be it enacted, That all lands taken from private owners at Bytown under the authority of the Rideau Canal Act, for the uses of the Canal, which have not been used for that purpose, be restored to the party or parties from whom the same were taken?"—I had no option in the matter: it was not a part of the original Bill; it was inserted in Committee.

4. Were you present at the Bar of the House at Kingston in 1843, when the Ordnance Vesting Act was discussed, and the 29th Clause adopted?—I was.

5. Did you consent to said Clause, and congratulate Mr. Sparks on the occasion?—The latter part of that Clause was introduced as an amendment by Mr. Derbshire, and as the Session was near its close, and I was desirous of securing the passage of the Act, the amendment was allowed to go for what it was worth. I never congratulated Mr. Sparks, but, on the contrary, informed him that I had opposed that amendment to the utmost of my power.

6. Did you comply with the requirements of the Act quoted, in restoring any such lands to the owner or owners?—I did not.

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7. Did you, in particular, refuse to give up to Mr. Nicholas Sparks the lands taken from him at Bytown, and not used for the Rideau Canal?—I never refused, for he never applied for them. If he had applied for them, I unquestionably should have refused him.

8. How many acres of land have the Ordnance been claiming out of Mr. Sparks' property in Bytown?—I think his contested part is something about 85 acres, but cannot say positively.

9. Are the Ordnance now in possession of the same lands, and for what purpose are they used or applied?—I consider it in their possession; the land has been cleared and fenced by the Ordnance, and it is intended to be applied, as far as I am aware, for the formation of a Basin and Reservoir for the supply of the eight Locks at Bytown, and for the general uses of trade.

10. Do you think that it is likely, with all the improvements going on in navigation in the Province, the Canal Basin at Bytown, which has hitherto done the business of the country, requires to be enlarged?—I think at the present moment it may not be required to be enlarged, but it is impossible for me to say to what extent it may hereafter be required. I am led to understand that natural causes themselves may produce a deficiency of the water, so as to require a Reservoir for the supply of the eight Locks.

11. If the low or flat land could by any means be required for a Basin, to what use or purpose would they apply the hill?—I am not an Engineer, and do not therefore consider myself competent to give a correct answer to the question.

12. Did you ever see the paper surrendering the bed of the Canal and 200 feet on each side, by Nicholas Sparks to Colonel By; and do you believe this Exhibit to be a copy of such paper?—I think I did see such a paper, or a copy of it; the paper shown me may be the same, but cannot say positively.

(Copy of the Exhibit produced.)

(Copy.)

HULL, 17th November, 1826.

I hereby authorize Lieut. Col. By, Commanding Royal Engineer on the Rideau Canal, to take such part of my land (being lot C, in concession C, in the Township of Nepean, gratis, as may be required for the purpose of constructing the Rideau Canal, it being clearly understood that not more than 200 feet in breadth on each side of the Canal, and parallel to it, is to be taken; and that such parts as may not be required for His Majesty's service, shall be restored when the Canal is completed.

Also, that it be agreed between myself and Lieut. Col. By, on the part of the Government, that the Concession Road on the south side of my estate shall be changed to the north side abutting on His Majesty's property.

(Signed,) NICHOLAS SPARKS.

(Signed,) JOHN BY,  
Lieut. Col. Royal Engineers.

Witness J. H. POOLE, Lieut. Royal Engineers  
J. M. TAGGART, Clerk of Works.

A true Copy,

(Signed,) Wm. GLEGG,  
Clerk of Cheque.

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13. Do you know when the Ordnance first took possession of this tract of land, and for what purpose they have actually used it?—They took possession, I think, in 1827; they cleared the land and fenced a portion of it, and reserved it for the future use of the Canal.

14. Has this tract of land been already used for Canal purposes, if so, state the purposes; or is it not rather retained in anticipation of being useful for Canal purposes hereafter?—It has as yet been only used for the purpose stated in the last answer, and is retained in the manner mentioned in the question.

15. Do you know or have you heard that any portion of this tract is or will be required for the Military defence of the Canal, or for some Military purpose?—I have heard that it may be subservient both to Canal and Military purposes.

16. Is there not sufficient ground on the West side of the road from Upper to Lower Bytown to receive any earth that might be removed in forming a Basin twice the size of the present one?—I do not consider myself competent to answer that question, not being an Engineer.

17. Do you think that justice has been rendered to Nicholas Sparks, in not paying him for his lands, or restoring them to him without litigation, as was intended by the Ordnance Vesting Act?—The land was taken from Sparks in 1827 or 28; Colonel By and he could never come to any arrangement as to the terms of the remuneration. In 1831, Mr. Sparks prosecuted Colonel By for a trespass, with the view of re-obtaining his ground; in that action he was defeated: he then had a recourse under the provisions of the Rideau Canal Act, to obtain a compensation either by arbitration or by a jury, but he has never put forward any claim. I imagine that Mr. Sparks has not had recourse to those means, because, under the enactment I allude to, the arbitrators or jury would be bound to take into consideration, in awarding any compensation for damage, the amount of benefit his other property had derived from the Canal, and it was to this effect the Chief Justice charged the Jury upon the occasion of Sparks' defeat.

18. When was the Canal finished?—In 1832 or 1833.

19. Have your Department brought an action against Mr. Sparks, in Chancery; if so, state to the Committee why, and upon what grounds such action was brought?—Mr. Sparks, since the passing of the Vesting Act, threw down some of the fence on the property; served notices upon some of the Forwarders who paid rent for wharves; advertised portions of the land for sale; and a stone house has been erected upon it. Under these circumstances, the Ordnance have caused proceedings in Chancery to restrain Mr. Sparks.

20. Have the Ordnance Department not rented part of the land taken from Mr Sparks to several Forwarders on the Rideau Canal, and received rent for the same?—Some wharves and store-houses are let to Forwarders.

21. When you wrote to Mr. Sparks on the 28th instant, declining to leave it to arbitration or a Jury, after all that had passed between you and Captain Boxer, whose legal opinion did you take?—Colonel

Holloway and I consulted the Attorney General, whose opinion was that we could not entertain the proposition, based as it was.

22. Have you not employed a young man a Solicitor to the Ordnance Department, who makes out Deeds and charges the sum of £1 5s. and with your approval of the same?—I employ John Scott, Esq., a Barrister of Bytown, who charges for the preparation of the Deeds, the Parchment, the Printing, the necessary searching in the Registry Office, and all other expenses, the sum of 25s. for each Deed, which I consider a very reasonable charge. I authorized this charge by Mr. Scott, because I conceived when all the advantages were given to the individual, the Government could not be fairly chargeable with the expense of the Deed.

23. Are you not, by the 6th Clause of this Ordnance Vesting Act, obliged to give a Title to parties free of any charge?—I read the Clause as compelling me to give Titles free of all charges and incumbrances on the property.

24. Have you, in your capacity as Commissioner of the Ordnance, refused in any case to confirm the promises and acts of Colonel By, as intended by the 4th Clause of the Vesting Act?—I have never done so when satisfactorily proved to me.

25. Would you sign a Deed presented to you, if made out in the same manner as those made out by Mr. Scott, if so made out by any other person?—Most undoubtedly.

WEDNESDAY, 5th March, 1845.

Colonel *William Cuthbert Elphinstone Holloway*, C. B. Royal Engineers, called in; and examined:—

26. Is it not the object of the Ordnance to retain the high land taken from N. Sparks, known by the name of the Barrack Hill, to construct Fortifications in the course of time?—I have not had any intimation that it was the intention of the Ordnance to give up that portion of Barrack Hill claimed by Mr. Sparks. There have been various designs as to the use of this hill; the last design, which is now under consideration, is the formation of Public Offices, Storehouses, Workshops and buildings of that nature, for the service of the Canal.

27. Do you believe that it is in contemplation to form a new Basin, or to enlarge the one now in use, and if so, say to what extent, and say how many acres in your opinion would answer?—When the land was originally taken, it was for the purpose of a Basin; that design has never been abandoned that I am aware of, and from year to year, I do not doubt, the necessity of it will become more apparent. The plan, or extent of the Basin, has never been fixed upon. I am not prepared to say what may be the size or extent of the proposed Basin, having never been called upon for a Report, nor to consider the subject, by our Department.

28. Do you not think that it is necessary to retain the lands taken from N. Sparks, or any part of them,

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for Military purposes?—I do not; the Ordnance has already ground enough on the Barrack Hill, exclusive of Mr. Sparks' land, for Military purposes, so far as I know.

29. Do you, as a scientific man, think that if a new Basin were to be formed, or the present one enlarged, that the earth would be carted up to the high land taken from Mr. Sparks?—I have not considered the subject, but my present impression is that space could be found for the excavated soil upon the margin of the said Basin.

30. How much of said land would it be practicable to construct a Basin on, providing such had been considered necessary?—Answered by answer to Q. 27.

31. Are you aware that there would be from 18 to 20 feet of excavation on many parts, even of the low ground?—I am not sufficiently acquainted with the locality to answer this question, having merely passed over the ground without particular examination, and having never seen any sections of the ground to guide my judgment.

32. Can you say, as an Engineer, and intimately acquainted with such works, that the ground in question is actually required for the construction and using the said Canal?—I should say that should the trade of the Province increase as it has done within the last two or three years, (as appears from the official returns) that an enlargement would be required. It has also been reported by the officer in charge of the Canal, (in the course of the last summer,) that the waters supplying the upper levels are diminishing, and that some steps must necessarily be taken to prevent any serious inconvenience to the trade from that cause. The circumstance which has occasioned this diminution, is the gradual clearing of the country.

33. Has the said ground been hitherto used for Canal purposes, or how much?—The ground has not been hitherto used to any extent for Canal purposes, that I am aware of.

34. Are you not aware that a great portion of it still remains in the natural state?—I am.

35. Are you of opinion that the second proviso of the 29th clause applies to N. Sparks' land, or to whom does it apply?—I do not consider that that proviso applies to the land now claimed by Mr. Sparks, because, although it has not yet been used for Canal purposes, it has always been the intention, as I understand, to enlarge that Basin on this land, though the time has not yet arrived.

36. Do you not know that the Ordnance Department purchased from Perkins the house and lot now occupied by Addison, Lock Master, and if so, what did they pay; and did not Perkins purchase from Sparks?—I have no knowledge of the circumstances mentioned in this question.

37. Do you mean to convey to the Committee that the Ordnance shall keep Mr. Sparks' land without paying him for it?—I conceive that if Mr. Sparks has any just claim upon the Ordnance, and if he would bring such claim forward for adjudication, the Ordnance would entertain the question; and whatever is right and proper, they would defray. I am not sufficiently well acquainted with the real merits of the case to afford any further opinion on the subject.

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38. Do you think, after the completion of the St. Lawrence Canal, that the trade will increase by the Ottawa and Rideau routes to require an enlargement of the Basin at Bytown, while that Basin has been found large enough since the completion of the Canal to do the whole business of the country?—From an enquiry I made last year, of the Forwarding Companies and of other competent persons, I was given to understand that notwithstanding the formation of the St. Lawrence Canal, the Rideau route would offer such facilities to the trade that it would still retain its amount of trade and would gradually increase.

39. Do you think that under any circumstances, a Basin as large as the London or West India Docks, will be constructed at Bytown?—I am not aware of the size of those Docks; the land is wanted for a Reservoir of water as well as for a Basin.

40. Was it, or is it not intended that the proposed Basin, or Reservoir of water for the supply of the eight Locks, should also answer the purpose of a wet ditch for the contemplated fortification?—I am not aware of any such intention, nor do I think that fortifications will be required at Bytown.

J. S. Elliott, Esquire, again called in; and examined:—

41. Are you aware that an affidavit was made and sworn to, for the purpose of obtaining an Injunction from the Court of Chancery, and by whom was the same sworn to?—I believe an affidavit was made for that purpose by Major Francis Rengler Thompson, Royal Engineers.

42. Were you shewn the said affidavit, and asked to make the oath, and please state the reason why you did not do so, you being the guardian of the Ordnance property?—I was shewn the affidavit, but was not asked to swear to it. Affidavits similar in effect were prepared to be sworn to by Col. Holloway, R. E. and myself, and we both stated our readiness to do so, should they be required by the Vice Chancellor. I have made no affidavit in the matter, but would have had no objections to do so, had it been required, as I had the most implicit belief in the opinions of those I considered the most competent judges, and felt bound to take every proper step to protect the property.

43. Have you any correspondence with the Government or the Ordnance; that would lead you to suppose that an enlargement of the Basin is contemplated, and if so, say from whom?—There has been correspondence from the Inspector General of Fortifications, and the Ordnance Department on the subject.

44. For what reason did you recommend to serve William Stewart with a Writ in Chancery, and if you consider him a trespasser, state how and in what way he became so?—I believe Mr. Stewart has a store that projects on part of the land taken from Sparks, and I apprehend he was served with notice on that account.

45. Are you not aware that Mr. Stewart had bought and built upon the lot which you say is on part of the land taken from Sparks, long before that extended imaginary line was laid down?—I am not aware when the extended line was run and laid down.



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46. How many Solicitors have the Ordnance employed at Kingston, Bytown, Montreal, and Quebec, and what are their names, and what is their salary, or are they paid by fees?—Mr. Scott at Bytown; Mr. Kirkpatrick at Kingston; Mr. Buchanan, Montreal; Mr. Black, occasionally, at Quebec: they are paid their charges for any services.

*N. H. Baird*, Esquire, Civil Engineer, called in; and examined:—

47. Were you employed under the Ordnance Department in the construction of the Rideau Canal?—I was, from July 1828 to completion thereof.

48. In what capacity were you so employed?—As Civil Engineer, in the capacity of Clerk of Works.

49. In the course of your engagement on the Rideau Canal, had you occasion to know any thing of the land now in dispute between the Ordnance and Mr. Sparks?—Yes, I laid out the present Basin in the Beaver Meadows, and otherwise am acquainted with the land in dispute.

50. For what purpose was it alleged the said ground was required?—The high ground for defence, the low flat for a Reservoir to supply and keep up the head level for supply of the first eight Locks.

51. Was it ever occupied for the purposes you describe?—The high ground was, I believe, surveyed for the above purpose, and was enclosed; the low flat was never laid off or occupied to my knowledge, for any purpose connected with the Canal.

52. Is it not consistent with your knowledge that it was Lieutenant Colonel By's intention to construct a Reservoir there?—I am aware it was.

53. Was it afterwards found to be necessary?—The Basin in the Beaver Meadows and natural gully above, and entrance to the deep cut, were found to be adequate.

54. Have you ever found the level affected when the Locks were in full operation?—I have, to a slight degree, say 3 to 4 or 5 inches; and it would probably be advisable to have a corresponding Basin similar to that in the Beaver Meadows on the land in dispute.

55. Do you not consider the Beaver Meadows sufficient for the purposes intended under the Rideau Canal Act?—As the St. Lawrence will to a certainty draw off much of the traffic through that channel, it may now be sufficient, otherwise I should have recommended an additional reserve.

56. Are you aware that the Beaver Meadows' Reservoir does not occupy more than 200 feet granted by Mr. Sparks?—That can be seen from the Maps.

57. Do you not conceive that the retaining that large extent of property from Mr. Sparks is uncalled for, and that it is not necessary for the construction of the Canal?—It is certainly not all necessary for the construction of the Canal.

58. Do you conceive the hill portion absolutely necessary for military defence?—I am not a Military Engineer, and cannot answer that question.

59. If for Military defence, do you not conceive that the property you must know as owned by O'Connor and others, would not equally be required for the same purpose?—Being so contiguous, one would conceive so; but, as I have before said, I cannot give a satisfactory answer to the question.

60. You know that new stone building immediately opposite the property referred to, built upon Mr. Sparks' land?—I do.

61. Is that equally near to the Rideau Canal?—I think about equal distant.

62. Has all Mr. Sparks' land in dispute been used for Canal purposes?—Certainly not.

63. How much of it remains unoccupied?—I should say about 60 or 70 acres, but the map or plan will undoubtedly shew.

64. Is not the store formerly occupied by Messrs. M'Kay and Redpath, quite contiguous to the Sappers' Bridge and first eight Locks?—It is within a very short distance, separated from the approach to the bridge by a narrow lane.

65. Are you aware that Lieut. Col. By, on his own account, made a purchase of a large block of land immediately contiguous to Mr. Sparks' side line, and do you consider this is required for Canal purposes?—I am aware that Lieut. Col. By did make such a purchase, and I am satisfied it cannot be required for Canal purposes.

66. On the whole, do you, as a Civil Engineer, and intimately acquainted with such matters, and this in particular, conceive that the ground now claimed by the Ordnance Department, ever was required, or is likely to be required, for the construction of the Canal?—With the exception stated, viz: the construction of a corresponding Basin with the Beaver Meadows, I do not conceive any more can be required.

*Stewart. Derbshire*, Esquire, called in; and examined:—

67. Were you a Member of the first United Parliament held at Kingston, in 1843, when the Ordnance Vesting Act passed the House; and if so, look at the 29th Clause, and say if this was not intended to apply to Mr. Sparks' property? and was not Mr. Elliott, the Ordnance Commissioner, at the Bar of the House, and well understood the true meaning of said Clause, and consented to the same being embodied in the said Bill?—I was a Member of the first United Parliament, and was present in the House when that part of Clause 29 of the 7th Vict. chap. 11, to which the question refers, was added to the Bill; Mr. Elliott, the Ordnance Commissioner, was at the Bar when this occurred; he well knew the nature of the Clause, and that it referred expressly to Mr. Sparks' land, for there was a debate upon the subject in which the merits of the question between Mr. Sparks and the Ordnance Department were fully gone into. The sense of the House was strongly manifested against the Ordnance, and when the Hon. Mr. Black, after consulting with the Commissioner, announced the withdrawal of all opposition to the words in question, it was distinctly understood that this was an acquies-

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cence of the Ordnance Commissioner, binding upon him and his Department in honour and good faith.

68. The subsequent conduct of the Department then, you view as a breach of good faith?—Yes, as a breach of faith with the Canadian Legislature, such as I am convinced would lead to the total repeal of the Ordnance Vesting Act, if formally brought under its notice. There was much repugnance to grant to the Ordnance Department the large powers asked for it. For ten or fifteen years, I believe, the Department had been using the most strenuous efforts to obtain a Vesting Act from the Canadian Legislature. Finally, at the end of the Session of 1843, the Bill was passed; it was in the nature of a private Bill, investing with corporate powers certain individuals; and in conferring those powers, so ardently and long sought by the individuals, the Legislature did what is very common with all Legislatures in such cases—it imposed terms on the parties, as the condition or consideration for which the powers were granted. To accept and use the privileges, and violate the conditions on which they were obtained, can only be viewed as a breach of faith; and, we must suppose, the Master General and Board of Ordnance too wise and honourable to be guilty of, did they know the true interests of the Department in this country, and rightly estimate the importance and character of the Canadian Legislature,

69. Do you mean that the Board in London will not ratify the acts of its Agents, when dealing with the Colonial Legislature?—We can judge only by results; the proceedings of the Board are a sealed book to all in this country, but its Agents and Officers. I happen, however, to know, through the most direct and legitimate channel, that charges of official corruption and dishonour have been preferred by the London Board against high and confidential Officers of the Canadian Government, based upon the grossest misconception and misinformation of facts. The Board is now aware of its error, but not, I fear, of its liability to be misled upon facts of a local character, by the misinformation of interested and prejudiced minds conveyed to it through so many indirect channels. If that Board were aware of the full consideration given by the Legislative Assembly to all the facts in the matter of Mr. Sparks' land at Bytown, after hearing both sides of the question, the Ordnance Department having the benefit of so competent an Advocate as the Honble. Henry Black, the Member for Quebec, and others in the House, so that nothing on its behalf was omitted that could be usefully advanced, it would, I am sure, bow to the adjudication of the House and adopt its decision.

70. If the Ordnance Commissioner had not bound himself and his Department by the acquiescence to which you have referred, to restore Mr. Sparks' land to him, would the Bill have passed?—Certainly not. It was at the very end of the session when the Bill got into Committee of the whole; it was in December; a prorogation was daily expected; a Special Committee was at the time sitting on Mr. Sparks' Petition, and among other arguments, it was strongly urged in the House, that it would be unjust to Mr. Sparks to pass the Bill before the Special Committee on his case had reported. The merits of his claim were then fully gone into, and it was further argued that the Legislature should pause before granting new powers to a body which had so misused its power under the Rideau Canal Act. The House seemed too well disposed to act upon these arguments and the Bill would have been lost, but the Ordnance capitulated; the Bill then rapidly passed through its remaining

stages; at my own instance, the opposition of some members to it was abandoned, and those members who particularly represented the interests of Bytown, instead of delaying, did all in their power to hasten its passage; there was hardly time to get it engrossed for the Royal Assent.

71. Under the circumstances you name, any one member could have defeated the Bill for that Session?—Yes, the discussion of an amendment for delay, consistently with Parliamentary forms, would have effectually prevented the passing of the Bill. But the House would not have passed it on the grounds I have named; nor would any Canadian Legislature ever have passed such a Bill without hearing and awarding justice in the first instance, to the individuals wronged by the body petitioning for new powers at its bar. Neither the House, nor those members especially representing Bytown, doubted the good faith of the Ordnance Department; in dealing with such a body we did not imagine a mental reservation; and when Mr. Black stated in the House, on behalf of the Ordnance, that Mr. Sparks' land would be given up to him, and Mr. Elliott, at the bar of the House, confirmed the impression in conversation with myself and other members, and shook hands with Mr. Sparks upon the termination of all difficulties between him and the Department, we could not suppose that the whole was to be turned into a mockery, and that instead of at once surrendering to Mr. Sparks his land, the newly incorporated body of Respective Officers would avail themselves of their new powers to drag him, with endless and expensive litigation, through every court of law and equity in the empire.

72. But if you had suspected it, what then?—We should have postponed the Bill until next session, to give the Ordnance the opportunity of carrying into effect its undertaking to restore the lands.

73. Should you have taken that course?—I should have felt it to be my duty to do so. I relied, however, implicitly upon the assurance of the Ordnance Commissioner, that the intention and plain meaning of the Clause would be honourably fulfilled, and promptly, without vexatious proceedings or delay whatsoever.

74. The position of the Ordnance with regard to Mr. Sparks' land is precisely the same as before?—Identically the same as if the Bill itself had not passed, and none of the transactions to which I have testified taken place; and the very power of suing and being sued given by the Act, is that which they have used to defeat the only provision inserted at the special instance of the House, after debate.

75. It is now eighteen years since the Department took the land in question for the purposes of the Rideau Canal; has it or any part of it been put to that or any other purpose?—The stumps remain in the land just as they were eighteen years ago. It is an unsightly waste between the Upper and Lower Town, and as such greatly retarding the prosperity of the place. The only use to which it has ever been put, has been the leasing a portion to a man, who ploughed and took one crop of grain from it, which certainly was not a Canal use; and enclosing two acres for a burial ground for the inhabitants, to which purpose the ground has been put, and is now full. It is needless to observe that the Ordnance Officers could not have contemplated excavating the burial ground for Canal purposes, when they gave it up for a cemetery.

76. Have you any data upon which you can with accuracy state the objects of the Ordnance in taking

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and keeping this land?—I have conversed with every one likely to be able to enlighten me upon this head, and examined every printed and manuscript paper and document I could get at, likely to afford me information; and from the varying statements of different Ordnance Officers at different times, and even at the same time in different places, I am led to believe that the original and continued object is now to grow up a fund from the increasing value of the land, with which to pay the expenses of the Ordnance Department, or repay a portion of the outlay made under its superintendence in this country. The right to farm and job lands in this country, for such purposes, has been perseveringly advanced by the Department, but the Provincial authorities have always refused to sanction the scheme, and recommended upon grounds of policy and propriety, that the Ordnance should deal only in lands actually needed for the special Military objects of the Institution.

77. What varying statements do you allude to?—The necessity of its appropriation by the Department has been justified by its Officers, upon the pretext of its being wanted for fortifications, for a rampart and wet ditch, for a reservoir to supply the Locks at Bytown if the water should ever fail, and finally for a Basin to accommodate the growing trade of the place. As to fortifications, there has not been the appearance of an attempt at making any, and you have heard it declared in this Committee by the first Engineer Officer in this Province, Colonel Holloway, that it is not at all probable fortifications will ever be made at Bytown; the wet ditch and ramparts follow the fortifications. The Rideau Canal has been in full operation for fourteen years, and there has been no diminution of water, but a waste weir is continually running; and so little did Colonel By really believe in the failure of water, that he let a mill site, and recommended the erection of expensive mills, to be turned by the never-ending supply of the waste water of the Canal at Bytown. In like manner we may dispose of the pretence of a Basin being wanted for the accommodation of the trade. The timber upon the banks of the Canal becomes less, instead of more, every year; and no want of space in the existing Basin has ever been felt. The passage of vessels by the Rideau is not

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likely to increase, but on the contrary to diminish, after the St. Lawrence Canals come into operation. But the imagination of a maniac only can realize the anticipation of a Basin or a Dock, covering 88 acres, at Bytown. Upon references to authentic sources, I find that the celebrated St. Catherine's Docks of London cover only 24 acres, including quays, warehouses, offices and buildings of every description. The water area covers a space of only  $11\frac{1}{2}$  acres. The great London Docks have but 30 acres of water area. The port of London reckons 32,000 seamen in constant employment, with an annual fleet of 30,000 foreign and home ships coming and going, and produce to the value of £80,000,000 sterling annually. The Basins of the Regent's Canal at London connecting the port of London with the Irish Sea, cover no more than two acres of ground. It is too obvious to need further illustration that the Ordnance Department cannot seriously believe that the 88 acres they have taken from Mr. Sparks will really be wanted, or even applied to the benefit of the town, whatever may be the pretences put forth on their behalf for its retention. I have never been able to bring the Ordnance Agents to any definite declaration of what they would do or when. Some day something may happen that may render necessary some work for Military or Canal purposes; this I believe to be the most definite answer ever obtained from the Ordnance. Before the passing of the Vesting Act of last Session, it was never pretended, that I have heard of, that Mr. Sparks' land had ever been put to any Canal use, although it was declared that some day it might be. An officer of the Department has recently in his affidavit declared that it has been used for the Canal. Colonel Holloway, in this Committee, has on the contrary affirmed, that it has not yet been used for the purpose for which alone it could have been lawfully taken from Mr. Sparks, but that some day it may be. After a lapse of 18 years it is highly improbable. From all these varying and contradictory statements, all of which cannot be true, the only safe and rational conclusion for one seeking the truth is, that there is somewhere concealment for an object. We have not yet got at the truth by the avowal of the parties; being left to conjecture, I can adopt no other opinion but that I have stated.

## RETURN

To an Address from the Legislative Assembly, to His Excellency the Governor General, bearing date the 12th ultimo, praying for a "Statement, setting forth in detail, the amount of "WAR LOSSES awarded to individuals or persons in Upper Canada, and remaining unpaid, together with the causes why such claims have not been paid; the names of INDIANS "entitled to such remuneration, whether it has been paid to them, and if so, by whom, "and when; and, also, a detailed Statement of the kind of evidence of such payment."

By Command,

D. DALY,  
Secretary.

SECRETARY'S OFFICE,  
Montreal, 22d March, 1845. }

*Letter from the Receiver General to the Assistant Secretary West, with two Enclosures.*

RECEIVER GENERAL'S OFFICE,  
18th February, 1845.

SIR,—With reference to the first part of an Address of the Legislative Assembly, dated the 12th instant, relating to certain claims for Losses during the late War between Great Britain and the United States of America, referred to me in your note of the 14th, I beg to state, for the information of His Excellency the Governor General, that every particular relating thereto, with the nature of the claim, and the awards of the Commissioners thereon, are in the Books of the Library of the Commons House of Assembly.

The claims now remaining unpaid are enumerated in the accompanying Lists, marked No. 1, Third Instalment, 33½ per cent, and No. 2, Fourth Instalment, 31½ per cent, upon the original awards. The first amounting to the sum of £373 12s. 6d. and the latter to £1029 4s. 1d. currency.

Many of the abovementioned claims remain uncalled for; some are unpaid by reason of difficulties in identifying the representatives of parties deceased, others from opposing interests, and those marked D in red ink are detained on account of debts said to be due to Government by the original claimants.

The third instalment is paid in conformity with the Provincial Act 3d Will. IV, cap. 26 and 27, by the issue of Debentures bearing interest at 5 per cent per

annum; and in order to avoid making these Debentures in broken sums, (none having issued for less than £50,) there has been distributed in fractions, the sum of £554 13s. 4d. currency, over and above the amount so raised. This money has been borrowed from the Fund belonging to the fourth instalment created by Grant of the Imperial and Provincial Governments conjointly, forming a separate and distinct account, to which it will be refunded whenever a further issue of War Loss Debentures can be effected.

The unpaid balance remaining of the 1st and 2nd instalments, 10 and 25 per cent, Imperial Grants, was returned into the Military Chest in the year 1831, by order of the Lords of the Treasury, dated in February of that year.

The award to friendly Tribes of Indians was paid to and distributed by the Indian Department. The different claimants and mode of payment are alike unknown to this Department, no particulars having been furnished to the Receiver General from the War Loss Commissioners. For further information on this subject, reference is requested to the Chief Superintendent of Indian Affairs.

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

W. MORRIS, R. G.

To JAMES HOPKIRK, Esquire,  
Assistant Secretary, West.

LIST of War Loss Claims remaining unpaid of the 1/3rd or 33 1/3 per cent. Third Instalment on the original award under Provincial Statute 4 Geo. IV, cap. 4, and 3 Will. IV, cap. 26 and 27, to be paid by monies raised on Debentures bearing interest at 5 per cent. per annum.

NAME.	RESIDENCE.	COMMISSIONERS' AWARD.			31 1/3 PER CENT.		
		£	s.	d.	£	s.	d.
Alyea, John ... ..	Ameliasburgh, ...	5	0	0	1	13	4
Anderson, Cornelius ... ..	York, ... ..	12	10	0	4	3	4
Bellnap, Eleanor ... ..	Flamboro' East, ... ..	3	2	6	1	0	10
Benedict, Charles ... ..	Port Talbot, ... ..	3	0	0	1	0	0
Brown, Cornelius ... ..	Bertie, ... ..	3	11	0	1	3	8
Charron, Antoine ... ..	Belleville, ... ..	5	5	0	1	15	0
Dale, or Deal, Jacob ... ..	Flamboro' West, ... ..	12	3	6	4	1	2
Derenzy, Elizabeth ... ..	York, ... ..	12	10	0	4	3	4
Douglas, Thomas ... ..	York, ... ..	23	10	0	7	16	8
Filker, John ... ..	Gainsboro', ... ..	15	0	0	5	0	0
Fulker, Jacob ... ..	Ancaster, ... ..	16	5	0	5	8	4
Halket, Jacob ... ..	Flamboro' West, ... ..	20	17	6	6	19	2
Keiter, Benjamin ... ..	Burford, ... ..	11	9	0	3	16	4
M'Kirgan, David ... ..	River Thames, ... ..	12	12	6	4	4	2
M'Phec, Hugh ... ..	York, ... ..	20	0	0	6	13	4
Markle, Jacob ... ..	Toronto, ... ..	22	10	0	7	10	0
Millar, George ... ..	Thorold, ... ..	4	0	0	1	6	8
Morison, Charles ... ..	Baldoon, ... ..	3	5	0	1	1	8
Nelson, William ... ..	Nelson, ... ..	17	7	6	5	15	10
O'Keefe, Andrew ... ..	York, ... ..	150	0	0	50	0	0
Penebeckor, Cornelius ... ..	Moravian Town, ... ..	5	0	0	1	13	4
Playter, Eli ... ..	York, ... ..	13	0	0	4	6	8
Randal, Robert ... ..	Stamford, ... ..	4	10	0	1	10	0
Roger, William ... ..	Beverley, ... ..	8	0	0	2	13	4
Smith, Jacob ... ..	Glanford, ... ..	5	12	6	1	17	6
Sovereign, Robert ... ..	Nelson, ... ..	5	10	0	1	16	8
Spears, Abigail ... ..	Cornwall, ... ..	6	4	6	2	1	6
Stroud, Christian ... ..	Augusta, ... ..	12	10	0	4	3	4
Teetzel, John ... ..	Grimsby, ... ..	3	0	0	1	0	0
Vankoughnet, John ... ..	Cornwall, ... ..	5	9	6	1	16	6
Warren, John ... ..	D. Bertie, ... ..	506	10	0	168	16	8
Will, Philip ... ..	Beverley, ... ..	5	0	0	1	13	4
Wilson, John ... ..	Saltfleet, ... ..	13	15	0	4	11	8
FIRST SUPPLEMENTARY RETURN.							
Pitts, James ... ..	Louth, ... ..	6	0	0	2	0	0
SECOND SUPPLEMENTARY.							
Brown, Henry ... ..	York, ... ..	37	0	0	12	6	8
Kitchen, Henry ... ..	Niagara, ... ..	4	0	0	1	6	8
Pearson, Andrew ... ..	Barton, ... ..	5	0	0	1	13	4
Poole, Catherine ... ..	Westminster, ... ..	28	0	0	9	6	8
Pannier, Jean Bte. ... ..	Sandwich, ... ..	8	5	0	2	15	0
FOURTH SUPPLEMENTARY.							
Bowman, Abner, ... ..	Stamford, ... ..	6	0	0	2	0	0
Blau, James ... ..	Mersca, ... ..	25	11	0	8	10	4
Moor, Rachel ... ..	Pelham, ... ..	5	0	0	1	13	4
M'Bean, Gillis ... ..	Cornwall, ... ..	4	11	6	1	10	6
FIFTH SUPPLEMENTARY.							
Meyers, Peter ... ..	Charlottenburgh, ... ..	8	10	0	2	16	8
SIXTH SUPPLEMENTARY.							
McDougall, Angus ... ..	Charlottenburgh, ... ..	15	0	0	5	0	0
Total, ... ..		£ 1120	17	8	373	12	6

Amount unpaid, Three hundred and seventy-three pounds twelve shillings and sixpence, Currency.

LIST of War Loss Claims remaining unpaid of the Fourth and last Instalment, being 31 $\frac{1}{2}$  per cent. upon the original award;—Provincial Statute 4 Geo. IV, and Joint Address of the Legislature, 24th February, 1837.

NAME.	RESIDENCE.	COMMISSIONERS' AWARD.			31 $\frac{1}{2}$ PER CENT.		
		£	s.	d.	£	s.	d.
Alyea, John ... ..	Ameliasburgh, ... ..	5	0	0	1	11	8
Anderson, Cornelius ... ..	York, ... ..	12	10	0	3	19	2
Bellnap, Eleanor ... ..	Flamboro' East, ... ..	3	2	6	0	19	9 $\frac{1}{2}$
Benedict, Charles ... ..	Port Talbot, ... ..	3	0	0	0	19	0
Bird, William ... ..	Woodhouse, ... ..	15	0	0	4	15	0
Brown, Cornelius ... ..	Bertie, ... ..	3	11	0	1	2	5 $\frac{1}{2}$ $\frac{1}{80}$
Brunnor, George ... ..	Gosfield, ... ..	18	0	0	5	14	0
Campeau, Louis ... ..	River St. Clair, ... ..	46	2	6	14	12	1 $\frac{1}{2}$
Carnel, Antoine ... ..	Sandwich, ... ..	75	12	0	23	18	9 $\frac{1}{2}$ $\frac{2}{80}$
Castor, George ... ..	Barton, ... ..	9	0	0	2	17	0
Charron, Antoine ... ..	Belleville, ... ..	5	5	0	1	13	3
Derenzy, Elizabeth ... ..	York, ... ..	12	10	0	3	19	2
Douglas, Thomas ... ..	York, ... ..	23	10	0	7	8	10
Dubois, James ... ..	Haldimand, ... ..	5	0	0	1	11	8
Dufour, Charles ... ..	River Canard, ... ..	12	10	0	3	19	2
Forsyth, Catharine ... ..	Niagara, ... ..	150	0	0	47	10	0
Fuller, Benjamin ... ..	Burford, ... ..	6	18	0	2	3	8 $\frac{1}{2}$ $\frac{36}{80}$
Gortier, Alexis ... ..	Maidstone, ... ..	10	0	0	3	3	4
Hainer, Margaret ... ..	Grantham, ... ..	2	7	6	0	15	0 $\frac{1}{2}$
Hall, James ... ..	Brockville, ... ..	24	0	0	7	12	0
Harnden, Luther ... ..	Haldimand, ... ..	4	0	0	1	5	4
Henry, Daniel ... ..	Ancaster, ... ..	21	10	0	6	16	2
Hainer, Frederick ... ..	Moravian Town, ... ..	4	0	0	1	5	4
Hubble, Prindle ... ..	River Thames, ... ..	37	18	9	12	0	3 $\frac{1}{4}$
Hutt, Adam ... ..	Niagara, ... ..	5	10	0	1	14	10
Inglis, George ... ..	Barton, ... ..	1	17	6	0	11	10 $\frac{1}{2}$
Jackson, John ... ..	St. Davids, ... ..	17	5	0	5	9	3
Jones, Peter ... ..	Barton, ... ..	34	0	0	10	15	4
Kirby, George ... ..	Niagara, ... ..	15	0	0	4	15	0
Laframboise, Pierre ... ..	Amherstburgh, ... ..	20	5	0	6	8	3
Lagrange, Augustin ... ..	Sandwich, ... ..	100	0	0	31	13	4
Livings, Richard ... ..	Oxford, L. D. ... ..	17	10	0	5	10	10
M'Curdy, Richard ... ..	Port Talbot, ... ..	4	15	0	1	10	1
M'Kenzie, Alexander ... ..	Malden, ... ..	41	15	0	13	4	5
M'Kenzie, Alexander ... ..	Amherstburgh, ... ..	23	6	6	7	7	8 $\frac{1}{2}$ $\frac{28}{80}$
M'Kenzie, John ... ..	River Thames, ... ..	2	10	0	0	15	10
M'Kenzie, Kenneth ... ..	Baldoon, ... ..	16	15	0	5	6	1
M'Kirgan, David ... ..	River Thames, ... ..	12	12	6	3	19	11 $\frac{1}{2}$
M'Phee, Hugh, estate of ... ..	York, ... ..	20	0	0	6	6	8
Messimore, John ... ..	River Thames, ... ..	15	0	0	4	15	0
Morden, Capt. James ... ..	Nelson, ... ..	122	0	0	38	12	8
Morrison, Charles ... ..	Baldoon, ... ..	3	5	0	1	0	7
Muma, Samuel ... ..	Ancaster, ... ..	9	15	0	3	1	9
O'Keefe, Andrew ... ..	York, ... ..	150	0	0	47	10	0
Playter, Eli ... ..	York, ... ..	13	0	0	4	2	4
Randal, Robert ... ..	Stamford, ... ..	4	10	0	1	8	6
Reneaux, Charles ... ..	River Canard, ... ..	5	0	0	1	11	8
Scott, Everitt ... ..	St. Davids, ... ..	49	12	6	15	14	3 $\frac{1}{2}$
Searl, William ... ..	Amherstburgh, ... ..	128	6	0	40	12	6 $\frac{1}{2}$ $\frac{12}{80}$
Smith, Jacob ... ..	Glanford, ... ..	5	12	6	1	15	7 $\frac{1}{2}$
Smith, John L. ... ..	Saltfleet, ... ..	25	0	0	7	18	4
Spears, Abigail ... ..	Cornwall, ... ..	6	4	6	1	19	5 $\frac{2}{80}$
Stroud, Christian ... ..	Augusta, ... ..	12	10	0	3	19	2 $\frac{1}{80}$
Swayze, Isaac ... ..	D. Niagara, ... ..	322	7	6	102	1	8 $\frac{1}{2}$
Teetzal, John ... ..	Grimsby, ... ..	3	0	0	0	19	0
Underwood, William ... ..	Oxford, L. D. ... ..	22	5	0	7	0	11
Vannatta, Benjamin ... ..	Grantham, ... ..	52	10	0	16	12	6
Vancouver, William ... ..	Flamboro' West, ... ..	6	0	0	1	18	0
Vankoughnet, John ... ..	Cornwall, ... ..	5	9	6	1	14	8 $\frac{2}{80}$
Walker, Peter ... ..	Woodhouse, ... ..	12	10	0	3	19	2
Warren, John ... ..	D. Bertie, ... ..	506	10	0	160	7	10
Westover, William ... ..	Grantham, ... ..	6	10	0	2	1	2
Will, Philip ... ..	Beverley, ... ..	5	0	0	1	11	8
Wilson, Gilman ... ..	Dunwich, ... ..	117	0	0	37	1	0
Wright, John ... ..	Oxford, L. D. ... ..	18	10	0	5	17	2
Carried over, ... ..		£ 2470	16	3	782	8	5 $\frac{1}{2}$

Appendix  
(G. G. G.)

Appendix  
(G. G. G.)

22d March.

22d March.

LIST of War Loss Claims, &c.—(Continued.)

NAME.	RESIDENCE.	COMMISSIONERS' AWARD.			31 $\frac{2}{3}$ PER CENT.				
		£	s.	d.	£	s.	d.		
<b>FIRST SUPPLEMENTARY RETURN.</b>		<i>Brought over, ...</i>						2470 16 3	782 8 5 $\frac{1}{2}$
Doan, Israel, estate of ... ..	Louth, ... ..	20	10	0	6	9	10		
Fowler, Nathan ... ..	Ancaster, now Sandwich,	30	13	6	9	14	3 $\frac{1}{2}$	$\frac{1}{100}$	
Maisonville, Alexis ... ..	Amherstburg, ... ..	13	4	0	4	3	7	$\frac{1}{100}$	
Pitts, James .. ...	Osnabruck, ... ..	6	0	0	1	18	0	$\frac{1}{100}$	
<b>SECOND SUPPLEMENTARY RETURN.</b>									
Brink, Nicholas ... ..	Oxford, L. D. ... ..	15	0	0	4	15	0		
Brown, Henry ... ..	York, ... ..	37	0	0	11	14	4		
Chase, Mark ... ..	Port Talbot, ... ..	13	7	6	4	4	8 $\frac{1}{2}$		
Edwards, Isaac ... ..	Oxford, L. D. ... ..	8	0	0	2	10	8		
Kitchen, Henry ... ..	Niagara, ... ..	4	0	0	1	5	4		
Pearson, Andrew ... ..	Barton, ... ..	5	0	0	1	11	8		
Pannier, Jean Bte. ... ..	Sandwich, ... ..	8	5	0	2	12	3		
<b>THIRD SUPPLEMENTARY.</b>									
Huntly, Enoch ... ..	Port Talbot, ... ..	18	17	0	5	19	4 $\frac{1}{2}$	$\frac{2}{100}$	
<b>FOURTH SUPPLEMENTARY.</b>									
Acker, Cornelius ... ..	Thorold, ... ..	7	10	0	2	7	6		
Blane, James, ... ..	Mersea, ... ..	25	11	0	8	1	9 $\frac{1}{2}$	$\frac{1}{100}$	
Cummings, Thomas, estate of ... ..	Chippawa, ... ..	317	0	2	100	7	8 $\frac{1}{2}$	$\frac{1}{100}$	
Camp, Isaac ... ..	Nelson, ... ..	12	10	0	3	19	2	$\frac{1}{100}$	
Moor, Rachel ... ..	PeIham, ... ..	5	0	0	1	11	8		
M'Bean, Gillis ... ..	Cornwall, ... ..	4	11	6	1	8	11 $\frac{1}{2}$	$\frac{1}{100}$	
Suchot, Manuel ... ..	River Thames, W. D.	16	9	0	5	4	2	$\frac{1}{100}$	
Slater, Benjamin ... ..	Charlotteville, ... ..	7	10	0	2	7	6	$\frac{1}{100}$	
<b>FIFTH SUPPLEMENTARY.</b>									
Holmes, William ... ..	Niagara, ... ..	150	0	0	47	10	0		
Meyers, Peter, ... ..	Charlottenburgh, ... ..	8	10	0	2	13	10		
M'Cuag, Eve ... ..	Ancaster, ... ..	15	0	0	4	15	0		
Petty, Charles ... ..	Delaware, ... ..	14	17	6	4	14	2 $\frac{1}{2}$		
<b>SIXTH SUPPLEMENTARY.</b>									
M'Dougall, Angus ... ..	Charlottenburgh, ... ..	15	0	0	4	15	0		
<b>Total,</b> .. £		3250	2	5	1029	4	1	$\frac{1}{100}$	

Amount unpaid, One thousand and twenty-nine pounds four shillings and one penny and  $\frac{1}{100}$  of a farthing, Currency.

W. MORRIS,  
R. G.

RECEIVER GENERAL'S OFFICE, }  
18th February, 1845. }

Letter from the Civil Secretary to the Provincial Secretary.

CIVIL SECRETARY'S OFFICE,  
Indian Department,  
20th February, 1845.

SIR,—With reference to that part of the Address of the House of Assembly requiring “the names of the “Indians entitled to such remuneration, whether it “has been paid them, and if so, by whom and when; “and also a detailed statement of the kind of evidence

“of such payment,” I am directed by the Governor General to inform you that this Department is not in possession of any information on the subject, but that an application will be made to the Chief Superintendent of Indian Affairs, who, it is possible, may be able to furnish some.

I have the honor to be, Sir,  
Your obedient servant,  
J. M. HIGGINSON,  
Civil Secretary.

The Honble. D. DALY,  
Provincial Secretary.

Appendix  
(G. G. G.)

22d March.

*Letter from the Chief Superintendent of Indian Affairs to the Civil Secretary, with twelve Enclosures.*

(Copy.)

INDIAN OFFICE,  
Toronto, 13th March, 1845.

SIR,—I have the honor to acknowledge the receipt of your letter of the 21st ultimo, requesting me to transmit to your Department any information in reference to the payment of the Indians for War Losses, that may be in my possession, and enclosing a copy of your letter to the Provincial Secretary, embodying the substance of an Address of the House of Assembly to His Excellency the Governor General on the subject.

In reply, I have to observe that shortly after my appointment to the office of Chief Superintendent, I was directed by the Lieutenant Governor to remit to Mr. Superintendent Ironside, the sum of £664 17s. 6d. and to Major Winniett the sum of £918 9s. 2d., making in all £1583 6s. 8d., being the third, and, I believe, the last instalment due for War Losses to the Indians under their superintendence. The list of vouchers I placed on the files of this office on that occasion I herewith transmit. The previous payments of the Indians were made by my predecessor, and as I do not find any vouchers for them in the office, I infer that they were at the time transmitted either to His Excellency the Lieutenant Governor, the Inspector General, or the Council Office.

In the vouchers for payments of the third instalment to the Six Nation Indians, the name of each individual who suffered loss is stated, and I presume the previous payments were made to the same individuals.

I have the honor, &amp;c.

(Signed,) SAML. P. JARVIS,  
Ch. S. I. Affairs.

J. M. HIGGINSON, Esquire,  
&c. &c. &c.

*Letter from the Chief Superintendent of Indian Affairs to Mr. Superintendent Ironside.*

(Copy.)

INDIAN OFFICE,  
Toronto, 9th November, 1837.

SIR,—I have the honor to enclose to you a draft on the Honble. J. Gordon for the sum of £664 17s. 6d. currency, to enable you to pay the undermentioned Tribes of Indians the sums respectively due them for

losses sustained during the late war with the United States, viz:

Moravians,	£227 19 6
Ottawas and Chippawas,	78 3 8
Shawanees,	20 7 3
Hurons,	328 12 3 $\frac{1}{2}$
Senecas and Cayugas,	9 14 9 $\frac{1}{2}$

I also enclose five Pay Lists which you will be pleased to have acquitted with the least possible delay, and returned to me.

I have the honor, &amp;c.,

(Signed,) SAML. P. JARVIS,  
Ch. S. I. Affairs.

*Letter from the Chief Superintendent of Indian Affairs to Major Winniett.*

(Copy.)

INDIAN OFFICE,  
Toronto, 9th November, 1837.

SIR,—I have the honor to enclose herewith, by this day's mail, Pay Lists numbering from one to nine inclusive, of the third instalment of War Losses due to the Six Nations Indians residing on the Grand River.

I also transmit a \*draft on the Gore Bank for the sum of Nine hundred and eighteen pounds nine shillings and two pence, currency, to enable you to pay the claimants the sums respectively due to them.

You will be pleased to have the Pay Lists acquitted with the least possible delay, and returned to me.

No. 1, St. Regis,	£11 13 4
2, Mohawks,	224 1 4
3, Tuscaroras,	41 2 7 $\frac{1}{2}$
4, Aughquagas,	78 15 8 $\frac{1}{2}$
5, Tutulies,	12 12 10 $\frac{1}{2}$
6, Delawares,	161 8 8 $\frac{1}{2}$
7, Onondagas,	107 6 8 $\frac{1}{2}$
8, Cayugas,	254 19 3 $\frac{3}{4}$
9, Senecas,	26 8 5 $\frac{1}{2}$

I have the honor, &amp;c.,

(Signed,) SAML. P. JARVIS,  
Ch. S. I. Affairs.

Major WINNIETT.

\*Check drawn by Thos. G. Ridout, Cashier Bank U. C., on A. Stevens, Esquire, Cashier, Gore Bank, Hamilton, dated 6th Novr., 1837, No. 5508, for £918 9s. 2d. currency.

Appendix  
(G. G. G.)

22d March.



Appendix  
(G. G. G.)

## No. 1.—ST. REGIS.

Appendix  
(G. G. G.)

22d March.

PAY LIST of the undermentioned Indian Claimants for Losses sustained during the late War; the respective amounts being calculated in a due proportion to the sum (£5,000) awarded by the Board of Commissioners under the Provincial Act passed in the fourth year of the Reign of His late Majesty King George the Fourth, of which the sum of £1,583 6s. 8d. is now payable.

22d March.

No. of Claim.	Tribe.	Names of Claimants.	Individual Amount.			Received of Samuel P. Jarvis, Senior Officer of the Indian Department in Upper Canada, the sums set opposite our respective names, having signed duplicate receipts.
			Third Payment.			
			£	s.	d.	
7	St. Regis,	1 Kaerishon (next of kin of Akal)	3	17	1 $\frac{1}{4}$	J. Martin.
8	"	2 Gonwahcaghtaghneugh, ...	2	14	0	Gowahentakwen, her + mark.
9	"	3 Big Wood's wife, ...	4	12	7 $\frac{1}{2}$	Lookabout, his + mark.
80	"	4 Lookabout, ...	0	9	8	Lookabout, his + mark.
			£ 11	13	4 $\frac{3}{4}$	

Amounting to Eleven pounds thirteen shillings and fourpence three farthings, Halifax Currency, Dollars at 5s. each.

INDIAN DEPARTMENT,  
Brantford, 29th November, 1837.

JAS. WINNIETT,  
S. I. A.

Witnesses to the above payments:

WILLIAM MUIRHEAD,  
JACOB MARTIN.

## No. 2.—MOHAWKS.

PAY LIST of the undermentioned Indian Claimants for Losses sustained during the late War; the respective amounts being calculated in a due proportion to the sum of £5000 awarded by the Commissioners under the Provincial Act passed in the fourth year of the Reign of His late Majesty King George the Fourth, of which the sum of £1,583 6s. 8d. is now payable.

No. of Claim.	Tribe.	Names of Claimants.	Individual Amount.			Received of Samuel P. Jarvis, Senior Officer of the Indian Department in Upper Canada, the sums set opposite our respective names, having signed duplicate receipts.
			Third Payment.			
			£	s.	d.	
80	Mohawk,	1 David Davids, ...	18	12	1	Laurence Davis, his + mark.
1	"	2 Jacob Brant, ...	2	0	11	Jacob Brant, his + mark.
2	"	3 Henry Pawlis, ...	0	11	2	David Hill, his + mark.
3	"	4 Henry Dehowennagrionh, ...	3	1	3 $\frac{1}{4}$	Deborah Hill, her + mark.
4	"	5 Widow Hill, ...	7	6	11 $\frac{1}{4}$	Deborah Hill, her + mark.
5	"	6 Betsy Duncan, ...	3	3	3	Jacob Martin.
6	"	7 Widow Pawlis, ...	3	3	3	Mary Johnson, her + mark.
7	"	8 Pawlis Onwanegharough, ...	6	0	10 $\frac{1}{2}$	Paul Pawlis, his + mark.
8	"	9 Dekanawaghteguch, ...	1	15	4 $\frac{1}{4}$	Catherine Winney, her + mark.
9	"	10 Asgwentsigoh, ...	1	11	7 $\frac{1}{2}$	Sarah Davids, her + mark.
90	"	11 Sarvatis, ...	2	2	9 $\frac{1}{2}$	Lawrence Baptist, his + mark.
1	"	12 Elizabeth, Joel Smith's sister,	3	14	5	J. Martin.
2	"	13 Warig DeKalarogegutha, ...	1	0	5 $\frac{1}{2}$	Mary Green, her + mark.
3	"	14 Henry Liekers, ...	3	6	11 $\frac{3}{4}$	Nancy Green, her + mark.
4	"	15 Deyononnathc, ...	3	1	4 $\frac{3}{4}$	Hannah Heron, her + mark.
5	"	16 Susannah, Oneida Joseph's				
6	"	daughter, ...	2	6	6	Oneida Joseph, his + mark.
7	"	17 Margaret Oneida, ...	0	14	10 $\frac{1}{2}$	Oneida Joseph, his + mark.
8	"	18 Hester, third daughter, ...	2	0	11 $\frac{1}{2}$	Lawrence Davis, his X mark.
	"	19 Widow Warig Carey, ...	2	15	6	Henry Brant.
		Carried forward,	£ 68	10	7 $\frac{3}{4}$	

Appendix  
(G. G. G.)

## PAY LIST of the undermentioned Indian Claimants, &amp;c.—(Continued.)

Appendix  
(G. G. G.)

No. of Claim.	Tribe.	Names of Claimants.	Individual Amount.			Received of Samuel P. Jarvis, Senior Officer of the Indian Department in Upper Canada, the sums set opposite our respective names, having signed duplicate receipts.
			Third Payment.	£	s.	
		<i>Brought forward,</i> ...	68	10	7 <sup>3</sup> / <sub>4</sub>	
9	Mohawk.	20 Guistin Joanguance, ...	2	6	6 <sup>1</sup> / <sub>4</sub>	Christian Lewis, her + mark.
200	"	21 DeKancatarighwar, ...	2	6	6 <sup>1</sup> / <sub>4</sub>	J. Martin.
1	"	22 George Hill, ...	8	15	9 <sup>1</sup> / <sub>2</sub>	Catharine Hill, her + mark.
2	"	23 Keheroriorketreen, ...	0	14	10 <sup>1</sup> / <sub>2</sub>	Oncida Joseph, his + mark.
3	"	24 Isaac Bamberry, ...	1	0	5 <sup>1</sup> / <sub>4</sub>	J. Martin.
4	"	25 Thomas Sulkey, ...	1	17	2 <sup>1</sup> / <sub>2</sub>	Hannah Claus, her + mark.
5	"	26 Henry Hill, ...	3	1	4 <sup>1</sup> / <sub>4</sub>	Magdalen Carpenter, her + mark.
6	"	27 George Martin, ...	2	8	4 <sup>1</sup> / <sub>2</sub>	George Martin, his + mark.
7	"	28 John Deyoneghuen, ...	0	7	5 <sup>1</sup> / <sub>4</sub>	J. Martin.
8	"	29 Jacob Johnson, ...	8	11	2	Jacob Johnson, his + mark.
9	"	30 Joel Smith, ...	3	3	3	J. Martin.
210	"	31 John Hill, ...	8	10	2 <sup>1</sup> / <sub>4</sub>	Hester Hill, his + mark.
11	"	32 Seth Hill, ...	2	10	3	Sarah Hill, her + mark.
12	"					
13	"	33 Margaret Hurst, ...	0	14	10 <sup>1</sup> / <sub>2</sub>	Oncida Joseph, his + mark.
14	"	34 English Joe's wife, Hester English, ...	2	0	11	Lawrence Davis, his + mark.
15	"	35 Tekarihoga, ...	3	19	11 <sup>1</sup> / <sub>2</sub>	Hannah Newhouse, her + mark.
16	"	36 John Hill, senior, ...	3	1	4 <sup>1</sup> / <sub>4</sub>	John Hill, his + mark.
17	"	37 Widow Elizabeth, ...	1	9	9 <sup>1</sup> / <sub>4</sub>	J. Martin.
18	"	38 Widow Hannah Coffee, ...	0	14	10 <sup>1</sup> / <sub>2</sub>	Samuel Coffee, his + mark.
19	"	39 Nikawegneuta, ...	0	13	0	Lawrence Thomas, his + mark.
220	"	40 Catharine Nasey Brant, ...	2	6	6	Henry Brant.
1	"	41 Young Troublesome Jacob, ...	0	9	3 <sup>1</sup> / <sub>2</sub>	Esther Froman, her + mark.
2	"	42 Widow Filler, ...	3	1	4 <sup>1</sup> / <sub>4</sub>	J. Martin.
3	"	43 Widow Kanaroghkta, ...	2	0	11 <sup>1</sup> / <sub>4</sub>	Margaret Hess, her + mark.
4	"	44 Little Peter, ...	3	1	4 <sup>1</sup> / <sub>4</sub>	J. Martin.
5	"	45 John Green, ...	3	18	1 <sup>1</sup> / <sub>2</sub>	J. Martin.
6	"	46 Samuel Lottridge, ...	5	2	3 <sup>1</sup> / <sub>2</sub>	Elizabeth Lottridge, her + mark.
7	"	47 Widow Deyorcayon, ...	5	0	5 <sup>1</sup> / <sub>2</sub>	Esther Martin, her + mark.
8	"	48 John Vrooman, ...	2	15	6	John Froman, his + mark.
9	"	49 John Davids, ...	2	8	4 <sup>1</sup> / <sub>2</sub>	Lawrence Davis, his + mark.
230	"	50 Daniel, (a war chief, ...	2	19	6 <sup>1</sup> / <sub>2</sub>	Daniel Spinger, his + mark.
1	"	51 Lawrence Davids, ...	1	2	4	Lawrence Davids, his + mark.
2	"	52 Eve Lewis, ...	1	7	9	Isaac Lewis, his + mark.
3	"	53 Widow Hester Hill, ...	3	1	4 <sup>1</sup> / <sub>4</sub>	Aaron Fraser, his + mark.
4	"	54 Peter Major, ...	1	2	4	J. Martin.
5	"	55 Jaoghsetha, ...	1	17	2 <sup>1</sup> / <sub>4</sub>	Isaac Locke, his + mark.
6	"	56 Jammima, ...	0	18	7 <sup>1</sup> / <sub>4</sub>	Elizabeth Ball, her + mark.
7	"	57 Isaac Hill, ...	2	12	1	Catharine Hill, her + mark.
8	"	58 Widow Hester Troublesome, ...	0	14	10 <sup>1</sup> / <sub>2</sub>	Esther Martin, her + mark.
9	"	59 Lawrence Green, ...	0	14	10 <sup>1</sup> / <sub>2</sub>	Mary Maracle, her + mark.
40	"	60 Dewasengtha, ...	1	9	9 <sup>1</sup> / <sub>4</sub>	John George, his + mark.
1	"	61 Jacob Lewis, ...	1	2	4	Isaac Lewis, his + mark.
2	"	62 Mrs Brant, (Bay of Quinté), ...	6	8	4 <sup>1</sup> / <sub>4</sub>	J. Martin.
3	"	63 Jacob Hill, ...	2	12	1	Esther Hill, her + mark.
4	"	64 Joseph Martin, ...	1	17	2 <sup>1</sup> / <sub>2</sub>	Joseph Martin, his + mark.
5	"	65 Otariohogh, ...	2	6	6 <sup>1</sup> / <sub>4</sub>	Mary Johnson, her + mark.
6	"	66 Dione Prince's daughter, ...	0	5	7 <sup>1</sup> / <sub>4</sub>	J. Martin.
7	"	67 Jacob Deharonawaryks, ...	0	14	10 <sup>1</sup> / <sub>2</sub>	Jacob Johnson, junior, his + mark.
8	"	68 Peggy Symington, ...	5	15	4 <sup>1</sup> / <sub>4</sub>	J. Martin.
9	"	69 Mary Symington, ...	1	7	9	J. Martin.
50	"	70 William Johnson, ...	2	4	7 <sup>1</sup> / <sub>4</sub>	William Johnson, his X mark.
1	"	71 Richard Davids, ...	0	14	10 <sup>1</sup> / <sub>2</sub>	Susannah Davids, her + mark.
2	"	72 Henry Tewhannas, ...	2	2	9 <sup>1</sup> / <sub>2</sub>	Deborah Hill, her + mark.
3	"	73 Peter Pawlis, ...	10	0	11	J. Martin.
4	"	74 Jemima Brant, ...	3	3	3	John Green, his + mark.
5	"					
6	"	75 Prince Van Vater, ...	1	11	7 <sup>1</sup> / <sub>4</sub>	Prince Van Patter, his + mark.
7	"	76 Seth Hills, ...	2	8	4 <sup>1</sup> / <sub>4</sub>	J. Martin.
8	"	77 Oncida Joseph, ...	6	0	10 <sup>1</sup> / <sub>2</sub>	Oncida Joseph, his + mark.
			£224	1	4	

Amounting to the sum of Two hundred and twenty-four pounds one shilling and fourpence, Halifax Currency, Dollars at 5s. each.

INDIAN DEPARTMENT,  
Branford, 29th November, 1837.

Witnesses to the foregoing payments:—WILLIAM MUIRHEAD,  
JACOB MARTIN.

JAS. WINNIETT,  
S. J. A.

Appendix  
(G. G. G.)

## No. 3.—TUSCARORAS.

Appendix  
(G. G. G.)

PAY LIST of the undermentioned Indian Claimants for Losses sustained during the late War; the respective amounts being calculated in a due proportion to the sum of £5000 awarded by the Commissioners under the Provincial Act passed in the fourth year of the Reign of His late Majesty King George the Fourth, of which the sum of £1,583 6s. 8d. is now payable.

No. of Claim.	Tribe.	Names of Claimants.	Individual Amount.			Received of Samuel P. Jarvis, Senior Officer of the Indian Department in Upper Canada, the sums set opposite our respective names, having signed duplicate receipts.
			Third Payment.			
			£	s.	d.	
9.	Tuscaroras.	1 Powder Face, ...	0	17	4½	Elizabeth Johnson, her + mark.
60.	"	2 Susannah Bill, Jack's sister,	0	19	3½	George Mountpleasant, his mark.
1	"	3 Widow Catharine, ...	3	9	4½	John Whitecoat, his + mark.
2	"	4 Aaron Tuscarora, ...	2	6	3½	Aaron Nash.
3	"	5 William Tuscarora, ...	1	4	1½	Elizabeth Cusack, her + mark.
4	"	6 Kawenneyesha, ...	0	19	3½	John Thomas, his + mark.
5	"	7 Thomas Tuscarora, ...	2	2	5½	John Thomas, his + mark.
266.	"	8 Paulus Tuscarora, ...	0	15	5½	Elizabeth Cusack, her + mark.
7	"	9 Waharanghyakelsgo, ...	3	19	1½	Elizabeth Cusack, her + mark.
8	"	10 Black Chief, ...	5	11	10	Sally Grote, her + mark.
9	"	11 Awaneyeseugh, ...	1	18	6½	Sage Harris, his + mark.
70	"	12 Warigh Tuscarora, ...	0	11	6½	Elizabeth Jack, her + mark.
1	"	13 White Coat, ...	3	17	2½	John Whitecoat, his + mark.
2	"	14 Bublick, ...	0	15	5½	Sage Harris, his + mark.
3	"	15 Bill Jack's family, ...	7	8	6½	Sage Harris, his + mark.
4	"	16 Kayeughneghson, ...	1	18	6½	Sarah Longfish, her + mark.
5	"	17 Kawaynagere, ...	0	15	5½	Susannah Jack, her + mark.
6	"	18 Oja, ...	0	15	5½	Jacob Oja, his + mark.
7	"	19 Kaneughriahawi, ...	0	17	4½	Mary Anderson, her + mark.
			£ 41	2	7½	

Amounting to Forty-one pounds two shillings and seven pence half-penny, Halifax Currency, Dollars at 5s. each.

INDIAN DEPARTMENT,  
Brantford, 29th November, 1837.

Witnesses to the foregoing payments,—WILLIAM MUIRHEAD,  
JACOB MARTIN.

JAS. WINNIETT,  
S. I. A.

## No. 4.—AUGHQUAGAS.

PAY LIST of the undermentioned Indian Claimants for Losses sustained during the late War; the respective amounts being calculated in a due proportion to the sum of £5000 awarded by the Board of Commissioners under the Provincial Act passed in the fourth year of the Reign of His late Majesty King George the Fourth, of which the sum of £1,583 6s. 8d. is now payable.

No. of Claim.	Tribe.	Names of Claimants.	Individual Amount.			Received of Samuel P. Jarvis, Senior Officer of the Indian Department in Upper Canada, the sums set opposite our respective names, having signed duplicate receipts.
			Third Payment.			
			£	s.	d.	
8	Aughquagas.	1 Sarragonah, ...	5	2	2½	J. Martin.
9	"	2 Widow Doratin, ...	1	18	7	Isaac Bucasing, his + mark.
80	"	3 Widow Cobus, ...	3	3	8	J. Martin.
1	"	4 Jacob Scharnhorn, ...	2	17	9½	J. Martin.
2	"	5 Peter Green, ...	3	13	2½	Peter Green, his + mark.
3	"	6 Kakshagh, ...	0	15	5½	J. Martin.
4	"	7 Delaware Aaron, ...	2	0	6½	Peter Green, his + mark.
5	"	8 Peter Smith, ...	0	13	6	Eve Hill, her + mark.
6	"	9 Peter the Runner, ...	3	3	8½	Susannah Green, her + mark.
7	"	10 Lawrence, Aaron's son, ...	3	15	3	Susannah Green, her + mark.
9	"	11 Dehaweyagea, ...	3	9	5	Peter Green, his + mark.
9	"	12 Wareyahgonagh, ...	2	0	6½	Catherine Dickson, her + mark.
		Carried forward,	£ 32	13	10	

Appendix (G.G.G.)

Appendix (G.G.G.)

PAY LIST of the undermentioned Indian Claimants, &c.—(Continued.)

22d March.

22d March.

No. of Claim.	Tribe.	Names of Claimants.	Individual Amount.			Received of Samuel P. Jarvis, Senior Officer of the Indian Department in Upper Canada, the sums set opposite our respective names, having signed duplicate receipts.
			Third Payment.			
			£	s.	d.	
<i>Brought forward,</i> ...			32	13	10	
90	Aughquagas.	13 Aughquaga Joseph, ...	6	7	3 $\frac{1}{2}$	Isaac Aughquaga, his + mark.
91	"	14 Joseph Frin, ...	0	9	6 $\frac{1}{2}$	Adam Frin, his + mark.
2	"	15 Thenegtha, ...	0	19	3 $\frac{1}{2}$	J. Martin.
3	"	16 Kaneyengotaugh, ...	2	10	1 $\frac{1}{2}$	Jacob Isaac, his + mark.
4	"	17 Wari Schoharie, ...	0	5	9 $\frac{1}{2}$	Lewis Snow, his + mark.
5	"	18 Elizabeth Schoharie, ...	0	11	7	Lewis Snow, his + mark.
6	"	19 Gitiyea, ...	8	11	7 $\frac{1}{2}$	Mary Nicholas, her + mark.
7	"	20 Nicholas, ...	6	9	2 $\frac{1}{2}$	Moses Walker, his + mark.
8	"	21 Water Snake, ...	2	0	6	Elizabeth Johnson, her + mark.
9	"	22 Widow Kaynayegh, ...	0	15	5 $\frac{1}{2}$	Joseph Otter, his + mark.
300	"	23 Nicholas Gideon, ...	8	0	0 $\frac{1}{2}$	Mary Nicholas, her + mark.
1	"	24 Kaneghsennengtha, ...	1	3	2	Elizabeth Johnson, her + mark.
2	"	25 Widow Steynnoon, ...	3	13	3 $\frac{1}{2}$	Magdalen Mary, her + mark.
3	"	26 Hananayentou, ...	0	11	7	Jacob Isaac, his + mark.
4	"	27 Shaghsennatigh, ...	0	11	7	Mary Crawford, her + mark.
5	"	28 Tagwaraghsentha, ...	3	1	8	Catherine Dickson, her + mark.
<b>Total,</b> ...			£ 78	13	8 $\frac{1}{2}$	

Amounting to the sum of Seventy-eight pounds fifteen shillings and eight pence half-penny, Halifax Currency, Dollars at 5s. each.

INDIAN DEPARTMENT,  
Brantford, 29th November, 1837.

Witnesses to the foregoing payments:—  
WILLIAM MUIRHEAD,  
JACOB MARTIN.

JAS. WINNIETT,  
S. I. A.

No. 5.—UPPER AND LOWER TUTULIES.

PAY LIST of the undermentioned Indian Claimants for Losses sustained during the late War; the respective amounts being calculated in a due proportion to the sum of £5000 awarded by the Board of Commissioners under the Provincial Act passed in the fourth year of the Reign of His late Majesty King George the Fourth, of which the sum of £1,583 6s. 8d. is now payable.

No. of Claim.	Tribe.	Names of Claimants.	Individual Amount.			Received of Samuel P. Jarvis, Senior Officer of the Indian Department in Upper Canada, the sums set opposite our respective names, having signed duplicate receipts.
			Third Payment.			
			£	s.	d.	
6	Upper Tutulies.	1 Charles Tutulie, ...	1	3	1 $\frac{1}{2}$	Nigouhah, his + mark.
7	"	2 Nigouhagh, ...	0	17	4 $\frac{1}{2}$	Nigouhah, his + mark.
8	"	3 Yohahowaneugh, ...	1	3	1 $\frac{1}{2}$	J. Martin.
9	"	4 Yeneughwaghtowanengh, ...	3	9	5 $\frac{1}{2}$	Christy Ann, her + mark.
10	"	5 John Tutulie, ...	0	8	8	John Tutulie, his + mark.
			7	1	9 $\frac{1}{2}$	
1	Lower Tutulies.	1 Molly, ...	0	16	2 $\frac{1}{2}$	Molly, her + mark.
2	"	2 Sleepy Davy, ...	2	17	10 $\frac{1}{2}$	Sleepy Davy, his + mark.
3	"	3 Black Face, ...	1	3	1 $\frac{1}{2}$	Black Face, her + mark.
4	"	4 Molly's Grandson, ...	0	7	8 $\frac{1}{2}$	J. Martin.
5	"	5 Curley headed George's son-in-law, ...	0	6	2	J. Martin.
<b>Total,</b> ...			£ 12	12	10 $\frac{1}{2}$	

Amounting to Twelve pounds twelve shillings and ten pence half-penny, Halifax Currency, Dollars at 5s. each.

INDIAN DEPARTMENT,  
Brantford, 29th November, 1837.

Witnesses to the above payments:—  
WILLIAM MUIRHEAD,  
JACOB MARTIN.

JAS. WINNIETT,  
S. I. A.

Appendix  
(G. G. G.)

## No. 6.—DELAWARE.

Appendix  
(G. G. G.)

22d March.

PAY LIST of the undermentioned Indian Claimants for Losses sustained during the late War; the respective amounts being calculated in a due proportion to the sum of £5000 awarded by the Board of Commissioners under the Provincial Act passed in the fourth year of the Reign of His late Majesty King George the Fourth, of which the sum of £1,583 6s. 8d. is now payable.

22d March.

No. of Claim.	Tribe.	Names of Claimants.	Individual Amount.			Received of Samuel P. Jarvis, Senior Officer of the Indian Department in Upper Canada, the sums set opposite our respective names, having signed duplicate receipts.
			Third Payment.			
			£	s.	d.	
6	Delawares.	1 Petop, (Village Chief) ...	1	8	11	Catharine Moses, her + mark.
7	"	2 Kill Snake, ...	7	6	7	Jolin Wampum, his + mark.
8	"	3 Abraham Young, ...	1	14	9	Samuel Chew, his + mark.
9	"	4 Adam, ...	2	14	2	J. Martin.
20	"	5 Cornelius, (one fish,) ...	10	4	6	Mrs. Moses, her + mark.
1	"	6 John Montour, ...	6	16	11	Mrs. Moses, her + mark.
2	"	7 Joseph Chew, ...	2	6	3	John Moses, his + mark.
3	"	8 Poney, ...	1	18	7	Mrs. Moses, her + mark.
4	"	9 Thorn Snake, ...	5	15	9	Joseph Snake, his + mark.
5	"	10 John Wampum, ...	5	15	9	John Wampum, his + mark.
6	"	11 Shoemaker Snake, ...	4	16	5	J. Martin.
7	"	12 Dick, ...	8	0	0	Hannah Dockstetter, her + mark.
8	"	13 Widow of Captain Simmey, ...	1	4	1	J. Martin.
9	"	14 Delaware Jim's Aunt, ...	6	9	3	J. Martin.
30	"	15 Delaware Jim, ...	2	6	3	J. Martin.
1	"	16 John Hottenbar, ...	4	6	9	Jim Hottenbar, his + mark.
2	"	17 John Delaware, ...	2	17	10	John Huff, his + mark.
3	"	18 Left hand Isaac, ...	0	4	9	Kentahoh, her + mark.
4	"	19 Joe Jackson, ...	2	17	9	J. Martin.
5	"	20 Abraham Huff, ...	9	12	11	John Huff, his + mark.
6	"	21 Delaware Peggy, ...	1	10	10	Catherine Moses, her + mark.
7	"	22 Moses Wife, ...	3	7	6	Catherine Moses, her + mark.
8	"	23 Old Moses, ...	3	9	4	John Moses, his + mark.
9	"	24 Joseph Montour, ...	14	8	10	Betsy Huff, her + mark.
40	"	25 Delaware Toad, ...	6	19	1	J. Martin.
1	"	26 John Trinis, ...	9	12	10	John Moses, his + mark.
2	"	27 Capt. Soap, ...	0	2	11	Patrick Lathom, his + mark.
3	"	28 Joe Dick, ...	2	6	4	Hannah Dockstetter, her + mark.
4	"	29 Capt. Thom, (War Chief,) ...	12	10	8	William Thom, his + mark.
5	"	30 Hank Young, ...	0	4	9	John Hank, his + mark.
6	"	31 Jacob Vandal, ...	4	6	9	J. Martin.
7	"	32 Jacob, son to the Commissary, ...	6	5	5	W. Jacob, his + mark.
8	"	33 John Curley, ...	4	6	9	P. Lathom, his + mark.
9	"	34 Thomas, ...	2	17	9	Joe Snake, his + mark.
			£161	8	8	

Amounting to the sum of One hundred and sixty-one pounds eight shillings and eight pence three farthings, Halifax Currency, Dollars at 5s. each.

INDIAN DEPARTMENT,  
Brantford, 29th November, 1837.

JAS. WINNIETT,  
S. I. A.

Witnesses to the foregoing payments:—

WILLIAM MUIRHEAD,  
JACOB MARTIN.

Appendix  
(G. G. G.)

22d March.

No. 7.—ONONDAGAS.

PAY LIST of the undermentioned Indian Claimants for Losses sustained during the late War; the respective amounts being calculated in a due proportion to the sum of £5000 awarded by the Board of Commissioners under the Provincial Act passed in the fourth year of the Reign of His late Majesty King George the Fourth, the sum of £1,583 6s. 8d., part thereof being now payable.

Appendix  
(G. G. G.)

22d March.

No. of Claim.	Tribe.	Names of Claimants.	Individual Amount.			Received of Samuel P. Jarvis, Senior Officer of the Indian Department in Upper Canada, the sums set opposite our respective names, having signed duplicate receipts.
			Third Payment.			
			£	s.	d.	
50	Onondagas.	1 Seed Corn, ... ..	3	9		41 Catherine, her + mark.
1	"	2 Echo, ... ..	6	3		6 John Echo, his + mark.
2	"	3 Sir John's Chief, ... ..	10	16		11 Thomas Hill, his + mark.
3	"	4 Shaoghurrajowance, ... ..	6	3		6 Kaneayowiseh, his + mark.
4	"	5 John Bearfoot or family, and his relations, ... ..	18	14		31 Joseph Bearfoot, his + mark.
5	"	6 Kanahactahesa, ... ..	3	3		7 Kanascrone, her + mark.
356	"	7 Kanowrarou, ... ..	2	4		3 Baptiste, his + mark.
8	"	8 Withalotorho (2d Clear Sky,) ... ..	2	14	0	J. Martin.
9	"	9 Widow Clear Sky's, ... ..	5	4	2	Mary Bearfoot, her + mark.
60	"	10 Wahotsighnahon, ... ..	1	18	6	Catherine, her + mark.
1	"	11 Athaghsarara, ... ..	6	11	1	William, his + mark.
2	"	12 Osahetagearat, ... ..	1	5	0	Tanehtoah, her + mark.
3	"	13 Katsitaks, ... ..	0	7	8	Sarah Thomas, her + mark.
4	"	14 Kayentagonagh, ... ..	4	4	10	Peter, his + mark.
5	"	15 Scrawongh, ... ..	0	13	6	Kahonyoutye, her + mark.
6	"	16 Shagohsawgeglite, ... ..	0	5	9	J. Martin.
7	"	17 Onakarontough, ... ..	4	18	4	John Buck, his + mark.
8	"	18 Kanataghcion, ... ..	3	7	6	Kanatarirhon, her + mark.
9	"	19 Otisnoughyata, ... ..	2	6	3	John, his + mark.
70	"	20 Karaghung, ... ..	1	3	1	Aswahtha, his + mark.
1	"	21 Soghueakuse, ... ..	4	10	7	Tehonenaes, his + mark.
2	"	22 Rayatawentogogh, ... ..	1	5	0	Jacob, his + mark.
3	"	23 Dehowenagriough, ... ..	3	1	9	John Buck, his + mark.
4	"	24 Peggy Crawford, ... ..	1	16	6	Mary Sky, her + mark.
5	"	25 William Crawford, ... ..	1	18	5	Mary Sky, her + mark.
7	"	26 Kanouraron, ... ..	1	18	5	Thomas Hill, his + mark.
6	"	27 Shadekarias, ... ..	7	0	10	Mary, her + mark.
			£107	6	8½	

Amounting to One hundred and seven pounds six shillings and eight pence half-penny, Halifax Currency, Dollars at 5s. each.

INDIAN DEPARTMENT,  
Brantford, 29th November, 1837.

Witnesses to the foregoing payments,—WILLIAM MUIRHEAD,  
JACOB MARTIN.

JAS. WINNIETT,  
S. I. A.

No. 8.—UPPER AND LOWER CAYUGAS.

PAY LIST of the undermentioned Indian Claimants for Losses sustained during the late War; the respective amounts being calculated in a due proportion to the sum of £5000 awarded by the Board of Commissioners under the Provincial Act passed in the fourth year of the Reign of His late Majesty King George the Fourth, of which the sum of £1,583 6s. 8d. is now payable.

No. of Claim.	Tribe.	Names of Claimants.	Individual Amount.			Received of Samuel P. Jarvis, Senior Officer of the Indian Department in Upper Canada, the sums set opposite our respective names, having signed duplicate receipts.
			Third Payment.			
			£	s.	d.	
3	Upper Cayugas.	1 Hen Hawk's son, ... ..	2	6	4	Hen Hawk's son, his + mark.
4	"	2 James Cayuga, ... ..	1	18	3	Joseph, his + mark.
5	"	3 Aaron Cayuga, ... ..	2	6	4	Joseph Dockstater, his + mark.
6	"	4 Gonnaweahtanigh Cayuga, ... ..	3	18	4	J. Martin.
117	"	5 Atawakon Cayuga, ... ..	3	3	7	Kagorirues, her + mark.
8	"	6 Kayaonghue, ... ..	1	7	7	Christiana, her + mark.
9	"	7 Peter Green's wife, ... ..	0	15	5	Mary Green, her + mark.
20	"	8 Takaghuyontye, ... ..	4	13	7	Joseph Dockstater, his + mark.
Carried over, ... ..			£20	3	11	

Appendix  
(G. G. G.)

Appendix  
(G. G. G.)

PAY LIST of the undermentioned Indian Claimants, &c.—(Continued.)

No. of Claim.	Tribe.	Names of Claimants.	Individual Amount.			Received of Samuel P. Jarvis, Senior Officer of the Indian Department in Upper Canada, the sums set opposite our respective names, having signed duplicate receipts.
			£	s.	d.	
		<i>Brought over,</i> ...	20	3	11	
1	Upper Cayugas.	9 Showeghsowane, ...	1	7	0	J. Martin.
2	"	10 Elizabeth, ...	2	1	4 <sup>3</sup> / <sub>4</sub>	J. Martin.
3	"	11 Ogsurakaro, ...	2	13	0 <sup>1</sup> / <sub>4</sub>	Joseph, his + mark.
4	"	12 Adam and his wife, ...	2	17	10	Elizabeth Crawford, her + mark.
5	"	13 Shagawike, ...	3	5	6	J. Martin.
6	"	14 Mrs. Whinney, ...	6	3	6	Mrs. Whinney, her + mark.
7	"	15 John Camp, for the white man,	9	16	9 <sup>3</sup> / <sub>4</sub>	Mrs. Whinney, her + mark.
8	"	16 Aaron's mother. ...	4	13	6 <sup>1</sup> / <sub>4</sub>	Cayuga George, his + mark.
9	"	17 Anatarigh, ...	4	8	9	Fish Carrier, his + mark.
30	"	18 Kayonwanew, ...	1	7	10	J. Martin.
1	"	19 Widow Kaheryenongtha, ...	1	1	2 <sup>1</sup> / <sub>4</sub>	J. Martin.
2	"	20 John Hill's wife, ...	1	4	0 <sup>1</sup> / <sub>4</sub>	J. Martin.
3	"	21 Wahorionti, ...	6	11	1	J. Jacob, his + mark.
4	"	22 Oneida Jacob and his wife, ...	5	16	8	Joseph, his + mark.
5	"	23 Ouranayeghtani, ...	3	10	3 <sup>1</sup> / <sub>4</sub>	General, his + mark.
6	"	24 Shanewhatigh, ...	0	12	6	John, his + mark.
7	"	25 Taraweghent, ...	4	13	6 <sup>3</sup> / <sub>4</sub>	Kanatwakhon, her + mark.
8	"	26 Karotshera, ...	0	19	2 <sup>3</sup> / <sub>4</sub>	Esther Doctor, her + mark.
			83	7	9 <sup>1</sup> / <sub>4</sub>	
9	Lower Cayugas.	27 George Steeltrap, ...	1	17	6	John Styers, his + mark.
40	"	28 Waoghnegonti, ...	3	16	11	Jomima, her + mark.
1	"	29 Kagheagnaghs, ...	2	5	4	J. Martin.
2	"	30 Kancaninegtha, ...	2	2	9	J. Martin.
4	"	31 Dekaghuanuatoghuegh, ...	3	9	9 <sup>3</sup> / <sub>4</sub>	John Jacob, his + mark.
5	"	32 Dehagaghsagyk, ...	2	0	1 <sup>1</sup> / <sub>4</sub>	Warner, his + mark.
146	"	33 Tayorhesere, ...	4	15	13	Young Hainer, his + mark.
7	"	34 Thanatharea, (Capt. Hainer,)	15	14	1	Dekayouwakeh, his + mark.
8	"	35 Fish Carrier, ...	6	2	4	Waholarawakhaye, his + mark.
9	"	36 Kawranyentas, ...	1	14	10 <sup>3</sup> / <sub>4</sub>	Kuncas, her + mark.
50	"	37 Atencanokla, ...	2	16	9	James Covey, his + mark.
1	"	38 Deyaughteghrogeugh, ...	3	11	6 <sup>3</sup> / <sub>4</sub>	Atewenimas, her + mark.
2	"	39 Kaghratotou, ...	8	11	9	Tall Slink, his + mark.
3	"	40 Joseph Dockstader, ...	4	2	11 <sup>1</sup> / <sub>4</sub>	Joseph Dockstader, his + mark.
4	"	41 George Montour, ...	21	17	4	Mrs. Montour, her + mark.
5	"	42 Widow Sally Montour, ...	1	14	11 <sup>3</sup> / <sub>4</sub>	Sally Montour, her mark.
7	"	43 Cayuga George, Long House,	0	8	9	John Styers, his + mark.
8	"	44 John Bill, ...	2	9	9 <sup>1</sup> / <sub>2</sub>	John Bill, his + mark.
9	"	45 Captain Hainer's mother and family,	8	14	9 <sup>1</sup> / <sub>4</sub>	Mrs. Montour, her + mark.
60	"	46 Josanyatyagh, ...	2	3	8 <sup>1</sup> / <sub>4</sub>	J. Martin.
1	"	47 Shanawati, ...	1	8	0 <sup>3</sup> / <sub>4</sub>	Shanawatih, his + mark.
2	"	48 Cayuga John, ...	11	10	10	John Styers, his + mark.
3	"	49 Dick's wife, ...	4	10	8 <sup>1</sup> / <sub>4</sub>	Joseph Snake, his + mark.
4	"	50 John Harris, ...	2	12	6 <sup>3</sup> / <sub>4</sub>	John Harris, his + mark.
5	"	51 Young Fish Carrier, ...	5	15	7 <sup>3</sup> / <sub>4</sub>	Peter Fish Carrier, his + mark.
6	"	52 Cayuga William, ...	0	13	11	J. Martin.
7	"	53 Little Woman, a widow, ...	1	8	0 <sup>1</sup> / <sub>4</sub>	Little Woman, her mark.
8	"	54 The Young Chief, ...	9	4	9 <sup>1</sup> / <sub>4</sub>	J. Martin.
9	"	55 The Tall Slink, ...	1	16	8 <sup>3</sup> / <sub>4</sub>	Tall Slink, his + mark.
1	"	56 Akadsdaraks, ...	1	18	5 <sup>1</sup> / <sub>4</sub>	Patrick Lathom, his + mark.
143	"	57 Atonnightha, ...	3	1	1 <sup>1</sup> / <sub>4</sub>	James Goose, his + mark.
174	"	58 Samuel Van Every, ...	6	4	5 <sup>1</sup> / <sub>4</sub>	Tall Slink, his + mark.
5	"	59 Shosanctis, ...	2	5	5 <sup>1</sup> / <sub>4</sub>	John Tom, his + mark.
6	"	60 Hickory Bush, ...	0	10	7 <sup>1</sup> / <sub>4</sub>	Mrs. Montour, her + mark.
7	"	61 John Jacob, ...	4	8	0 <sup>1</sup> / <sub>4</sub>	John Jacob, his + mark.
8	"	62 Witchtua, ...	13	9	9 <sup>3</sup> / <sub>4</sub>	John Styers, his + mark.
9	"		£254	19	3 <sup>3</sup> / <sub>4</sub>	

Amounting to Two hundred and fifty-four pounds nineteen shillings and three pence three farthings, Halifax Currency, Dollars at 5s. each.

INDIAN DEPARTMENT,  
Branford, 29th November, 1837.

Witnesses to the foregoing payments:—WILLIAM MUIRHEAD,  
JACOB MARTIN.

JAS. WINNIETT,  
S. I. A.

Appendix  
(G. G. G.)  
22d March.

Appendix  
(G. G. G.)  
22d March.

No. 9.—SENECAS.

PAY LIST of the undermentioned Indian Claimants for Losses sustained during the late War; the respective amounts being calculated in a due proportion to the sum of £5000 awarded by the Board of Commissioners under the Provincial Act passed in the fourth year of the Reign of His late Majesty King George the Fourth, of which the sum of £1,583 6s. 8d. is now payable.

No. of Claim.	Tribe.	Names of Claimants.	Individual Amount.			Received of Samuel P. Jarvis, Senior Officer of the Indian Department in Upper Canada, the sums set opposite our respective names, having signed duplicate receipts.
			Third Payment.			
			£	s.	d.	
6	Senecas.	1 Kaghnehtageh, ... ..	4	16	4½	William Dickson, his + mark.
7	"	2 Kaneyakarere, ... ..	3	7	6¼	Sarah Thomas, her + mark.
8	"	3 Tehanyotahos, ... ..	0	11	7	Kanonkeritawih, his + mark.
9	"	4 Kaneyegh, ... ..	3	17	2½	William Alvis.
10	"	5 Nekarootsa, ... ..	6	1	5¾	Kanonkeritawih, his + mark.
11	"	6 Jamieson, ... ..	1	8	11	Rachel Jamieson, her + mark.
12	"	7 Sameiace, ... ..	6	5	4½	Kanonkeritawih, his + mark.
			£ 26	8	5¾	

Amounting to the sum of Twenty-six pounds eight shillings and five pence three farthings, Halifax Currency, Dollars at 5s. each.

INDIAN DEPARTMENT,  
Brantford, 29th November, 1837.

Witnesses to the foregoing payments:—WILLIAM MUIRHEAD, JAS. WINNIETT,  
JACOB MARTIN. S. I. A.

(Copy.)

DISTRIBUTION of £664 17s. 6½d., being the proportion of the third and last Instalment, £1,583 6s. 8d., due to the undermentioned Indian Tribes.

TRIBE.	Amount of Claim.			Sum allowed:			Sum now payable:		
	£	s.	d.	£	s.	d.	£	s.	d.
Moravians, ... ..	1 182	0	0	666	3	2½	227	19	6
Ottawas and Chippawas, ... ..	408	0	0	228	9	2½	78	3	8
Shawnees, ... ..	97	15	0	59	10	0	20	7	3
Huron, ... ..	1715	10	0	960	4	5½	328	12	3½
Seneca and Cayuga, ... ..	50	10	0	28	9	2¼	9	14	9½
	£ 3453	15	0	1942	16	0¾	664	17	6½

INDIAN DEPARTMENT,  
Amherstburgh, 30th April, 1837.

(Signed,) GEO. IRONSIDE,  
S. I. A.

# RETURN

Appendix  
(H.H.H.)  
22d March.

Appendix  
(H.H.H.)  
22d March.

To an Address from the Legislative Assembly, to His Excellency the Governor General, bearing date the 10th ultimo, praying for a Return of the Tonnage and number of Ships and other vessels owned in this Province in the year 1844, distinguishing as nearly as may be, those employed on the Lakes, those on the River St. Lawrence above Quebec, those in the Coasting Trade below Quebec and in the Gulf of St. Lawrence, and those in the Trade beyond the Seas, as nearly as can be ascertained; Steamers from vessels navigated by sails; the ports or places in this Province to which such vessels respectively belong; and the number of seamen employed.

SECRETARY'S OFFICE,  
Montreal, 22d March, 1845, }

By Command,  
D. DALY, Secy.

Letter from the Deputy Inspector General to the Provincial Secretary.

INSPECTOR GENERAL'S OFFICE, Montreal, 20th March, 1845.

SIR,—I have the honor herewith to transmit a Return of the Tonnage and number of vessels owned in this Province, distinguishing those employed on the Lakes, those in the River St. Lawrence between Montreal and Kingston, and on the Rideau Canal, those in the River St. Lawrence above Quebec, those in the Coasting Trade below Quebec and in the Gulf of St. Lawrence, and those in Trade beyond the Seas, as nearly as can be ascertained, as required by an Address from the Honorable the Legislative Assembly, of 10th February, 1845, herewith returned.

I have the honor to be, Sir,

Your most obedient servant,

JOSEPH CARY,  
Deputy Inspector General

Honorable D. DALY, Provincial Secretary.





# RETURN

To an Address from the Legislative Assembly to His Excellency the Governor General, bearing date the 12th December, 1844, praying for a Statement of the number of Suits brought in the Court of Chancery since 19th July, 1841, shewing the number of suits actually adjudicated upon, the amount of costs taxed, and allowed on each suit, and the amount of fees paid on each suit to the Registrar, together with a detailed Statement exhibiting the aggregate sums received by that Officer, by way of fees and charges on the said suits.

SECRETARY'S OFFICE, }  
Montreal, 24th March, 1845. }

By Command,

D. DALY, Secy.

*Letter from the Registrar of the Court of Chancery to the Provincial Secretary, with two Enclosures.*

REGISTRAR'S OFFICE, COURT OF CHANCERY,  
Toronto, 17th March, 1845.

SIR,—I beg to transmit you herewith, a Statement of the number of Suits instituted in the Court of Chancery, between the 19th day of July, 1841, and the 12th day of December, 1844, and of the number of Suits adjudicated upon during the same period; also a Return of such costs as have been taxed during the same period, and the amount of Registrar's Fees during the first and last years of that period. The Suits in which costs have been taxed do not by any means embrace the whole number of Suits in which proceedings have been had during the period referred to, costs being frequently settled without taxation, and in the majority of cases the costs of unsuccessful parties are not taxed. Judging from the amount of Registrar's Fees during the two years referred to, I should infer that costs are taxed only in about one instance out of three or four in which they are incurred. The aggregate of the Registrar's Fees therefore, as appearing from the taxation of costs, will furnish no information as to the amount of the Fees actually derived from his office. The aggregate amount will appear by the Returns of the emoluments of the office; and for the accuracy of the Returns since I have held the office, I can vouch.

In omitting the Return of Registrar's Fees for the period between the first and last years, I am aware that I have not strictly followed the terms of your letter, but in explanation, I beg to say that I have been prevented by illness from making the Return so soon as I otherwise should have done,—that since my recovery I have devoted to it and to my office, almost more time and labor than my health (imperfectly restored) could warrant, and I was unwilling to make the further delay which would necessarily occur in supplying the part omitted,—every bill of costs requiring to be examined throughout, in order to ascertain the amount of Registrar's fees contained therein. The Return enclosed exhibits the relative proportion between the Registrar's Fees and the general costs, during the first and last years; the proportion during the former period being about one third larger than during the latter, although the greater portion of the proceedings in the more expensive suits, taxed during the latter period, occurred during the former. In future the difference will be still greater. In future also, there can be no doubt that the costs in suits in Chancery will be materially diminished.

I believe the Return of Registrar's Fees, during the omitted period, would furnish no additional information, but, if required, I will prepare such Return with as little delay as possible.

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

J. G. SPRAGGE,  
Registrar.

The Honble. D. DALY,  
Secretary of the Province,  
&c. &c. &c.,

—  
*First Enclosure.*

A STATEMENT of the number of Suits brought in the Court of Chancery from the 19th day of July, 1841, to the 12th day of December, 1844, shewing the number of Suits actually adjudicated upon—also, a Schedule of costs taxed during the same period, and the amount of Fees paid to the Registrar during the first and also during the last years of the same period, in the suits in which costs have been so taxed, exhibiting the aggregate sums received by that officer by way of Fees and charges in the said suits during the said first and last years of the same period:

Number of Suits brought in the Court of Chancery, from 19th July, 1841, to 12th December, 1844. . . . .	} 463
Number of Suits adjudicated upon during the same period, . . . . .	
	} 155

It should be explained that Suits are frequently disposed of in effect, otherwise than by a formal adjudication upon the hearing—the argument of pleas and demurrers—the granting or refusing of special injunctions, both parties being heard—motions to dissolve special injunction, and some other applications to the Court where the law and merits of the case are brought in question, frequently though not necessarily have the effect of a formal decision, the unsuccessful party not choosing to risk further proceedings. These are, of course, not embraced in the number above given of suits adjudicated upon.

It frequently occurs also that a Plaintiff finding after answer, and perhaps after evidence gone into, that his case cannot be sustained, forbears to proceed, and the Suit is afterwards dismissed for want of prosecution. In these ways, many Suits are disposed of, without a regular adjudication.

J. G. SPRAGGE.

SCHEDULE of Taxations in Chancery, from the 22nd day of July, 1841, to 31st day of December, 1844.

	General Costs.			Registrar's Fees.				General Costs.			Registrar's Fees.		
	£	s.	d.	£	s.	d.		£	s.	d.	£	s.	d.
M'Lolland vs. Lyon, ...	12	12	8	1	9	6	Scott vs. Ketchum, ...	30	15	4	4	0	7
Moffatt vs. O'Reilly, ...	12	12	8	1	4	8	" vs. M'Dougall, ...	8	6	6	0	15	2
Covert vs. Bank of Upper Canada, ...	15	12	2	2	13	7	" vs. Ranier, ...	9	17	3	0	17	4
Robertson vs. Loring, ...	6	0	3	0	11	8	" vs. Munshaw, ...	11	17	8	1	14	2
M'Kenzie vs. Kerby, ...	28	0	6	1	19	10	Ross vs. Martin, ...	47	18	2	3	19	6
Burnham vs. Leibnitz, ...	32	8	0	4	14	6	Lee vs. M'Naughton, ...	7	7	4	1	8	11
Covert vs. Bank of Upper Canada, ...	6	4	10	0	9	11	Fish vs. Burnside, ...	25	3	5	1	14	10
Davis vs. Commercial Bank, ...	7	8	4	0	10	2	Hiscott vs. Berruyer, ...	72	17	7	5	12	6
Robertson vs. Bell, ...	93	18	9	9	14	11	Adams vs. Morton, ...	31	11	10	3	1	8
Edgar vs. Chambers, ...	39	0	1	1	8	10	Kilborn vs. Flint, ...	13	15	5	1	15	6
Cull vs. Boyer, ...	7	18	3	0	4	4							
Crooks vs. Dickson, ...	23	17	2	4	3	10	£ 2575	7	1	236	18	0	
Humphrey vs. Hodgson, ...	19	13	1	2	4	3							
Leslie vs. Hinds, ...	18	16	11	1	17	2	Smith vs. Manahan, ...	7	11	10			
Dougall vs. Spragge, ...	11	17	6	2	0	1	Smith vs. Simpson, ...	18	3	8			
Parrott vs. Davy, ...	17	12	8	1	18	10	Counter vs. M'Pherson, ...	14	6	4			
Denorest vs. Carpenter, ...	9	16	6	1	3	10	Scott vs. Waddle, ...	22	1	4			
Molson vs. Crooks, ...	22	19	5	2	6	6	M'Donnell vs. Jackson, ...	14	17	5			
Finlay vs. M'Donald, ...	4	17	3	0	6	0	M'Clure vs. Bassett, ...	42	12	7			
Same vs. Same, ...	3	6	9	0	0	0	Andruss vs. Sheldon, ...	104	8	7			
Same vs. Same, ...	16	7	10	0	10	4	Sheldon vs. Andruss, ...	42	13	9			
M'Intosh vs. Gifford, ...	38	4	7	4	3	5	Sheldon vs. Loder, ...	24	11	11			
Same vs. Same, ...	13	8	7	1	11	6	Tribe vs. M'Kenzie, ...	58	0	8			
Finlay vs. M'Donald, ...	3	5	0	0	0	0	Biscoe vs. Chamberlain, ...	21	15	2			
Commercial Bank vs. M'Lean, ...	27	14	1	2	19	10	Roberts vs. Saxon, ...	20	10	5			
Same vs. Same, ...	12	1	1	1	2	2	Denison vs. Bagg, ...	33	4	0			
Sinclair vs. Arnold, ...	10	3	5	0	15	10	Baldwin vs. Walker, ...	12	9	11			
Mosier vs. Hunter, ...	44	11	0	4	9	8	M'Nab vs. Middleton, ...	16	8	5			
Clapp vs. Clapp, ...	17	17	6	1	10	4	In re Street, ...	15	12	1			
Holmes vs. Perry, ...	48	16	1	4	10	8	Same, ...	6	14	7			
Bradbury vs. Hurd, ...	53	0	10	4	7	9	M'Leod v. M'Donnell, ...	30	4	6			
Black vs. Thompson, ...	32	9	6	5	4	3	Taylor vs. Elmsley, ...	26	16	10			
Jarvis vs. Hamilton, ...	42	15	6	3	3	1	Rhodes vs. Lawder, ...	41	5	3			
Burnside vs. Fish, ...	28	14	0	3	2	7	Foot vs. Lamphier, ...	19	15	5			
Steen vs. Hubbell, ...	18	9	3	1	11	8	Court vs. M'Donald, ...	22	5	11			
Yale vs. Alderman, ...	21	10	8	2	16	5	M'Gill vs. Knott, ...	28	2	0			
Crooks vs. Macnab, ...	27	9	11	3	4	6	Wardropp vs. Brown, ...	7	8	5			
Coml. Bank vs. Parker, ...	19	11	7	1	17	9	Crooks vs. Bemis, ...	37	2	7			
M'Dougall vs. Robertson, ...	46	12	7	5	7	8	Same cause, ...	12	7	4			
Malony vs. Malony, ...	23	9	4	3	13	4	Coml. Bank vs. Fisher, ...	23	8	2			
Same vs. Same, ...	5	4	8	0	2	6	In re Handley, a Lunatic:--						
Malony vs. Martin, ...	18	8	9	3	2	0	General costs of Trustees:						
Same vs. Same, ...	5	4	8	0	2	6	£51 4 4						
Riddell vs. Ridout, ...	19	5	7	2	7	6	27 3 1	78	7	5			
Chew vs. Clifford, ...	26	1	5	2	17	5	Costs of J. C. Tildesly,						
Hector vs. Powell, ...	37	13	4	3	8	9	one of the Trustees:						
Playter vs. Wells, ...	17	7	10	1	7	8	£5 16 7						
Same vs. Same, ...	6	18	8	0	13	8	4 19 10						
Brooke vs. Carey, ...	34	10	3	2	15	9	12 2 0						
Ridout vs. C. M. & N. J. Ives,	138	14	4	12	4	1	6 2 3	39	10	8			
Wilson vs. Wilson, ...	52	13	4	4	6	4	Costs of Robert Henry, a						
Same vs. Same, ...	34	10	5	2	6	10	retiring Trustee:						
Mosier vs. Hunter, ...	71	5	0	5	4	11	£7 1 9						
M'Intosh vs. M'Intosh, ...	25	2	9	2	2	5	13 3 7						
Same cause, ...	10	5	0	0	16	8	7 13 9	27	19	1			
Baby vs. Strachan, ...	9	10	6	0	18	6	Costs of the wife of the						
Tribe vs. M'Kenzie, ...	7	15	5	1	19	10	Lunatic:						
Anglin vs. M'Intosh, ...	21	2	9	2	2	2	£16 15 9						
M'Kenzie vs. Tribe, ...	12	12	6	1	19	3	61 13 6						
Learning vs. The Desjardins Canal Company, ...	16	1	5	2	3	2	7 19 4						
Same cause, ...	11	0	0	0	3	4	13 16 6	100	4	1			
Flint vs. Danl. Jones, ...	61	16	11	6	2	1	Costs of G.S. Boulton one						
Same cause, ...	15	19	10	1	6	0	of the Trustees:						
Flint vs. J. E. Jones, ...	55	16	5	6	0	6	£40 17 6						
Same cause, ...	15	19	10	1	6	0	30 10 1						
Forsyth vs. Gamble, ...	4	19	11	0	4	6	45 4 8						
Hart vs. Wilson, ...	28	18	10	3	17	8	116	2	3				
Notman vs. Andruss, ...	79	18	3	7	3	1	Wardropp vs. Brown, ...	33	6	4			
Counter vs. M'Pherson, ...	110	14	10	4	18	10	M'Leod vs. M'Donnell, ...	30	4	6			
Ross vs. Martin, ...	3	13	5	0	16	10	Wilson vs. Johnston, ...	32	6	9			
Drew vs. Vansittart, ...	159	8	8	7	13	4	Same cause, ...	11	0	0			
Blore vs. Thompson, ...	36	13	9	2	13	5	M'Donnell vs. Jackson, ...	48	11	6			
Empey vs. Loucks, ...	68	5	7	6	16	7	Charles vs. Westmacott, ...	56	13	0			
Kirby vs. Young, ...	19	0	9	2	13	10	Same cause, ...	18	5	5			
Fish vs. Burnside, ...	5	18	7	0	8	2	Same cause, ...	20	8	0			
Kennedy vs. M'Donnell, ...	28	15	4	3	9	10	Molson vs. Crooks, ...	11	4	0			
Anderson vs. Ryan, ...	17	18	5	1	19	1	Strange vs. Wragg, ...	32	0	4			
Lee vs. M'Naughton, ...	35	0	1	3	0	4	Same vs. Same, ...	7	6	3			
Drew vs. Vansittart, ...	14	2	6	1	6	8	Lyons vs. Chisholm, ...	19	8	5			

Appendix  
(I. I. I.)

SCHEDULE of Taxations in Chancery, &c.—(Continued.)

Appendix  
(I. I. I.)

24th March

24th March

	General Costs.			Registrar's Fees.				General Costs.			Registrar's Fees.		
	£	s.	d.	£	s.	d.		£	s.	d.	£	s.	d.
Lyons vs. Chisholm & Wife,	20	6	5				Hooper vs. ———	40	17	4			
Hess vs. M'Kenzie, ...	38	3	9				Carpenter vs. Demorest, ...	30	15	6			
Wardrop vs. Brown, ...	5	4	10				Baby vs. Baby, ...	20	11	11			
Berford vs. Lewis, ...	17	10	10				Mowat vs. Harne, ...	20	17	11			
Ritchie vs. Burns, ...	9	9	10				Beasley vs. Cahill, ...	6	9	8			
Warren vs. Edmsley, ...	96	17	3				In re M'Donell, ...	24	6	2			
Taylor vs. Same, ...	84	13	5				Smith vs. M'Quarry, ...	17	1	7			
M'Kay vs. Borte, ...	25	9	8				Chambers vs. Hall, ...	19	14	1			
Sutherland vs. Sumner, ...	10	16	8				Burnham vs. Bedford, ...	13	18	8			
Mowat vs. Carecallan, ...	21	12	6										
Robertson vs. Bell, ...	19	14	1				Hancox vs. M'Lean, ...	27	11	8	2	16	0
Same vs. Same, ...	19	13	10				Hincks vs. M'Elderry, ...	18	9	8	1	11	9
Robertson vs. Bell, ...	18	11	2				M'Glashen vs. Thompson, ...	133	2	10	9	10	7
Cahill vs. Beasley, ...	60	14	4				"	4	1	7	0	0	0
M'Millan vs. Welland Canal Company, ...	23	10	10				"	17	12	11	0	0	8
Ogilvie vs. Hogg, ...	100	13	9				Att. Gen. vs. Sutherland, ...	14	0	1	0	16	10
In re Street, ...	28	0	4				Baby vs. Lewis, ...	3	3	5	0	0	0
Lockhart vs. Patrick, ...	15	12	1				"	26	17	0	0	15	6
Lockhart vs. Turner, ...	15	12	1				Baker vs. Scriven, ...	31	2	9	3	5	6
Gregg vs. Townsley, ...	12	5	6				Bowly vs. Langs, ...	18	1	2	1	9	3
M'Laren vs. Anderson, ...	5	19	2				Smith vs. Chisholm, ...	15	1	9	1	6	6
Wilson vs. Hollingshead, ...	24	10	6				Beasley vs. Cahill, ...	6	6	2	0	5	2
Charles vs. Hickson, ...	20	8	11				Chambers vs. Hall, ...	21	1	11	0	15	10
Whitta vs. Bellnap, ...	24	6	2				Comfort vs. Comfort, ...	18	10	10	1	11	0
Hurd vs. Bonnycastle, ...	15	6	10				Burns vs. M'Kenzie, ...	7	16	5	0	6	10
Smith vs. Cullen, ...	46	11	2				Drew vs. Vansittart, ...	282	3	7	10	17	8
Handlin vs. Gram, ...	68	8	10				In re Wilson—In fault, ...	25	11	1	1	0	4
"	10	6	7				"	12	9	2	0	0	0
"	16	13	9				"	4	5	2	0	3	6
Waite vs. Place, ...	22	8	3				Humphrey vs. Street, ...	49	8	9	4	13	4
"	19	5	9				"	17	9	7	0	1	10
Com. Bank vs. Richardson, ...	39	16	7				"	20	16	3	1	7	10
Same vs. Same, ...	20	13	8				"	11	7	4	1	0	0
M'Millan vs. Welland Canal Company, ...	6	3	10				O'Neil vs. Wilson, ...	21	6	2	0	12	2
Sutherland vs. Sumner, ...	47	4	9				Gerard vs. Muirhead, ...	35	4	1	3	7	0
Rhodes vs. Lawder, ...	13	17	11				"	13	9	5	1	4	4
Glass vs. Mattheson, ...	19	11	1				Hostler vs. Ball, ...	50	10	1	3	0	0
Smyth vs. Manahan, ...	27	1	11				"	7	6	7	0	9	8
Waite vs. Place, ...	34	10	8				Silverthorn vs. Silverthorn, ...	4	4	8	0	8	1
"	12	4	2				"	5	15	8	0	6	8
"	25	7	7				Proudfoot vs. M'Gill, ...	25	8	3	0	9	4
M'Glashen vs. Thompson, ...	54	9	5				"	30	1	0	2	6	3
Johnston vs. Cameron, ...	22	5	5				M'Leod vs. Mitchell, ...	28	7	5	1	5	0
Coml. Bank vs. Ross, ...	61	18	9				Whitta vs. M'Intosh, ...	9	18	6	0	4	4
Shaw vs. Huffman, ...	19	2	3				Cary vs. Crandle, ...	23	17	11	2	12	5
Coml. Bank vs. M'Laren, ...	23	12	2				Silverthorn vs. Silverthorn, ...	41	1	11	3	11	8
In re Street, ...	8	18	2				"	11	16	0	0	14	4
"	6	18	8				Fisher vs. M'Creaye, ...	81	19	2	6	13	2
Cathcart vs. Stinson, ...	23	4	11				"	27	1	4	1	14	8
In re Wilson, ...	25	11	1				Baby vs. Miller, ...	22	16	9	1	17	4
Same matter, ...	12	9	2				Demorest vs. Carpenter, ...	4	10	8	0	5	4
Same matter, ...	4	5	2				Hill vs. Hubbs, ...	41	18	9	2	1	6
Humphrey vs. Street, ...	49	8	9				Gore Bank vs. Digby, ...	19	2	7	1	18	7
"	20	16	3				Ferguson vs. Post, ...	3	1	0	0	5	11
"	11	7	4				Fertie vs. Keith, ...	22	11	0	1	9	11
Hearnes vs. Wismer, ...	5	5	3				In re Street, ...	12	14	5	0	2	4
Robertson vs. Bell, ...	12	5	10				O'Beirne vs. Gillet, ...	15	14	8	1	14	5
Andruss vs. Sheldon, ...	9	14	4				Gilmour vs. Crooks, ...	29	0	4	1	10	0
"	9	13	7				Stinson vs. Irvine, ...	12	14	3	1	2	6
Clement vs. Downer, ...	12	14	4				M'Leod vs. M'Leod, ...	34	3	1	2	8	8
Same cause, ...	3	12	10				Adamson vs. Keefer, ...	19	15	2	1	18	10
Riley vs. Smyth, ...	96	14	3				Bloor vs. Bank U. C. ...	14	10	5	0	15	0
Robertson vs. Bell, ...	80	4	1				"	14	15	2	2	0	6
"	104	16	8				Gott vs. Roxburgh, ...	30	0	8	2	4	5
"	47	1	3				Young vs. Montgomery, ...	10	8	8	0	13	9
"	27	0	11				Shaw vs. Burrell, ...	77	3	0	6	7	2
"	86	16	7				Humphrey vs. Street, ...	17	9	7	0	1	10
"	33	18	7				Smith vs. Roe, ...	14	7	7	2	1	0
Charles vs. Wright, ...	18	10	5				Drummond vs. M'Donell, ...	36	9	10	3	0	0
Same cause, ...	9	12	4				"	8	14	0	0	7	8
Ford vs. Teeples, ...	21	2	6				Cullen vs. Price, ...	12	1	7	0	17	10
Forsyth vs. Wintermute, ...	17	14	1				"	14	8	0	0	16	7
B. A. Assurance Co. vs. Griffith, ...	19	5	11				In re Merritt, alleged Bankrupt, ...	41	1	8	1	2	6
							Baldwin vs. Walker, ...	19	15	0	0	17	4
								£ 1757	9	3	112	4	5

J. G. SPRAGGE,  
Registrar.

## RETURN

To an ADDRESS from the Legislative Assembly to His Excellency the Governor General, bearing date the 18th ultimo, praying for a Return of the amounts which have already been expended for completing the Welland Canal from Thorold and Lock No. 18, respectively, to Port Dalhousie; the amount to be expended at Port Dalhousie for deepening the entrance, constructing Piers, protecting Works, the annual cost of keeping the entrance clear of sand, the depth of water there will be on the Bar when the contemplated Works are completed, and a Statement of all necessary expenditures connected with the said Harbour at Port Dalhousie; with such Observations on the shallowing of the water on the Lake, as may have been made by the Officers of the Board; and also whether a certain Survey, or pretended Survey, made by the subordinate Officers of the Board, during the Polling days of the late Election for the Town of Niagara, from Thorold to the said Town, was made under the authority of the Board of Works,—if so, the information derived by such Survey, and the intention of the Board in making the same.

SECRETARY'S OFFICE,  
Montreal, 24th March, 1845. }

By Command,  
D. DALY, Secy.

*Letter from the Secretary of the Board of Works  
to the Provincial Secretary, with three Enclosures.*

BOARD OF WORKS,  
Montreal, 24th March, 1845.

SIR,—Upon receipt of the Resolution of the House of Assembly, calling for certain information as to the cost of completing the Welland Canal from Thorold and from the head of Lock No 18, respectively, to Port Dalhousie, and other particulars connected therewith, the Chief Engineer in charge of the work was immediately written to, and instructed to furnish the details called for. These have been furnished, and I have now the honor of enclosing them to you, in order that they may be presented to the House by the proper officer.

I have the honor to be, Sir,

Your very obedient servant,

THOMAS A. BEGLY,  
*Secretary;*

Hon D. DALY,  
Provincial Secretary.

(*First Enclosure.*)

QUESTIONS proposed in a Resolution of the House of Assembly, dated 18th February 1845.

Q. The amount already expended in reconstructing the Welland Canal from the head of the 12th (weir) Lock to Port Dalhousie?—A. £119,200.

Q. From Thorold to the same place, *i. e.* Port Dalhousie?—A. £211,361.

Q. Amount to be expended for deepening and constructing Piers at Port Dalhousie?—A. £17,541.

Q. The annual cost of keeping the present entrance clear of sand?—A. £150. It is not probable that this expenditure will hereafter be necessary, as all the silt can be removed in the spring by the water discharged from the immense reservoir situated above the first Lock.

Q. The depth of water there will be over the Bar when the contemplated works are completed?—A. 12 feet at low water mark.

Q. A statement of all the necessary expenditures connected with said Harbour at Port Dalhousie?—A. Salary of Harbour Master and Light House Keeper, cost of maintaining Light, and other similar expenses requisite in all harbours.

Q. Such observations as may have been made by the officers of the Board relative to the shallowing of the water of the Lake.—A. A daily record of the levels kept by the Lock Tender during the last two years, and the observations of the same person during 15 years, corroborated by those made at Fort Niagara, tend to show that the water is higher now than it was many years ago.

Q. Whether the recent Survey was made under the authority of the Board of Works?—A. The Survey was made by order of the Chairman of the Board (October 25th.)

Q. The information derived by such Survey?—A. See Plan and Report, which shew that although the ground between No 12 and Niagara is extremely favorable for the location of a Canal, the disadvantages of the Niagara Harbours, and the greater length and cost of this route, would, under any circumstances, have rendered its selection inexpedient.

Q. The intention of such survey?—A. To comply with the request made by Mr. Cayley and other gentlemen resident in Niagara.

S. POWER.

STATEMENT of the Cost and Dimensions of the Welland Canal to the Twelfth Lock, and of the lateral cut to the Town of Niagara.

CONTRACTORS' NAMES AND NUMBERS OF LOCKS.	AMOUNT PAID.			TOTAL AMOUNT.			DESCRIPTION OF WORK.	QUANTITY.	PRICE.	AMOUNT.		
	£	s.	d.	£	s.	d.				£	s.	d.
Sherwood & Buell, ... .. 1	6804	0	0	17475	0	0	Earth Excavation, ...	1240000	1s.	62000	0	0
Brown & McDonell, ... .. 2	2265	0	0	12326	0	0	Masonry for 13 Locks,	49360	40s.	98792	0	0
Geo. Barnett, ... .. final, 3 to 6	37255	5	9	37255	5	9	Foundations for do.	13		13000	0	0
W. Courtwright & Co. ... .. do. 7 and 8	19134	5	0	19134	5	0	Lock Gates, ... ..			6500	0	0
E. W. Thompson & Co. ... .. 9 to 12	34472	1	0	35950	1	0	Waste Weirs, ... ..	13	£651	8463	0	0
Lock Gates, ... ..	2750	0	0	7000	0	0	Culverts, ... ..	6		18000	0	0
Moore & Cromwell, waste weirs, ... ..	3295	10	10	3750	0	0	Land acres,	329	£12 10s.	4112	10	0
R. M. Boyle, ... do. do, ... ..	1245	0	0	2100	0	0	Contingencies, 10 p cent.			21086	0	0
Waste weir, Port Dalhousie, ... ..				1200	0	0						
G. Barnett, Earth Excavation in reaches,	3556	9	6	4956	9	6						
Courtwright & Co. do. do. ... ..	1459	4	6	2173	4	6						
Higham & Co. do. below St. Catherines,	2343	0	0	5000	0	0						
Cotton & Rowe, Dredging, ... ..				5541	12	9						
Russell Piers, Port Dalhousie, ... ..				12000	0	0						
Land Damages, Saw Mills, &c. ... ..	2531	0	0	2531	0	0						
Superintendence, ... ..	2000	0	0	3000	0	0						
Moore & Cromwell, floating tow path, ...				3393	0	0						
	£ 119200	16	7	174785	18	6						
Difference in favor of Welland Canal, ...				51167	11	6						
				£ 231953	10	0				£ 231953	10	0

Locks 2—200×45  
Do. 10—150×26½  
Depth of Water, { 12 feet, 1 mile.  
                          { 10 do. 3½ do.  
                          { 9 do. 2½ do.  
                          { ½ to ¼ mile for 2 miles.  
Width of bottom, { 70 feet do. 3 do.  
                          { 45 do. do. 2 do.  
Width of tow path, 15 feet on top.  
Do. berm bank, 12 do. do.  
Side slopes, 2 to 1.  
Total length 7 miles.  
Rise 145 feet.

This Statement shows the extent of the Steamboat navigation.

Locks 13—150×26½  
Depth of water, 9 feet.  
Width of bottom, 45 feet.  
Width of towing path, 15 feet on top.  
Do. berm bank, 12 do. do.  
Side slopes, 2 to 1.  
Total length, 11½ miles.  
Rise, 145 feet.

The prices assumed in this Estimate are the result of the most careful consideration, and the very extensive observations which there has been an opportunity of making on the actual cost of similar works.

In no instance has the value of the work on the Welland been over-estimated.

(Third Enclosure.)

WELLAND CANAL OFFICE,  
St. Catherines, 6th March, 1845.

SIR,—I have the honor to acknowledge the receipt of your letter of the 22nd, enclosing the Resolution of the House of Assombly requiring certain information respecting the proposed lateral cut from the Welland Canal to the Town of Niagara.

I have, therefore, to submit the following Statement, which will, I trust, satisfactorily explain all the matters adverted to in the Resolution.

On the 25th September, I was instructed by the Chairman of the Board of Works to make the Survey and take the levels necessary for ascertaining the cost of the proposed Canal, in compliance (as I understood) with a request formerly made by Mr. Cayley and other gentlemen resident in Niagara.

I accordingly examined the ground lying between that Town and a point situated at the head of the twelfth Lock from Port Dalhousie, where the Welland Canal emerges from the valley of Dick's Creek; the cost of the additional Locks was a sufficient objection to the selection of any point higher up, and the height of the table land between St. Catherines and Niagara precluded the possibility of leaving the Canal lower down.

I directed one of my assistants (Mr. Slater) to take the levels of the line which was evidently most favorable for the construction of a Canal; other and more urgent duties prevented this gentleman from at once attending to this business, and he was unable to complete the Survey until the latter part of October, when he entered Niagara on one of the Polling days; it has, (I believe) been asserted with an intention to influence the election against the gentleman who has now the honor to represent that Town. It does not seem possible that the appearance of this officer could have exercised any influence on the election,—certainly it could not have produced nor have been intended to produce such an effect as that attributed to it, for it was well known that the Survey was made in compliance with the request of many of the most respectable inhabitants, supporters of the successful candidate, to defeat whom was the alleged object of the Survey. I shall merely say that the selection of that day was purely accidental, the officer alluded to did not even know that it was one of the Polling days, so little interest did he feel in the matter.

The plan which I have already forwarded to the Board, with the memoranda and estimates thereto attached, exhibits all the information acquired by the Survey; it shows that the ground between the points abovementioned is exceedingly favorable for the location of a Canal, the line of which (marked blue on the

Appendix  
(J. J. J.)

24th March.

plan) may be straight throughout, proceeding in a direct line from its departure from the Welland to its junction with the Niagara river. No obstacle whatever is presented, except by the valleys of the creeks which empty themselves into the lake between the mouth of the Niagara and Port Dalhousie, of which the Four and Ten Mile Creeks can alone be considered formidable, and the expense of crossing even these is not considerable, being much less than that of the additional lockage and excavation which would be caused by the attempt to avoid those ravines by a line situated near the main ridge. The line for nine miles passes through that portion of the country denominated the Swamp, generally in the vicinity of the main road, and reaches the Niagara River immediately below Fort George, this point being selected as the entrance, for the reasons formerly assigned by Mr. Roy, "that the current is too rapid for a safe harbour above, and below it would be exposed to the swells of the lake."

The accompanying Schedule shews the cost of the proposed Canal, and also that part of the Welland situated between No. 12 and Port Dalhousie, including the construction of that Harbour. It proves that the expense of the latter is at least £57,000 less than that of the former could have been: thus regard for economy must have induced the Board of Works, as well as the Welland Canal Company, to select Port Dalhousie as the entrance, in preference to the mouth of the Niagara; but there are many more important reasons which must have exercised an influence on their decision. The length of the Canal from Port Dalhousie to No. 12 is seven miles—that of the proposed cut from the same point to Niagara is 11½,—thus, the increased length of the route, and consequently the increased cost of transportation and loss of time, as well as the additional expense of maintenance, are serious objections. Although the Harbour of the Niagara River may possess some natural advantages, such as great depth of water, sufficient extent and tolerable shelter, it is, nevertheless, very inferior to the new Harbour about to be constructed at Port Dalhousie; its defenceless position on the frontier, is an insurmountable objection—the entrance to the Canal would, in the event of a war, be exposed to instant destruction from the guns of the American Fort; but apart from this, it labours under other serious defects, the removal of which is beyond the reach of art. When there are light winds from the southerly points, the rapid current renders the entrance very difficult; and when the wind is from the northerly point and, therefore, apparently favorable for the entrance of vessels, the swell caused by the meeting of the waves from the lake and the current of the river, is attended with great danger. To its exposed situation in the event of war, and the difficulty of entrance during the prevailing summer winds (from the south) must be added the great danger arising from the floating ice late in the spring,—and the existence of a shifting bar at the mouth, which circumscribes the channel so far as to render the egress of vessels both difficult and dangerous when the wind is northerly.

The Harbour at Port Dalhousie will possess almost unrivalled advantages. Accessible at all times, it will have a depth of twelve feet water at its entrance; an outer and well sheltered Harbour more than half a mile in length, amply sufficient for the accommodation of the trade, to which must be added the extraordinary advantage of its inner Harbour, two miles long and nearly half a mile wide, sufficiently large to contain all the vessels on both lakes; completely sheltered by the surrounding hills, and raised by the first Lock above the influence of the lake, so that the water can scarcely be agitated during the most violent storms. The peculiar facilities for the construction of a graving dock, combined with the extent and security of this inner Harbour, will, doubtless, at no distant period, render Port Dal-

housie the winter resort of a large amount of shipping on the lakes. The location of the old piers, as well as their plan and construction, was so faulty, that a strong prejudice has existed in the minds of many against this Harbour. An examination of the plan of the new piers will shew that, after the completion of the works now in progress, this harbour will be free from all the defects which have been urged against it with much force and some justice. I am happy to be supported in the opinions now advanced by all the experienced masters of vessels whom I have had an opportunity of consulting.

Appended to this Report is an account of a few of the recent disasters arising from the above mentioned defects in the Niagara Harbour. If so many accidents have occurred among the few vessels that visit this Harbour, and so few among the many that leave and enter Port Dalhousie, *defective as it at present is*, it must be evident that the advantages of the latter and the disadvantages of the former have not been exaggerated in this Report.

Apprehensions are entertained by some, that at no very distant period, the lower lake may become so shallow as to render all the works at Port Dalhousie useless. A daily record of the levels kept by the Lock Tender, since I have had charge of all the old works, and the observations of the same person during fifteen years, corroborated by those made at Port Niagara since 1815, tend to show that the water of the lake is at least as high now as it was many years ago, and I have been unable to discover evidence to prove that any change is going on rapidly, or reasons to justify us in providing for so remote a contingency, long before the probable occurrence of which all our works will be in ruins.

Enough has been said to prove that, even if the selection of an entrance to the Welland were still an open question, Port Dalhousie should be preferred on account of the advantages of its Harbour, the shortness of the line, and economy of construction. It therefore seems needless at this time to make any remarks on the inexpediency of expending £230,000 on the construction of a lateral cut to Niagara, when a Canal, in every respect more efficient than that could possibly be, has been already constructed.

I have now furnished information on all the points adverted to in the Resolution of the House, though not exactly in the order there prescribed. Having first mentioned the authority under which the Survey was made,—2nd, the cause (as I believe) of its being made,—3rd, the information derived from the Survey, and the conclusion following a full examination of the relative advantages and disadvantages of the entrances at Port Dalhousie and Niagara, and the respective routes from these harbours to the nearest point of the Welland, and in connection with this, have shewn that there is no evidence to prove that any change in the level of the lake is going on rapidly.

I have the honor to be, Sir,

Your obedient servant,

(Signed,) S. POWER.

THOMAS A. BEGLY, Esquire,  
Secretary, Board of Works.

Vessels lost or driven on shore in attempting to make Niagara Harbour:—"Thistle," "Essex," "General Wolfe," and "Brothers."

The "Bond Head" is the only vessel which has been wrecked at Port Dalhousie, and she was water-logged before she neared the shore.

Appendix  
(J. J. J.)

24th March.

## RETURN

To an Address from the Legislative Assembly to His Excellency the Governor General, bearing date the 14th instant, praying for "all the Reports on Letters made or written by the late Commissioner of the Revenue, on the case and conduct of William Moore Kelly, late Collector of Customs, together with any Statements, Evidence or Facts, set forth by the said Mr. Kelly, and any Replications, Reports or Evidence, by the Commissioner, and any Reports made by the late Inspector General, the Deputy Inspector General, or the Executive Council, up to this date, upon this case."

SECRETARY'S OFFICE,  
Montreal, 24th March, 1845. }

By Command,  
D. DALY, Secy.

## SCHEDULE.

*N. B.* For previous Correspondence, see Appendix (I. I.) to the Journals of the 3rd Session of the 1st Parliament.

- No. 1. Additional Report of Malcolm Cameron, Esquire, on the Statements of William Moore Kelly, Esquire, late Collector of Customs at the Port of Toronto, dated 24th November, 1843.
- No. 2. Statement of Mr. Kelly in reply, dated 4th March, 1844.
- No. 3. Report of the Deputy Inspector General on Mr. Cameron's Report and Mr. Kelly's Statement in reply, dated 7th May, 1844.
- No. 4. Letter from Mr. Kelly to the Honorable Dominick Daly, dated 1st June, 1844.
- No. 5. Letter from the Honorable Dominick Daly to Mr. Kelly, dated 6th June, 1844.
- No. 6. Letter from Mr. Kelly to the Honorable Dominick Daly, dated 10th June, 1844.
- No. 7. Letter from the Honorable Dominick Daly to Mr. Kelly, dated 11th July, 1844.
- No. 8. Letter from Mr. Kelly to the Honorable Dominick Daly, dated 23rd July, 1844.
- No. 9. Letter from the Honorable Dominick Daly to Mr. Kelly, dated 15th August, 1844.

## No. 1.

*Additional Report of Malcolm Cameron, Esquire, on the Statements of William Moore Kelly, Esquire, late Collector of the Customs at the Port of Toronto.*

KINGSTON, 24th November, 1843.

Sir,—The undersigned has carefully examined the statements of Mr. Kelly, by which he hopes to "disprove the charges of grave irregularities imputed to him," and to be reinstated to the Office as Collector of Customs at the Port of Toronto.

Mr. Kelly has arranged part of the complaints in the Report of the undersigned, (written from Toronto during his tour in July,) under different heads at once convenient and tangible; the undersigned will therefore take them seriatim.

"*First*.—Mr. Kelly had not closed his accounts on the 13th of July."

No complaint was made of this,—the law did not compel him to do so until the 25th day; but he entirely mistook his duty if he supposed that because the twenty days are given to enable him to copy his books, to transmit to the Inspector General, that they should not be balanced on the 6th; the fact was, that Mr. Kelly had no books at that time, and furthermore, on the visit of the Commissioner a few days before,

Mr. Kelly informed him that he (Mr. K.) would have his accounts ready immediately after the 6th, as they were in preparation.

"*Second*.—There was no system of doing business in Mr. Kelly's office; no Bonded Warehouse Book being kept, there was no trace of the goods bonded, but by reference to the Bonds."

On this charge, the undersigned must say he is astonished at the statement of Mr. Kelly.

During Mr. Laing's time, accounts had been opened in the Ledger for the several sources of Revenue; whereas, up to the 5th of July and during the stay of the undersigned in Toronto, there was no Ledger whatever in use, nor was there one found among the Books since given up, and after the 5th of July, as Mr. Kelly admits, but a few sheets of paper sewed together; to which fact the undersigned called the attention not only of Mr. Kelly, but also of Mr. Graham and Mr. Manahan, who happened to be on the spot.

The undersigned can only say that he never saw any Bonded Warehouse Book, but ordered one; the



Appendix  
(K. K. K.)

24th March.

necessity of which was admitted by Mr. Kelly, and the undersigned made a form and submitted it to Mr. Kelly, and ordered it to be prepared at the Colonist Office,—Mr. Roy the Deputy Collector, going with the undersigned for this purpose; and it is passing strange that the Collector should never have apprized him of the fact of there being one in existence; and furthermore, when certain goods were inquired for, the undersigned was informed they were in the Warehouse—at another time that they were not. No reference was made in this case to a Warehouse Book, which led the undersigned to make up a list of goods which he found unaccounted for by the manifests in the office, and then go and examine the Warehouse personally, and by so doing found many of the articles.

On this subject the undersigned forbears to make any further remark, having this day written for the certificates of Mr. Graham and Mr. Roy, but will add a few circumstances, shewing the kind of mis-statement alluded to above, and which will perhaps better expose the system than even the statements of witnesses.

On the 4th July, the manifest shews an entry of 50 chests of Tea by Mr. Brett of Toronto, and no corresponding entry can be found in Mr. Kelly's books; in fact no trace of them as either bonded or stored. In trying to trace them, it appears that Mr. Brett entered at various times during the month of July, 26 packages, and since the first of September, with Mr. Stanton, 25 packages more, which makes a quantity nearly corresponding to the 50 chests. Mr. Stanton's letter is appended, marked D.

There was also an entry of goods by Messrs. Rowsell, on which it appears they paid £10 6s. on the 26th of July, against which no corresponding item can be found in the account, nor can either Mr. Stanton, or Mr. Rowsell throw any light on this transaction; so that it appears another instance of money received and not credited, is to be charged to Mr. Kelly.

The undersigned found in the manifest of a steam-out, the following entry per Mr. Thorpe:—

3 casks of fruit,  
1 case merchandize,

and enquired what became of these goods; Mr. Kelly said "they were entered," and went to Mr. Graham, who said "they must have been entered," and he examined the book again and again, when after many fruitless searches, Mr. Kelly came to the undersigned, and said he "thought they had been paid for and omitted." The box of merchandize he recollected perfectly; *it was of no value, only some cut tobacco, for which he would make an entry and pay the duty!!*

The undersigned, who was anxious throughout to keep Mr. Kelly out of trouble, told Mr. K. not to do so, unless quite positive about the weight and value, for if it turned up afterwards, and there was a discrepancy, it would look bad; so the case was left, and still remains unaccounted for. Mr. Roy corroborated Mr. Kelly's statement about this box; but since then it turns out the contents were plated hardware of considerable value.

The undersigned respectfully suggests that this case might render farther remark relative to Mr. K.'s Warehouse Book, system of business, veracity, or even dismissal, unnecessary.

"Third."—With respect to the third charge, "No account was opened in Mr. Kelly's Books for Harbour Dues; and the entries were made in the Blotter 'several small craft' with no names, dates or particulars."

Mr. Kelly says "they were as received, regularly entered;" the undersigned says "they were not!!" but Mr. Kelly got Mr. Roy during the stay of the undersigned in Toronto, to tell from memory, what vessels had paid; and that such statement, so made up, and without any dates, was the Return to the Inspector General's Department, a true copy of which is annexed, marked E.

The undersigned has written for Mr. Roy's declaration on this point also; in the mean time states two facts. In the Blotter, on the 4th of July, in a list of vessels which certainly were not in Toronto on that day, the "Rover" is named as having paid £3 7s. 10d.; no such item appears in the account, for it turned out afterwards that she had paid, and was entered on the 23rd of June.

On the 6th of June, an entry is made of 58 barrels of salt by Mr. Northcote, on which he is charged 8s. 3d for Harbour Dues; this is marked in red ink as if examined; now no such sum appears to the credit of the Government; but the entry completed in the Blotter, minus the 8s. 3d.—The original entry is annexed.

"Fourth."—That "there was no account for monies received for Auction Dues or Auction Licences."

This Mr. Kelly admits; certain sums were in his Blotter, but not at dates corresponding with the dates of payment by the parties, as transmitted with the monies of that quarter.

"Fifth."—The Plaster imported by James Brown "on the 17th of April, was not entered, and the duty thereon was not paid until the 4th of July."

The only charge made on this point, was, that this case and several of the same kind, viz. Ketchum's, Robertson's, and others, were in direct violation of the instructions from the Inspector General's Department.

"Sixth."—The Salt imported by Charles Robertson "on the 20th of June, was not entered on the 17th of July."

Mr. Robertson's own letter shews the gross irregularity of this transaction, and that Mr. Kelly had acted directly contrary to law, and allowed Mr. Robertson, and intended to allow him to enter goods without payment of duties in cash, and received a pledge to permit him to bond them (which means to get six months credit,) when other merchants in the trade are by law required to pay cash for their duties as well as on each entry; and justly would, and did the trade complain, because if any persons were allowed to bring in goods from time to time, and then give a Bond for the whole, all should be allowed a like privilege; and the undersigned is of opinion that an "obliging manner," when carried so far as to violate law and equity, ceases at least to be a virtue.

"Seventh."—Carelessness and irregularity on the part of Mr. Kelly, or of those acting under him, in having in eighty-seven instances, of which a written list was furnished Mr. Kelly, omitted to make proper entries."

Mr. Kelly's reply is an admission that he had received several sums of money from time to time, of which no entry was made in his Books, nor was there ever any entry of the goods, except in the vessel's manifest.

Mr. Kelly very modestly states that the sum is only £18, and that if the undersigned had not come he would have discovered the error himself; the undersigned would simply refer to the case alluded to, under charge second, and to the fact that several of these en-

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tries are still unaccounted for, as Mr. Dundop's, Mr. Stewart's, and the said Mr. Thorpe's; and cannot conceive how such frequent errors can be accounted for in conducting any business of this kind with which he has ever been acquainted.

"*Eighth.*—Having suffered Messrs. Wilson and Hamilton to remove certain goods before entry and payment of duty, upon an understanding that the amount of duties was to be a set-off against a private debt due from Mr. Kelly to Messrs. Wilson and Hamilton."

The affidavit of Mr. Hamilton fully substantiates all this charge.

That Mr. Kelly did allow the firm above-named to receive from the Custom House a lot of goods on which, according to law, and his positive instructions, he should have paid the duties in cash before delivery, (about £46,) without so paying such duties, or without even making an entry in his books, or keeping any record of such transactions, although the said firm of Hamilton and Wilson did supply Mr. Kelly with their terms and invoices; and the undersigned would further state that Mr. Kelly owed the said firm £36, which the said Hamilton told the Commissioner was to be paid by Mr. Kelly in this way, to which the undersigned is ready to make oath. The said duty on the said goods was not paid in any account of theirs in the Books on the 30th of July, and the undersigned cannot conceive what more serious charge could be urged against any public Officer's public or moral character than this fact, and the additional one that Mr. Kelly stated to the undersigned that these goods were then in store, when he knew they were not, and afterwards went to the parties and got other goods packed up and sent down to the Custom House, as appears in Hamilton's affidavit; and here the undersigned would remark, if there is in existence a Warehouse Book, it would be of the most important utility now to produce it in vindication of Mr. Kelly's character.

"*Ninth.*—All the goods received since the 5th of July, were entered on a few sheets of paper sewed together."

This has already been noticed under the second charge.

"*Tenth.*—The goods imported by Deane, on the 30th of June, were entered since the 5th July; also the goods that arrived on the 5th of July, and the goods imported by Burke and O'Neil, by which the duties under the old tariff were avoided."

There was no crime imputed to Mr. Kelly in this matter, but it was necessary to remark it, to account for a quantity of goods which arrived in May and June, and not entered during the quarter, and was rather in vindication of Mr. Kelly than otherwise.

"*Eleventh.*—Certain sums received from Mr. Strange were kept back, or borrowed from one period to another."

Mr. Kelly proves that the cheque was dated the 6th of April; his return for that quarter to the Inspector General's Office, was not made until the 22nd, at least it was not received until the 24th; now, if they did not get this money in time to return it, he was guilty of great neglect of duty, as it was from the past quarter, and as he had called with his account and had his cheque made out, but he admits receiving it a few days after, and then kept it until after the 5th of July, thus doing Mr. Strange an injustice, by representing him to the Government as having made no sales from January to

April, or having neglected to pay the duties when it was notorious he was selling goods at auction daily; at best it was a false return.

"*Twelfth.*—The sums credited to the Government by Mr. Kelly for the Steamers "Gore," "Britannia," and "America," do not correspond with the sums entered in Mr. Bethune's Books, as paid for these steamers."

In answer to this statement of the undersigned, Mr. Kelly says some evidence should be adduced, and he insists on further investigation.

Why did Mr. Kelly not go to the agents of these boats and get their statements, as he did Hamilton and Wilson's, and so contradict this important fact! Surely the *onus probandi* in defence of his own character is with himself, but the books from which the undersigned took his statement, would be evidence in a Court of Law.

"*Thirteenth and Fourteenth.*—The Harbour Dues were collected in an imperfect manner."

Mr. Kelly says that Mr. Ogilvie's letter will show that Mr. Cameron's statement so far as regards Mr. O. is wholly *unsustainable*, as Mr. O. certifies that he did not pay into Mr. Kelly's office any Harbour Dues.

What is the fact? Mr. Urquhart, agent for Mr. Ogilvie, paid £6 6s. 9d., as stated by the Commissioner, and the original paper received from Mr. Ogilvie is annexed, marked C, and no such sums received for such vessels, at such dates, have been returned to the Inspector General's Department, although the undersigned has this day very carefully examined the account, and some of the schooners do not even appear at all in his (Mr. Kelly's) return, which proves that other items must have been omitted; and further investigation in this case will no doubt show a much greater amount of errors of this kind.

"*Fifteenth.*—On the specific charge of "borrowing," Mr. Kelly says "it is that the sums enumerated were not on the 28th July, the date of Mr. Cameron's Report, deposited nor rendered in account, but were borrowed."

Mr. Cameron checked off all sums received from Customs, but none of the sums mentioned from Harbour Dues or Licences; and a reference to dates would have convinced Mr. Kelly that Mr. Browne had no paid him.

At the time alluded to the sum paid to the Bank to the credit of the Receiver General, up to the 24th of July, was only £541, not quite the amount received from Customs.

The following facts in conclusion will show how the account is balanced:—

The gross amount received by Mr. Kelly up to the 1st August, was £1642.

On the 17th July, Mr. Kelly paid in	£238	0	0	
do. 24th do	do	308	0	0
do. 31st do	do	210	0	0
after Report was given in, Mr. K. had				
Bonds . . . . .	£193	9	8	
Mr. K. charges Commission . . . . .	77	0	8	
Expenses on making Seizures . . . . .	32	4	8	
Mr. K.'s proportion of do. . . . .	61	8	8	

These last items to balance, is on account of a sale not made for some time after Mr. Stanton's appointment!

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What then becomes of the statement that all sums of money received had been paid in, when it was necessary to take £88 from this source to make the balance, besides £32 4s. 3d. for which there was no authority. The fact is, he (Mr. K.) was actually a defaulter on the first of August, for both these sums, £120 4 3

An overcharge of salary, he having charged £230 0s. 9d. for six months and twenty-seven days, whereas he was only entitled to £172 10s. 3d.; making a further balance of 66 0 6  
Unpaid the difference on steamboat account, 6 7 0  
The Harbour Dues of Ogilvie and Robertson, 12 6 6  
The amount collected from Rowsell, 10 6 0  
and a few entries not completed.

In default, £215 4 3

One circumstance farther, which although not directly connected with the case, throws great light on it.

Mr. Kelly was permitted to deposit all the cash received, in the Upper Canada Bank in his own name, to be transferred to the Receiver General from time to time, but the undersigned discovered, accidentally, that Mr. Kelly had overdrawn his account, between £400 and £500, and had he suffered the account to go on as usual by daily deposits from the Custom House, that it would soon be balanced at the Bank, and leave a like sum due by Mr. Kelly to the Government; however, an order was issued immediately after this, requiring Mr. Kelly not to deposit any longer to his own credit, but to transmit to the Agency at Kingston to the credit of the Receiver General, which appeared to the undersigned to have had the effect of keeping Mr. Kelly nearly right with the Revenue, though the undersigned has reason to believe the said balance is still due to the Upper Canada Bank; of course this is no affair of the Government, but it strikes the undersigned as being of importance, as accounting, with the other funds already mentioned from seizures, for the wholesome state of the balance.

All of which is respectfully submitted.

MALCOLM CAMERON.

November 30th.—Mr. Roy's Affidavit has been received this day and will be found annexed to this Report.

M. CAMERON.

December 1st.—Mr. Graham, the Accountant's, Affidavit I received this day, and it will be found annexed.

M. CAMERON.

D.

(Copy.)

Monday, 13th November, 1843.

MY DEAR SIR,—The explanation given with respect to Brett's Teas, I think satisfactorily accounts for the whole importation.

Piper's entry, Mr. Graham thinks was made on the 4th January, and will be found in the accounts to 5th of that month; the money was probably not actually received 'till 21st, and hence the endorsement in Mr. Kelly's hand writing,—the variance is a proof of the

badness of the system pursued, of allowing entries and removal of goods without cash down. "Nous avons changé tout cela."

Campbell's and Rowsell's entries I can say nothing more about.

Yours, very truly,

ROBERT STANTON.

E.

(Copy.)

STATEMENT of Tonnage Dues received at the Port of Toronto, for quarter ending 5th July, 1843:—

Received from Jane and Eliza,	£5 16 0
Do. " Schooner Princess Royal,	3 0 0
Do. " Steamer City of Toronto,	15 8 0
Do. " " Sovereign,	12 10 0
Do. " " Gore,	7 16 0
Do. " Schooner Three Friends,	1 10 0
Do. " " Erne,	1 5 0
Do. " " Rover,	4 5 0
Do. " " Anne,	1 5 0
Do. " " Humber,	4 5 0
Do. " " William Gamble,	4 1 0
Do. " " Peacock,	3 0 0
Do. " " John Bull,	1 5 0
Do. " " Wood Duck,	0 16 0
Do. " " The Adventurer,	3 15 0
Do. " " Lord Durham,	2 10 0

£72 7 0

(Signed) WM. MOORE KELLY,  
Collector.

(A true copy.)

I. G. O.

23rd November, 1843.

Harbour Dues paid by Messrs. A. Ogilvie & Co.

	£	s.	d.
1843.—April 20th, per Steamer America,	0	0	4
" 24th, " do. do.	0	0	1
May 4th, " do. do.	0	1	6
" 17th, " do. Union,	0	1	5
" 19th, " do. America,	0	0	1
" " " do. Chief Justice,	0	0	8
" 23rd, " do. Union,	0	1	2
" 30th, " do. do.	0	0	7
July 10th, " do. America,	0	0	2
	£0	6	0

TORONTO.

JAS. BROWNE,  
Per J. H.

G.

Account of Harbour Dues charged A. Ogilvie & Co. per the following vessels:

Per Steamer City of Toronto.

	Cts.	qrs.	lbs.	£	s.	d.
May 11—On 41 ps.	27	0	0	0	1	8
June 4— " 11 "	6	2	21	0	0	5
				0	2	1

Carried forward, £0 2 1

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*Per Princess Royal.*

		Brought forward,.....		£	0	2	1
		<i>Cwt. grs. lbs.</i>		<i>£</i>	<i>s.</i>	<i>d.</i>	
May 12—On	121 ps.	261	0 11—0	16	4		
26—“	26 “	25	1 0—0	1	6		
June 13—“	31 “	123	2 0—0	7	9		
20—“	153 “	117	2 14—0	7	4		
23—“	45 “	36	2 0—0	2	4		
27—“	64 “	643	0 0—2	0	2		
30—“	51 “	94	1 0—0	5	10		
				4		1	3

*Per Steamer Union.*

May 17—On	3 bbls. Whiskey,	0	0	9
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*Per Steamer Sovereign.*

20—On	137 ps.	201	3 14—0	12	7	
31—“	1 “	11	1 0—0	0	8	
June 3—“	2 “	8	1 0—0	0	6	
				0	13	9

*Per Steamer America,*

May 25—On	5 bbls. Whiskey,	0	1	3
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*Per Steamer Gore,*

June 5—On	1 pl. . . . .	2	2	0	0	0	1
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*Per Steamer Oneida.*

6—On	25 ps.	40	0 0—0	2	6
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*Per Steamer St. Lawrence.*

11—On	293 ps.	149	0 9—0	9	4
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*Per Schooner Louisa.*

11—On	7 ps.	69	2 14—0	4	3	
				0	16	1

*Per Schooner Princess Royal.*

10—	184	2	0	0	11	6
				£	6	9

Toronto, 5th July, 1843.

GEO. URQUHART,  
*Per L. M'CALLUM.*

TORONTO, 5th July, 1843.

Mr. NORTHCOTE,  
*Entered,*

58 barrels Salt, 2s. 6d. per bbl. . . . .	£	7	5	0	
add 2-13ths, . . . . .	1	2	4		
Harbour Dues on 33 bbls. at 3d. . . . .	0	8	3		
Permit, . . . . .	0	2	6		
		£	8	18	1

*Paid.*

6th July.

*Entered.*

MEMO. 6th July.

Richard Northcote entered and paid duty on 58 barrels Salt, at 5s. . . . .	£	14	10	0	
2s. 6d. ster. per bbl. . . . .	£	7	5	0	
	1	9	0		
Add 1-5th and 1-12th . . . . .	0	2	5		
		£	8	16	5

TORONTO, 12th August, 1843.

SIR,—In answer to your inquiries,—did Mr. Kelly say the Inspector of Customs was up, and unless the cases were sent down, he would get his head in his hand; I reply, I do not recollect ever hearing those words made use of by myself or Mr. Kelly.

What I said about the furnishing the Invoices is, that on the arrival of those received in December, I gave copies of the Invoices to Mr. Kelly,—on the remnant coming in spring, I furnished a second copy, and subsequently twice I furnished copies.

ALEX. HAMILTON.

To J. Roy, Esq.  
D. C. C.  
Toronto.

TORONTO, 8th August, 1843.

DEAR SIR,—Yesterday your's of the 5th came to hand:—I hasten to reply.

The circumstances and conversation are these; early on the morning of the 15th or 16th of July, you came into our store and inquired if we were not in the habit of importing from the United States—I said some little. You asked what duties we paid last year—I requested you would walk up stairs, where I shewed you our invoices and receipts for the duties. You remarked they were right, corresponding with the entries in Mr. Kelly's Books.

You then asked what we had paid or were owing this year; I told you we had paid nothing for goods imported this year; that any duties accruing upon goods imported by us this year were still due, amounting to about £46; you then asked if we had any goods in the Bonded Warehouse; I said we had two cases; you asked when they were put there; I told you two or three evenings ago. You then said you knew it, as you saw them go, being on the watch, from some suspicion on your mind that some person or persons at the Collector's Office were attempting to hoodwink or deceive you. You asked if they contained the goods mentioned in the invoices shewn you, and upon which duties were due. I answered not—only a part; as Mr. Kelly informed me when he requested them sent down, such part would do, as would secure the duties, or the Government from loss; and therefore it was necessary only to pack and send down such a part as would do that, which I said was done, there being, as I supposed, double the amount in the two cases, of the duties owing by us. It appeared singular to me at the time that such a circumstance should be noticed, nor was I aware that Mr. Kelly or ourselves were acting wrong in any respect in the whole transaction, until from his anxiety and the conversation with yourself I was made aware of it, as we were in the habit, in Mr. Savage's time, of having the goods sent up as soon as they came to the wharf, and we furnished the invoices as soon after as possible; and during Mr. Carfrae's time, the invoice was furnished and the permit granted, and goods sent up, the duties being paid in 3 or 4 or 5 or 6 months, as convenient; and we neither knew of our acting wrong, or Mr. Kelly being in the slightest degree culpable.

The above is as near as possible the conversation which took place between us.

Very respectfully, Sir,  
I remain yours,

ALEXANDER HAMILTON.

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P. S. Any further information in my power to furnish to any one, shall be most readily done.

Dear Sir,  
Your most obedient Servant,

ALEXANDER HAMILTON.

To M. CAMERON, Esquire,  
Inspector of Customs.

Personally appeared before me, Charles Berczy, Esquire, one of Her Majesty's Justices of the Peace for the Home District, John Roy, Deputy Collector of Customs for the Port of Toronto, who being duly sworn, depose and saith, that there was no Warehouse Book kept at this office; that some time early in the summer, the Deputy Inspector General of Canada, and the Collector of Montreal came to this office, and amongst other enquiries asked for a Bonded Warehouse Book; on the departure of these gentlemen to the upper part of the Province, a book containing the goods received from Quebec and Montreal, in bond, was made out previous to their return.

This deponent further saith that there were no entries made from the opening of the navigation for 1843, in any Book, of Auctioneers' Duties or Licences, Tonnage Dues, or Harbour Dues; that the whole business of the office was transacted on slips of paper which were copied by the present Accountant, Mr. Graham, who came to the office on the first of May. This deponent further saith, that Mr. Kelly informed him that Hamilton and Wilson would send into the Queen's Warehouse two boxes of goods which they were unable to pay duties upon, and that they were to remain there until the present examination was over; deponent did not receive the goods; they were however put into the Warehouse without the knowledge of this deponent; that the said goods were said to be the same goods as imported by Hamilton and Wilson in April last. This deponent was afterwards ordered by the present Collector to take a particular account of these goods, and they amounted to about one-fourth of the value of the original packages; Mr. Hamilton informed this deponent that he had sold the remainder; that they had removed the goods from Mr. Kelly, with the understanding that he, Mr. Kelly, was to pay the duties, with the exception of a few pounds, as Mr. Kelly owed them nearly the amount for furniture. Mr. Hamilton further informed this deponent that several friends of Mr. Kelly's had called upon him and said he was the cause of Mr. Kelly losing his situation, in consequence of the statement he had made to Mr. Cameron; he said he was sorry for it, but that he had told nothing but the truth; they wished him to make a different statement, which he declined doing; he was then asked if he would go to Kingston and give evidence in the matter: he replied that he could be of no service to Mr. Kelly, as he had already told all he knew about them. This deponent further declareth that, to the best of his recollection and belief, he gave a statement from memory of the greater number of the vessels which had paid tonnage dues for the year 1843, when the Commissioner of Customs was in the office.

JOHN ROY.

Sworn before me, this }  
27th November, 1843. }  
CHARLES BERCYZ,  
J. P. H. D.

Received this paper, 30th November, and handed it in to the Inspector General's Office, to be filed with my Report.

MALCOLM CAMERON.

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24th March.

Personally appeared before me, Charles Berczy, Esquire, one of Her Majesty's Justices of the Peace for the Home District, George Graham, Accountant at the Custom House, Port of Toronto, who being duly sworn, depose and saith that he has to the best of his knowledge and belief seen a Book purporting to be a Bonded Warehouse Book, but that he never made entry in it; that it was kept by Mr. Kelly, late Collector; and with reference to a Ledger, deponent further saith that there was a Book kept in this office in 1843, shewing the general result, "but not under distinct heads:" in this was entered the total amount of Duties, Harbour Dues, Auction Duties, and Auctioneer's Licences, the detail of which was to be ascertained from the Day-Book or Blotter; the last time deponent saw those Books, was in the possession of Mr. Kelly, late Collector.

GEORGE GRAHAM.

Sworn to before me, this 28th }  
day of November, 1843. }

CHARLES BERCYZ,  
J. P. H. D.

Received, December 1st, 1843, and referred to the Inspector General.

MALCOLM CAMERON.

TORONTO, 15th July, 1843.

MR. WILLIAM CARPENTER,

One bureau, . . . . .	\$13,00
One table, . . . . .	4,50
Six chairs, . . . . .	3,75
Two feather-beds . . . . .	12,00
A lot of bed clothes, . . . . .	8,00
	<hr/>
	\$41,25
Add 10 per cent . . . . .	4,12
	<hr/>
	45,37
	<hr/>
Duty 5 and 4 per cent, . . . . .	4,09
	<hr/>

Entered. Paid.

ROCHESTER, May 12th, 1843.

H. PIPER,

1 box of lead pipes. . . . . \$7,85

H. PIPER.

Duty \$1,29.

I, Hiram Piper, affirm, that the Invoice hereunto annexed contains a just and true statement of the prices, the quantities and contents of the several parcels or articles of Merchandize enumerated therein, and imported per the *America*, for my account; and that the prices therein are charged at the current value of the like merchandize at the port of exportation.

H. PIPER.

Sworn to before me, at the Custom }  
House in the City of Toronto, this }  
21st day of July, 1843. }

WM. M. KELLY, Collector.

Appendix  
(K. K. K.)

NEW YORK, July 17th, 1843.

24th March.

H. & W. ROWSELL,

Bought of the—Press Manufactory,

1 Impl. No. 4. Washington Press,	\$240,00
1 medium slice galley,	1,75
1 quarto do.	1,50
2 common galleys,	1,00
6 double brass roof do.	16,50
1—20 in. composing stick,	3,25
1—14 " do.	2,25
2—10 " do.	3,50
6—8 " do.	9,00
26 pair cases at \$1. 75.	45,50
12 job do. " 1. 25.	15,00
189 yards furniture	9,45
	<hr/>
	\$348,70

Duty at 7 & 5 on \$240,00	} 18,48
Duty at 4 & 5 on 108,70	} 4,78

40,69  
50

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41,19

I, Henry Rowsell, affirm, that the Invoice hereunto annexed contains a just and true statement of the prices, the quantities and contents of the several parcels articles of merchandize enumerated therein, and imported per the *America*, for my account; and that the prices therein are charged at the current value of the like merchandize at the port of exportation.—So help me God.

HENRY ROWSELL.

Sworn to before me, at the Custom }  
House in the City of Toronto, this }  
26th day of July, 1843.

W. M. KELLY.

MEMO. of Mr. Brett's entries of Tea up to the 1st August.

July 10.—4 chests, 4 cattiees and 1 box Tea,	275 lbs.
" 15.—5 chests Tea,	286
Aug. 1.—5 do Y. H. Tea,	285
" 3.—3 do Levant Tea,	178
" 4 do Twankay,	198
	<hr/>
26 pieces	1222 lbs.

Messrs. ROWSELL.

July 21.—Printing Press and Type,	£15 2 2
" 26.—A lot of Stationery,	2 7 2

Amount of duties by them from 5th July to 1st August, £17 9 4

Had no opportunity of making entries, except from 5th July to 1st August, in which differences appear as stated.

Appendix  
(K. K. K.)

KINGSTON, 27th October, 1843.

24th March.

MALCOLM CAMERON, ESQ.

SIR,—On examining Mr. Kelly's Return from 5th July to 1st August, there does not appear to be any entry made of Mr. Brett's Teas, as per account herewith, of 7th July, say

20 half chests	1118
5 do do	294
5 do Twankay	247
20 boxes Y. H.	240

1899 lbs. Tea, and which requires explanation.

I further observe, as per account, that a Washington Press and Stationery, value \$240 and \$108,70 = \$348,70, dated 17th July, and imported 26th, of which there is no entry, though I do perceive entered on the 21st July, "Printing Press and Types" \$476, and on the 26th, Stationery \$100,70: the latter may be the Stationery referred to, but which also requires explanation.

In many cases the Collector has collected (as per memo.'s furnished) the Provincial duty on the additional 10 per cent. added to Invoice, though the correct duty is credited to Government; the differences I am enabled to trace, amount to £4 3s. 7d, being so much over exacted by Collector.

See memo: dated 19th July, of Mr. Carpenter's furniture. Is this intended for same lot as per account of 15th, the latter only being credited by Mr. Kelly?

I do not see any entry of H. Piper's lead pipes, dated the 21st July.

I am Sir,  
Your obedient servant,

WM. DICKINSON.

N. Y. June 17th, 1843.

R. H. BRETT,

Bought of L. M. Hoffman and Co.

20 half chests Y. H. Tea, 1398, 280, 1118 lbs.	
at 30c,	\$335,40
5 half do 374, 80, 294 at 40c,	117,60
5 do Twankay, 327, 80, 247, at 35c,	87,45
20 boxes Y. Hyson, 240, at 40c,	96,00
	<hr/>
	636,45

Entered.

MR. CARPENTER,

1 Bedstead,	\$8,00
1 Bureau,	12,00
3 doz Chairs,	3,75
Table,	4,00
Bedding,	12,00

34,75

10

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347,50

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Toronto, 19th July,	
4 Ps, I, D, 38, 22, . . . . .	\$1,52
5 Ps, 34, 75, . . . . .	1,83
	50
	3,75

WM. CARPENTER.

*Statement of Mr. Kelly, in reply to the Additional Report of Malcolm Cameron, Esquire, dated Kingston, 24th November, 1843.*

Mr. Cameron admits that Mr. Kelly's classification of Mr. Cameron's charges and imputations against him is an arrangement "at once convenient and tangible."

Mr. Kelly, in order to make each of his explanations and replies as distinct and satisfactory as possible, will place them in red ink in juxta-position to Mr. Cameron's allegations.

*First.*—Mr. Kelly considered this to be a complaint, seeing it urged against him. Mr. Kelly's explanation has compelled Mr. Cameron to admit that it could not amount to a charge, and Mr. Cameron finding his allegation to fail in criminating Mr. Kelly, now for the first time asserts that Mr. Kelly "had no Books at that time." It is most extraordinary that Mr. Cameron could have been led to make such an assertion, since Mr. Cameron had "at that time" minutely examined, marked off, and checked each entry in Mr. Kelly's Day-Book. The Books then in use by Mr. Kelly are now in the possession of the Inspector General and Mr. Kelly's successor, which will be by themselves a sufficient refutation of Mr. Cameron's assertion.

Mr. Kelly would also refer to his answer, to this first charge, in his former statement.

*Second.*—Mr. Kelly would, in the first instance, refer to his previous reply in his former statement to this charge. In answer to Mr. Cameron's additional charge, of his having no Ledger and no Books except on a few sheets of paper, Mr. Kelly would refer to Mr. Cameron's Journal of Inspection in 1842, published by order of the House of Assembly, being an Appendix to his Report, page 61, in which he says, in reference to the management of Mr. Kelly's office, "that he found a Blotter containing a full entry of all goods," and in approbation of the mode in which this book was kept, he has given extracts from it as specimens, after which he has stated "the Books are well kept;" he has further, in a letter dated Toronto 29th July, 1842, addressed to the Honourable S. B. Harrison, and published in the same Report and Appendix, page 86, stated "the business has been well done—Mr. Kelly is constantly in his office." Mr. Kelly begs leave to state that at the time of Mr. Cameron's visits of inspection in the month of July 1843, Mr. Kelly had in use the identical Books and pursued the same mode of doing business as that which Mr. Cameron had previously approved of, and that up to the hour of his dismissal, Mr. Kelly made full and explicit entries of all goods in the same Day-Book, and after the same manner and form as that entry which Mr. Cameron had extracted as a fair specimen of Mr. Kelly's mode of conducting that part of his duties, and which Mr. Cameron had so highly approved of. These Books are now in the Inspector General's Office, and must fully corroborate Mr. Kelly's assertion.

In reference to Mr. Cameron's charge of Mr. Kelly having made some entries on "a few sheets of paper sewed together" after the 5th of July, the cause of this is fully, and (Mr. Kelly would submit) satisfactorily

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explained in Mr. Kelly's former statement, to which he would in this particular again refer. Mr. Kelly would however further add, that previous to the date of Mr. Cameron's Report he saw all entries which had been made in this paper book or on those "sheets of paper," copied into a new Book properly bound and ruled in accordance to the provisions of the new Tariff, and which had before been ordered by Mr. Kelly for that purpose. Mr. Cameron compared the copied entries and satisfied himself that they were correct; the last entry contained in the former book was made on the 28th July 1843, the date of Mr. Cameron's Report. Mr. Kelly cannot avoid remarking that the suppression of those facts by Mr. Cameron is most uncandid on his part, Mr. Cameron well knowing that what he calls "sheets of paper," were only made use of by Mr. Kelly until a Day-Book corresponding to the requisites of the new Tariff should be properly prepared, which was accordingly *done*, and had been in use and was submitted to Mr. Cameron before the date of his Report. Mr. Kelly again asserts that there was a Bonded Warehouse Book, which is now in the possession of Mr. Stanton, the present Collector of Toronto, and a copy of which is herewith handed to the Inspector General.

In proof of Mr. Cameron's extraordinary assertion, that there was no Bonded Warehouse Book, he makes a statement that there "was no trace" of 50 chests of Tea imported by Mr. Brett on the 4th of July, "as either bonded or stored." This is inaccurate and untrue; the Tea on its arrival was stored and duly entered in Mr. Kelly's Manifest or Warehouse Book, where alone it ought then to be entered, (they not being bonded goods,) as the duty was paid on portions of it, the proper further entries were made,—the remainder was in store at the time of Mr. Kelly's dismissal, and has been subsequently entered, and the duties thereon paid by Mr. Brett to Mr. Kelly's successor; this Cameron admits.

In respect to Mr. Rowsell's matter, which Mr. Cameron would mention as a further and new charge against Mr. Kelly, there is an entry in the Day-Book, made on the day the transaction took place, (viz: 26th July 1843,) in Mr. Kelly's hand-writing, giving the Government credit for the full amount, £10 6s. 0d. payable and received by Mr. Kelly. This explanation would have been given if Mr. Kelly had been applied to, which, however, has not been done.

It is also worthy of remark, that Mr. Cameron checked off the entries of which this was one, on their being transferred from one Book to the other.

In reference to this case, (*which is also a new charge*.) the transactions were detailed in the Manifest or Warehouse Book from which Mr. Cameron gleaned his information. All Mr. Kelly told Mr. Cameron was the information which Mr. Kelly had obtained from Mr. Roy, whose duty it was to attend the Boats and to take care of the proper storage of the goods, &c. The case alluded to was at the time of Mr. Cameron's investigation, in store, and it is most extraordinary that it, was not then discovered by either Mr. Roy or Mr. Cameron, when they profess to have made their search; but, in a few days after Mr. Kelly's dismissal, it was discovered in store.

*Third.*—Mr. Kelly confidently perseveres in his former assertion that the Harbour Dues were regularly entered by him as paid, notwithstanding Mr. Cameron's attempted contradiction. The first instance which Mr. Cameron has furnished, to sustain his contradiction, has no connection whatever with Harbour Dues, but has reference to Tonnage Dues, which are a distinct and different source of Revenue, and collected in a different manner.

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The Tonnage Dues are an *annual* charge of 1s. per ton, payable on British vessels, for the support of Light-houses, under the provisions of a Provincial Statute.

The Harbour Dues are payable on merchandize, and not on craft, which Mr. Cameron ought to be, and no doubt is aware of. During the previous winter Mr. Kelly had caused his Deputy to take an account of all the steamers and other craft which were then laid up at Toronto, with the object and intention of securing the payment of the Tonnage or Light-house Dues from all the vessels then wintering there;—this was done, and from this list Mr. Kelly returned to the Government a correct account.

With regard to this further and new charge respecting 8s. 3d. for Harbour Dues, it will be found credited to Government, under the entry per schooner Native.

*Fourth.*—Mr. Kelly cannot conceive on what grounds Mr. Cameron can assert that Mr. Kelly admits this charge. Mr. Kelly in his previous statement denied this charge, and he cannot refrain from copying that denial.

“The sums received by Mr. Kelly from time to time for Auction Dues, were, on the day of receipt, entered in the Blotter or Day-Book as all other sums received by him on the public account were entered, and at the end of each quarter the sums so received were stated and entered in a separate account, and in that form transmitted to the Inspector General.”

This is what Mr. Cameron is pleased to designate an admission. Mr. Kelly denies that it is such; on the contrary, he asserts it to be a distinct denial, and Mr. Kelly also refers to his books to corroborate his statement.

*Fifth.*—Mr. Kelly has fully explained this in his former statement, to which he would again refer, by which it is manifest in this and the other similar cases, the entire transactions were in strict accordance with the law and his duties; in fact, those instances could only have been so noticed by Mr. Cameron, either in ignorance of the law or from a desire to damage Mr. Kelly, by accumulating apparent charges against him.

*Sixth.*—Mr. Kelly would again refer to his former explanation of this charge, and the statement of Mr. Robertson which accompanied it. In the second statement Mr. Cameron endeavours to give much more unfavourable features to the transaction, than the actual circumstances warrant. The facts are simply these:—Mr. Robertson purchased at Oswego and exhibited to Mr. Kelly the invoice of 500 barrels of Salt, for the duties upon which, by law, he was entitled to six months' credit, and which he expected to receive in one shipment; 250 barrels only arrived in the first instance, the remaining 250 barrels were hourly expected to arrive, in anticipation of which the entry was deferred, an accommodation which Mr. Kelly believes would not be refused by any Collector in Canada to any merchant of Mr. Robertson's respectability and standing. Mr. Kelly submits, that in this transaction there was no violation either of law or equity, and he denies that there is one instance in which a trader in Toronto has made any complaint against him as to the mode in which he discharged the Office of Collector; but on the contrary, he can confidently appeal to the merchants and traders of and at Toronto, as to the strict impartiality with which he performed the duties of his office. Mr. Kelly has little doubt that if any such complaint had come within the knowledge of Mr. Cameron, he would rejoice in the opportunity of bringing it forward.

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*Seventh.*—Mr. Kelly refers to his former answer to this charge, as well for the purpose of general explanation as to refute Mr. Cameron's assertion that Mr. Kelly admits that he had been in the habit of receiving several sums of which no entries were made in his books. Mr. Kelly has made no such admission, nor has he ever been guilty of a habit so irregular and improper; after a most rigid and unscrupulous investigation of his accounts by Mr. Cameron, assisted by Mr. Roy, Mr. Kelly's Deputy, (who appears to have had no friendly disposition towards Mr. Kelly, as is evidenced by his conduct, statements and affidavits,) after the strictest and very unusual enquiries made by Mr. Cameron among the merchants of Toronto and their clerks, in reference not only to the sums paid by them during the pending quarter but since the time of his assuming the Office of Collector, and from other parties who had paid other sums of money to Mr. Kelly on account of other sources of Revenue, Mr. Kelly's credits to the Government were found to correspond with the statements of the persons applied to,—which is strong evidence of the accuracy of Mr. Kelly's habits of transacting the business; in fact, the only instances of duties alleged to have been paid, but omitted to have been entered on the day of payment, amounted to four, and are stated by Mr. Cameron in his printed Report of the 19th July, page 107,

Sovereign, Duties on Hops,	£ 3	9	3
Amyer, do. Clocks,	1	11	0
Hinds, do. Cider and Fruit,	0	6	9
Lane, do. Apples,	0	9	10
	£ 5	16	10

The total of duties upon which amount to £5 16s. 10d. currency. But it is most important to add that those goods were all of them entered in the Manifest or Warehouse Book; and their omission could not have failed to have been discovered by Mr. Kelly at the end of the quarter, and set right by him before vouching his accounts, as had been the case at the termination of former quarters. Mr. Kelly would submit that it is a harsh and unprecedented mode of treating him, to select those four isolated items as specimens of his general habits of transacting the public business, and leads him to the conclusion that Mr. Cameron, when preparing his Reports against Mr. Kelly, was largely influenced by a desire to injure and disparage him with the Government. The harsh conclusions which Mr. Cameron so readily reaches, and the severity of the terms he employs, manifest more of a spirit of personal hostility towards Mr. Kelly than a desire of fairly setting forth, for the information of the Governor General, the mode in which Mr. Kelly was found by him to have been generally performing his official duties. In respect to the instances mentioned by Mr. Cameron,—Mr. Dunlop's was a barrel of fruit; Mr. Stewart's was fish (duty free); and Mr. Thorpe's was in store.

*Eighth.*—Respecting this charge, Mr. Kelly would refer to his former statement respecting it. Mr. Hamilton's affidavit does not substantiate Mr. Cameron's charge, but on the contrary negatives the material allegations made by Mr. Cameron in his previous reports; it absolutely contradicts in unequivocal terms Mr. Cameron's assertion that Mr. Kelly had ever consented to permit his private account with Messrs. Hamilton and Wilson, to be made a set-off against the duties payable to the Crown, and it is strongly indicative of the temper and tone of Mr. Cameron's strictures on Mr. Kelly, that he should still persevere in pressing this portion of the charge, notwithstanding Mr. Kelly's positive denial and Mr. Hamilton's sworn denial. Mr. Hamilton's affidavit also denies that Mr. Kelly had made use of the words



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attributed by Mr. Cameron to him, viz: that he "should have his head in his hand," which denial is further sustained by the letters from Mr. Hamilton, appended to Mr. Cameron's last Reports, one addressed to himself and the other to Mr. Roy, in reply to enquiries which those gentlemen thought it necessary to institute on this subject. Mr. Kelly did not consider it a necessary precaution to minute all his conversations with Mr. Cameron after they had occurred, a circumstance he has now occasion to regret; he is therefore compelled to have recourse to documents, circumstances and dates, which will demonstrate that he could not have made the false statement respecting the storage of those goods which Mr. Cameron so unfairly and unjustly asserts that he has.

Mr. Hamilton in his affidavit, states that two cases of the same goods were deposited in the Store on the 13th July, the day of Mr. Cameron's arrival in Toronto; and on the next day, the 14th, Mr. Cameron commenced his investigation, so that they were in store at the earliest time Mr. Cameron could have made any enquiry respecting them. In Mr. Cameron's Report of the 28th July, Mr. Cameron states, "the two cases of Hamilton and Wilson are still in store." "Mr. Kelly informed me of the fact of their delivery to the parties and his ordering them back, and says they contain all the goods not entered by Hamilton and Wilson, and that the duty will be about £45." Now it is apparent from Mr. Cameron's own admission, that Mr. Kelly gave him every information respecting this case, and Mr. Kelly was not guilty of a suppression of any of the facts connected with the transaction in his communication with Mr. Cameron on the subject.

What other conversation Mr. Kelly may have had with Mr. Cameron it is impossible for him now to recollect, (and this affords him a further occasion to regret that he did not minute them,) but he will be believed by every one who knows him that he is incapable of asserting "that these goods were in store when he knew they were not." Mr. Cameron's assertions that Mr. Kelly "got other goods packed up and sent to the Custom House," is negatived by Mr. Hamilton's affidavit.

*Ninth.*—This charge has been explained in Mr. Kelly's first statement, and in his reply to the second charge in this statement.

*Tenth.*—This allegation appeared to Mr. Kelly to be a charge, because Mr. Cameron states that the delay "saved the higher duties" payable under the old Tariff, and Mr. Cameron does not state that it was beyond Mr. Kelly's power to prevent this consequence, which Mr. Kelly in his former "vindication" of himself against this charge (to which he would refer) clearly shews that there was no apparent necessity that Mr. Cameron should mention those circumstances as a "vindication" of Mr. Kelly, and the statement was clearly made by him as a charge, and in ignorance of the duties and powers of Collectors.

*Eleventh.*—Mr. Kelly confidently relies on his former vindication of himself against this charge, to which he would refer. It would not be, and was not Mr. Kelly's duty to place in that quarter's account, the amount of the cheque in question, because even if paid on the day it bears date (which it was not) the transaction would belong to the same quarter as that in which it has been placed, and Mr. Kelly is at a loss to imagine how his placing it in the quarter to which it properly belonged, could become a breach of duty or work injustice to Mr. Strange.

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*Twelfth.*—This charge is also met by Mr. Kelly in his former statement, by a specific explanation and a denial, to which he would refer; he would, however, further add the items of payment made in respect of each boat, and the dates as they appear in Mr. Kelly's books, and are credited to the Government as follows:—

*The "Britannia."*

1842.—May 3, . . . . .	£0 8 2
July 5, . . . . .	2 14 3
" " . . . . .	0 9 8
Oct. 5, . . . . .	2 14 0
" 30, . . . . .	2 12 7
	<hr/>
	£8 18 8

This sum corresponds with Mr. Cameron's account, and Mr. Cameron is inaccurate in saying Mr. Kelly only returned £6 11s. 5d.

*The "America."*

1842.—Oct. 5, . . . . .	£24 0 0
" 30, . . . . .	8 15 1
	<hr/>
	£32 15 1

This Mr. Cameron admits to be correct, and it is difficult to say why he has stated the matter.

As regards the Steamer "Gore," Mr. Kelly appends hereto a letter from Mr. Bethune's Agent, marked A, from which it appears that the sums paid on account of that boat, amount to £17 14s. 9d. which Mr. Kelly for the same period has credited the Government.

1842.—April 5, Returned by Mr. Manahan,	£2 5 9
" 18, " Mr. Kelly,	1 4 4
May 6, " "	1 12 5
June 17, " "	4 2 6
July 14, " "	0 14 6
" 30, " "	8 2 10
	<hr/>
	£18 2 4

Mr. Cameron's disparaging enquiry, "why Mr. Kelly did not go to the Agents of the Boats and get their statements as he did Hamilton and Wilson's, and so contradict this important fact!" is fully answered by the letter of Mr. Bethune's Agent above referred to, which had been obtained by Mr. Kelly long before the date of Mr. Cameron's last Report.

*Thirteenth and Fourteenth.*—Mr. Kelly asserts that Mr. Urquhart, Agent for Mr. Ogilvie, has not paid him those Harbour Dues as stated by Mr. Cameron. Mr. Kelly has written to Mr. Urquhart on this subject, and will either append or hand in his reply when received. The sums of which this amount, £6 12s. 9d. forms a part, have been paid into Mr. Kelly's office by the Captains or owners of the Vessels, and afterwards collected for them by their Agents, Messrs. Urquhart and Brown, of which Mr. Cameron must be well aware, since, in his Report of the 28th July, he states that "the steam vessels keep an account themselves and pay over quarterly to the Custom House, and the schooners only pay when sharply looked after." All sums received by Mr. Kelly for Harbour Dues have been regularly entered in his Books, and afterwards duly lodged to the credit of the Receiver General.

*Fifteenth.*—Mr. Kelly considers this charge to be one of the most serious of those which Mr. Cameron

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has preferred against him, and he would, therefore, most earnestly request attention to the terms in which it is stated by Mr. Cameron in his Report of the 28th July, and to the circumstances which he there sets forth to sustain it, and also to the reply and explanation of Mr. Kelly, which amply and fully refute it and all its accompanying details.

In Mr. Cameron's statement of this charge, he avers that in his examination of Mr. Kelly's Books, he discovered that a sum of £120 14s. 2d. had been "borrowed," and he enumerates the items which he stated composed this sum, several of which are for *Harbour Dues* and *Licenses*; it is therefore most extraordinary, that Mr. Cameron having admitted the fact of examining those accounts in his former Report, should now state that he only checked off the receipts for Customs, (see conclusion in Mr. Cameron's Report of 28th July.) Mr. Cameron having left Mr. Kelly's explanation of and reply to this charge wholly unanswered, and having, in his place in the House of Assembly on the 2nd of December (subsequent to this Report) stated that Mr. Kelly had not been a defaulter, has, notwithstanding, in this last Report, preferred a further and new charge, that Mr. Kelly, was, on the 1st of August, a defaulter in the sum of £215 14s. 2d. which Mr. Kelly asserts is not sustainable either by the facts or by the state of his accounts. This Mr. Kelly cannot more clearly or more plainly demonstrate than by shewing the state of his account with the Government on the 31st of July, the day before his dismissal, and then to account for his receipts on the 1st of August, which terminated his official duties.

The Provincial Government in Account Current with  
W. M. Kelly.

*Dr.*

1843.		
July 17.—To Cash lodged to Credit of Receiver General, . . .	£238	0 0
“ 24, do. do. . . . .	303	0 0
“ 31, do. do. . . . .	210	0 0
To Cash paid expenses on account of Seizures for the public account, . . .	47	10 0
To Bonds, . . . . .	493	9 8
	<hr/>	
	£1291	19 8

*Cr.*

1843.		
July 31.—By Customs Duties, &c. . . . .	£1185	14 8
“ “ By Harbour Dues, . . . . .	36	5 8
“ “ By Tonnage Dues, . . . . .	36	19 7
“ “ By Auction Duties, . . . . .	32	13 8
“ “ By Balance, . . . . .	0	6 1
	<hr/>	
	£1291	19 8

Leaving a balance of 6s. 1d. in Mr. Kelly's favour, without making any charge for Commission on Customs Duties, Harbour Dues or Auction Duties, which would leave a further balance of £60 odd in Mr. Kelly's favour.

In the afternoon of the following day (1st August,) Mr. Kelly received a letter informing him of his dismissal; he had during that day received in cash, £150 16s. 5d. and a Bond for £100; on the 5th August, auction sales of goods, which had been seized by Mr. Kelly, were effected. The proportion of the proceeds thereof payable to Mr. Kelly, he ascertained to be £161 8s. 3d. and his final account with the Government stands thus:—

The Provincial Government in Account Current with  
W. M. Kelly.

*Dr.*

1843.		
July 17.—To Cash lodged to Credit of Receiver General, . . .	£238	0 0
“ 24, To do. do. do. . . . .	303	0 0
“ 31, To do. do. do. . . . .	210	0 0
“ “ To amount of Bonds, . . . . .	593	9 8
“ “ To my Commission on £1378 7s. 8d. at 5 per cent. . . . .	68	18 5
“ “ To do. on Harbour Dues, £36 5s. 8d. at 10 per cent. . . . .	3	12 0
“ “ To do. on Auction Duties, £90 9s. 5d. at 5 per cent. . . . .	4	10 0
“ “ To Cash paid the proportion of Expenses corresponding to the Government, on Seizures, . . . . .	32	4 3
“ “ To my proportion of Seizures, . . . . .	161	8 3
	<hr/>	
	£1615	2 7

*Cr.*

1843.		
August 1.—By Custom Duties, . . . . .	£1378	5 4
“ “ By Harbour Dues, . . . . .	36	5 8
“ “ By Auction Duties, . . . . .	90	9 5
“ “ By Tonnage Dues, . . . . .	36	19 7
“ “ By Balance, . . . . .	73	2 7
	<hr/>	
	£1615	2 7

*Dr.*

August 1.—To Balance, . . . . .	£73	2 7
“ “ To paid Clerk 16 months Salary, from 6th April, 1842, to the 6th August 1843, . . . . .	133	6 8
“ “ To paid Deputy, 6 months do. from do. to 5th October, 1842, . . . . .	40	0 0
“ “ To paid Deputy, 16 months do. from do. to 6th August, 1843, . . . . .	106	13 4
“ “ To paid office rent, from do. to do. . . . .	26	13 4
“ “ To paid for Books, Stationery, &c. . . . .	22	10 0
	<hr/>	
	£402	5 11

Mr. Kelly denies that he was "permitted to deposit all the Cash received in his own name, to be transferred to the credit of the Receiver General from time to time." No such permission or order ever reached him.

On the 16th May, 1843, a general order was issued to all Collectors, which directed that they should deposit weekly (in some cases monthly) all sums received, to the credit of the Receiver General. Mr. Kelly has since its receipt invariably complied with this order. Mr. Cameron well knew of its existence, and of Mr. Kelly's compliance with it, and therefore that it was impossible for Mr. Kelly to balance his private accounts with the public monies, and at the same time make his weekly lodgments to the credit of the Receiver General. Mr. Cameron's insinuation that a special order had been issued to Mr. Kelly relative to the mode in which he should make his deposits is unjust and untrue: no such order ever reached Mr. Kelly, and he continued up to the time of his dismissal to make his deposits in the Bank of Upper Canada, to the credit of the Receiver General, under and in compliance with the order of the 16th May.

Mr. Kelly having attentively perused Mr. Cameron's Commission, can discover no authority given to Mr.

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Cameron to institute such a mode of investigation as he has chosen to adopt in respect to Mr. Kelly's official conduct; but he finds a still greater difficulty in discovering any authority conferred on Mr. Cameron to authorize his intruding his enquiries into Mr. Kelly's private affairs.

The state of Mr. Kelly's private account with his Bankers is most improperly introduced now, though previous to Mr. Cameron's having made his two former Reports, and on his arrival in Toronto in the month of June, he (without apprizing Mr. Kelly of his intention) went to the Upper Canada Bank, and was, in the absence of the Cashier, permitted to examine Mr. Kelly's private account, when he discovered the sum Mr. Kelly had overdrawn, and he adds, "that he has reason to believe the said balance is still due the Upper Canada Bank." This insinuation of Mr. Cameron is untrue, and he ought not to have ventured to make it without better informing himself on the subject. Mr. Kelly, before he left Toronto, settled his balance in full with the Upper Canada Bank.

If Mr. Kelly yielded to his own feelings he would express himself indignantly as to the course of conduct adopted, and the nature of the observations made as to Mr. Kelly's official and private character, and also as to Mr. Kelly's private affairs; but Mr. Kelly refrains from doing so, looking forward, as he does, for that redress condescendingly promised should be awarded him as soon as he should prove the groundlessness of the charges preferred against him.

Kingston, 4th March, 1844.

(Signed,) WM. MOORE KELLY.

No. 3.

*Report of the Deputy Inspector General on Mr. Cameron's Report, and Mr. Kelly's Statement in reply.*

(Copy.)

INSPECTOR GENERAL'S OFFICE,  
Kingston, 7th May, 1844.

SIR,—I have the honor to acknowledge your reference, by command of His Excellency the Governor General, of the Report of Malcolm Cameron, Esquire, Commissioner appointed to enquire into the state and management of the Customs in Upper Canada, containing certain charges against William Moore Kelly, Esquire, as late Collector of Customs at Toronto, as well as Mr. Kelly's answers and explanations thereon, together with Mr. Cameron's replies.

I have to express my regret that so much delay has occurred in making this Report, occasioned by the constant and unremitting duties of this office, which were considerably augmented at the very time this reference was made, by the new arrangements for conducting the business of the Receiver General's Department.

I have now the honor to report for the information of His Excellency, that having fully and maturely considered the several allegations of Mr. Cameron in support of the charges, the explanations of Mr. Kelly, as well as the replies of Mr. Cameron which involve new charges, communication of which it was considered necessary should be given to Mr. Kelly, who furnished further

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answers and explanations which are hereunto annexed. Mr. Kelly having for convenience arranged Mr. Cameron's Report into several heads of charge, numbering them according to the order in which they occur, I proceed to make such observations on each head of charge so distinguished as the result of the enquiry.

**FIRST CHARGE.**—"That Mr. Kelly had not closed his accounts (for the quarter ending 5th July, 1843,) on the 17th of that month."

To this charge Mr. Kelly pleads, in substance, that the law allows the Collector twenty clear days after the termination of each quarter, to make up and render their accounts to the Office of the Inspector General.—This is admitted to be the case; but although such a time is allowed for making up and transmitting the accounts, it is no reason why the Books of the Office, had there been anything like regularity observed, should not have been closed immediately after the termination of the quarter.

Mr. Cameron asserts that on a previous visit to the Custom House, Mr. Kelly had promised that the accounts would be ready immediately after the 6th July, as they were then in preparation; while on the 13th of that month the books and accounts were not closed, which is the circumstance complained of by Mr. Cameron.

**SECOND CHARGE.**—"There was no system of doing business in Mr. Kelly's Office, and no Bonded Warehouse Book was kept, the only trace of the goods bonded was by reference to the Bonds."

On the previous part of this charge, "the want of system," it may be observed that it appears the same form of keeping the books continued at the time this charge was made that prevailed in 1842, and noticed in terms of approbation in Mr. Cameron's Report, as printed, at page 61.

As respects the latter part of the charge, the want of a Bonded Warehouse Book, Mr. Kelly insists that there was a Bonded Warehouse book kept, which was in use at the time referred to by Mr. Cameron. A copy of this book, called by Mr. Kelly a Warehouse Book, is now in the Office of the Inspector General; it merely contains copies of the manifests furnished by the Masters of Vessels as they arrive, but it does not shew what portion of the effects detailed in the manifest, are entered for warehousing.

It is most certainly within my knowledge, that on the 23d June, 1843, there was no such Book as a Bonded Warehouse Book in use at the Custom House at Toronto, for on that day Mr. Hall, the Collector of Montreal, and myself, being on a tour of duty visiting some of the Ports of Entry to the westward, were at the Custom House at Toronto, when, in answer to the question put by Mr. Hall, "whether a Warehouse Book was in use?" Mr. Kelly stated that there was none. This circumstance is confirmed by the affidavit of Mr. Roy, the Deputy Collector, appended to Mr. Cameron's reply.

It may, however, be observed, that at the date of Mr. Cameron's Report, the Collectors had not been furnished with any instructions as to the manner of keeping their accounts, nor any form of books indicated to them—each was left to follow any system that best suited them.

**THIRD CHARGE.**—"No account was opened in Mr. Kelly's books for Harbour Dues, and the entries were made in the Blotter "several small craft" with no names, dates or particulars."

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The Harbour Dues as well as Tonnage Duties appear to be entered, as regularly as the case would appear to admit, on the Blotter from which the accounts were made up.

It is admitted in Mr. Cameron's Report, page 4, as "printed, that, at Toronto, "it was impossible for the "Collector, with the limited assistance afforded him, "to prevent the evasion of these dues. The Tariff re- "quires revision; and the other regulations necessary "to ensure their proper collection may be provided "for in the Bill for the general management of the "Revenue."

**FOURTH CHARGE.**—"There was no account for "monies received for Auction Dues, or Auction Li- "cences."

Mr. Kelly asserts that the sums received on these accounts were, on the days of receipt, entered on the Blotter or Day Book, as all other sums received, and, at the end of the quarter, posted to separate accounts.

This appears to have been the system in preceding years. As before observed, no particular form of accounts or books were required of the Collectors, each being left to adopt their own form.

**FIFTH CHARGE.**—"The plaister imported by James "Brown on the 17th April, was not entered, and the "duty thereon was not paid until the 4th July."

Mr. Kelly, in his answer, states that as there was no Warehouse provided by Government for the reception of goods imported, and not entered for the payment of duty, he cites the provision of the Imperial Act 3 & 4, Will. IV., chap. 59, section 25, allowing a certain time to make entry and land goods, and in default of such entry and landing, they are not to be stored for three months, when, if the duty be not then paid, they are to be sold, &c.

This provision of the Act, it is apprehended, applies to cases where the importers or consignees of the goods are absent, but such is not asserted to be the case by Mr. Kelly.

Under such a construction of the provisions of the Act, and allowing as was done, in this case, the importers to have possession of the goods, in their own store, without the payment of duty, every importer would consider himself entitled to the same indulgence, and thus get a credit of three months, at least, for payment of duties, where no credit, it is submitted, was contemplated by the provision of the Act.

Mr. Kelly, as before stated, affirms that there was no Warehouse provided by Government, in which the articles could be placed until the duty was paid,—this was not the case, as in April 1843, the time of the importation in question, there was an approved Bonded Warehouse in use at Toronto, in which the articles might have been stored and secured at the expense of the Importer, as provided by the Act.

But even in the case of there being no Government Warehouse, there were stores to be had, it is presumed, in which the articles in question might have been stored, at the expense of the importer, where they might have remained in charge of the Collector, or other Custom House Officer.

This transaction appears to have been extremely irregular, and not justified by Mr. Kelly's explanation. It was, in fact, giving the importer credit for the payment of duties contrary to law and to the instructions from the Inspector General's Office.

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**SIXTH CHARGE.**—"The Salt imported by Charles "Robertson on the 20th June, was not entered on the "17th July."

This is another instance of gross irregularity, in giving credit for duties to which the importer was not entitled by law, and in direct violation of the instructions from this Department.

In this case it would appear to have been the intention of the Importer, as well as the Collector, to have Bonded the salt under the provisions of the Provincial Act, had the whole quantity expected, arrived at nearly the same time, although in different vessels, which would have been contrary to the provisions of the Provincial Act, which allows a credit for duties, on Bond being given, only, on each importation, when the duty on which would amount to £50 or upwards.

A portion of the quantity entered only arrived; the duty on which did not amount to near £50, yet the importer was allowed to get possession of it, without payment of duty, for nearly a month after its landing.

This, it would appear, was a continuation of an irregular practice of Collectors, previous to 1842; of allowing merchants possession of the goods imported by them before payment of the duties, which were in many instances collected only towards the end of each quarter, when absolutely required to enable the Collector to make up his Quarterly Returns.

That previous practice, it is submitted, could not be pleaded in justification by Mr. Kelly, for when such an irregularity became known to the late Inspector General and myself, it was considered our duty to put a stop to it; and, with that view, a circular was issued from this Office, 9th Sept. 1842, addressed to all the Collectors, forbidding them to allow credit for duties, except in cases coming within the provisions of the Provincial Act 4 & 5, Vic. cap. 14, by which the duty on any one importation, exceeding £50 might be secured by a Bond being taken for the amount, payable in six months. That instruction was again noticed in another circular to the Collectors, dated 4th April 1843.

**SEVENTH CHARGE.**—"Carelessness and irregularity on the part of Mr. Kelly or those acting under "him, in having in eighty seven instances, of which a "written list was furnished Mr. Kelly, omitted to "make proper entries."

Mr. Kelly, in answer to this charge, again pleads the time allowed by Law of twenty days to make up his accounts. First, that if such time had been allowed him, he would have been enabled to discover the omissions in his entries, and corrected them at the close of the account.

This is no justification of the gross irregularity in not making the entries in the Books in the order in which each transaction occurred; and justifies the presumption; that at least a portion of these items might have been lost to the Revenue had they not been pointed out by Mr. Cameron.

**EIGHTH CHARGE.**—"Having suffered Messrs, "Hamilton and Wilson to remove certain goods before "entry and payment of duty, upon an understanding "that the amount of duties was not to be set off against "a private debt due from Mr. Kelly to Messrs. Ham- "ilton and Wilson."

Mr. Kelly states in substance, that this indulgence proceeded from no other motive than a wish to accom-

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moderate a respectable firm, without loss or injury to the Public, &c.

This is another instance of Mr. Kelly's irregularity, giving credit for duties contrary to Law and his instructions from this Department, as noticed on the preceding charge.

Indulgence thus given to one merchant or firm gives a pretence to others to expect the same, and if withheld is the cause of complaint against the Public servants for acting partially.

As to the part of this charge which imputes to Mr. Kelly that the amount of these duties were to be set off against a private debt owing by him to the parties, the evidence is contradictory; Mr. Roy's affidavit, as well as Mr. Cameron's statement, appear to be at variance with the affidavits made by Messrs. Hamilton and Wilson.

Mr. Roy says, "Mr. Hamilton informed him, they, Hamilton and Wilson, had removed the goods with the understanding that Mr. Kelly was to pay the duties, with the exception of a few pounds, as Mr. Kelly owed them nearly the amount."

Mr. Cameron says "Hamilton told him that £36, which Mr. Kelly owed them, was to be paid in this way, *i. e.* in payment of the duties, to which, Mr. Cameron adds, he is ready to make oath."

Mr. Hamilton's affidavit states that there "was not any conversation, direct or indirect, that the private account of the Collector should be set off against the duties."

Mr. Wilson's is to the effect that "there was no understanding or proposal of the kind he was aware of."

**NINTH CHARGE.**—"All the goods received since the 5th July, were entered on a few sheets of paper sewed together."

The necessity for resorting to a few sheets of paper to make the entries, while a new Book was in preparation, appears to be satisfactorily accounted for by Mr. Kelly.

**TENTH CHARGE.**—"The goods imported by Doane on the 30th June, were entered since the 5th July, also the goods that arrived on the 5th July, and the goods imported by Burke and O'Neil, by which the duties under the old tariff were avoided."

Mr. Kelly endeavours to justify himself on this charge on the same ground as attempted in his answer to the 5th charge, but, as on the former case, he does not assert that the goods were not landed until the twenty days had expired: it is in few cases that a vessel is detained for such a time, and this is another instance of credit being allowed contrary to law and to instructions, and to the prejudice of the Revenue, the duty being less when paid than it would have been if paid at the time of entry, previous to the operation of the new Act.

**ELEVENTH CHARGE.**—"Certain sums received from Mr. Strange were kept back, or borrowed from one period to another."

From the explanations given, there does not appear to be any irregularity in this transaction; the money was not received until after the close of the quarter ended 5th April, and could not consequently be credited in the accounts of that quarter.

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**TWELFTH CHARGE.**—"The sums credited to Government by Mr. Kelly for the Steamers Britannia, Goro and America, do not correspond with the sums entered in Mr. Bethune's Books, as paid for these Steamers."

The answers and explanations to this charge are satisfactory, Mr. Kelly appearing to have accounted for all he received on account of these Steamers.

**THIRTEENTH CHARGE.**—Harbour Dues were collected in an imperfect manner; and,

**FOURTEENTH CHARGE.**—The sums paid by Robertson, Ogilvie and Brown, for Harbour and Tonnage Dues on the Sir Francis Bond Head were omitted to be credited to Government.

There does not appear any grounds for these charges. Mr. Cameron admits in his Report, as printed, 4th page, "that it is impossible for the Collector, with the limited assistance afforded him, to prevent the evasion of these dues." Vide Remarks on the third charge in this Report.

**FIFTEENTH CHARGE.**—Several sums enumerated in Mr. Cameron's Report were not deposited at the Bank, to the credit of the Receiver General, but were borrowed.

This charge does not appear to be sustained; Mr. Kelly shows that his monies were paid to the credit of the Receiver General at the Bank.

In conclusion, I beg leave to state that Mr. Kelly's accounts have not yet been audited, and cannot finally be so, until some disputed points between him and Mr. Roy, late his Deputy, are arranged; but there does not appear to be any defalcation in respect to the amounts of the collections as accounted for.

I have the honor to be, Sir,

Your obedient humble servant,

JOS. CARY,  
*Dy. Insp. Genl.*

To the Hon. D. DALY,  
Provincial Secretary.

No. 4.

*Letter from Mr. Kelly to the Honorable Dominick Daly.*

(Copy.)

KINGSTON, 1st June, 1844.

SIR,—Under existing circumstances I am anxious to vindicate my character from the imputations laid against me, and upon which I was removed from my office of Collector of Customs at Toronto; and to enable me to do so effectually, I have the honor to request you will be pleased to give me an Official Copy of the Deputy Inspector General's Report on my case.

I have &c.

(Signed,) W. MOORE KELLY.

The Hon. D. DALY,  
Provincial Secretary.

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No. 5.

*Letter from the Honorable Dominick Daly to Mr. Kelly.*

(Copy.)

SECRETARY'S OFFICE,  
MONTREAL, 6th June, 1844.

W. MOORE KELLY, Esq.

SIR,—I have the honor, by command of the Governor General, to acknowledge the receipt of your letter of the 1st instant, and to acquaint you in reply, that the Report of the Deputy Inspector General on your case, being a document prepared by that Officer for the information of the Governor General, His Excellency would not consider it proper to direct a copy of it to be furnished to you.

I am, however, to state for your information, that while His Excellency regrets that the irregularities committed by you as Collector of Customs at Toronto, were such as to require your removal from Office, it is gratifying to him to find from the Report of the Deputy Inspector General, that although your accounts are not yet settled, there is not at present any appearance of defalcation in respect of the amounts collected, and that several of the imputations against you in the Report of Mr. Cameron, are not confirmed by that of the Deputy Inspector General.

I have &amp;c.

(Signed,) D. DALY.

No. 6.

*Letter from Mr. Kelly to the Honorable Dominick Daly.*

KINGSTON, 10th June, 1844.

SIR,—I was honored with your letter of the 6th instant, refusing to furnish me with a copy of the Report of the Deputy Inspector General, upon a review of the charges and imputations made against me by Mr. Cameron, and my refutation of them. In this communication I observe that while the irregularities charged against me as Collector of Customs at Toronto required my removal from Office, that the Report of the Deputy Inspector General freed me from the imputation of being a defaulter, and that some of the imputations laid against me by Mr. Cameron, were not confirmed by Mr. Cary.

My great anxiety was, still continues to be, and ever shall be, until I stand fully acquitted, to free my reputation from the charge that any act of grave irregularity, defalcation, or malfeasance, as a Public Officer, was ever committed by me, and however grateful to me His Excellency's partial acquittal from those charges may be, the extreme rigour of the punishment would leave still unremoved the impression of grave and serious guilt, and my anxiety is heightened by the reflection that of the variety of Mr. Cameron's allegations, I am not aware that there remains one, the fallacy of which I have not fully exposed, whilst all of them betray the malicious motives and designs, that actuated that officer and his associates in the conspiracy to vilify and defame me; I therefore most respectfully urge, and humbly solicit, to be informed of the specific acts of irregularity which are yet deemed sufficient to require my dismissal, being conscious

of my ability to fully and satisfactorily refute those of Mr. Cameron's allegations which may still, by His Excellency, be considered unanswered, with an evidence as convincing as I have done with respect to those on which Mr. Cary has reported they were not sustained.

My restoration to office however gratifying, or appointment to another office however desirable, are considerations trivial indeed, when compared to the paramount one of vindicating my reputation, that was unsullied and unassailed, until the recent and reckless attempt of Messrs. Hincks and Cameron to traduce it; to free my character from their aspersions, in the face of a community amongst whom I have lived for the last twelve years, will be a sufficient apology for my soliciting this means of vindication, and I do so with more earnestness from the fact, that I am aware all the Clerks in that Office, while Mr. Hincks was Inspector General, were daily engaged in an examination of every entry, paper and manifest in the Office in Toronto, which had been sent for, and examined carefully and closely, with the hope of finding some error, upon which to give a color to the heartless proceedings which terminated in my dismissal; and notwithstanding this anxiety on the part of my persecutors, I have it verified under the signature of the Deputy Inspector General, that in my accounts involving several thousands of pounds, and extending over the long period from 6th January to 1st August, only one solitary error could be discovered, amounting to £7 12s. 4d. and that was duly credited in my original Day Book; there can be no stronger evidence than this of the minute correctness with which I kept my accounts, and I did so without being provided with any forms or assistance whatsoever from the head of the Department.

In Dr. Ryerson's letter No. 3, I observe the following sentence, and as I think it applicable to my case I would quote it: "If a man can be arraigned and condemned on general charges, and on the evidence of his accuser's assertion, what man's character or liberty, or even life is safe?" especially when in my case that accuser stands convicted of fallacy, upon the oaths of disinterested and honest men, and stands confessed before the community, and by the Government itself, as an incompetent Officer whose imputations are negatived by the Deputy Inspector General; furthermore, I had reference to the Despatch of my Lord Glenelg, upon the occasion of the removal of Mr. Ridout, by Sir F. B. Head, stating it to be a policy foreign to the British Government, to dismiss its servants without fair trial and condemnation. And I may now refer to the letter of Mr. Secretary Daly upon a late occasion to Mr. Sheriff Thomas, in which it appears His Excellency commanded his Secretary to inform Mr. Thomas, that it never was his principle or practice to censure or dismiss any Public servant, without first giving him the fullest opportunity of refuting the imputations against him. In my case, without being aware of any charge, I was summarily dismissed, and I was, after dismissal, refused even a copy of the charges which had been made against me, and after a lapse of time I obtained only extracts; and under buoyed-up hopes of conscious integrity, entertained for the ten months past, of my entire acquittal, being now denied the means of vindicating myself in the eyes of my friends at home and abroad, it is not surprising I should manifest a restlessness and anxiety upon the matter.

I therefore most respectfully entreat that His Excellency would be pleased to direct that I should be put in possession of the specific charges upon which my dismissal from Office has been grounded, and that the balance due me by the Government, viz: that on my account current, amounting to £127 9s. 4d. and

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that on contingencies, which I paid for the proper conducting of the Office, amounting to £329 3s. 4d. be paid over to me. And requesting you do me the favor to represent my case in this light to His Excellency the Governor General.

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

WM. MOORE KELLY.

The Hon. D. DALY,  
Provincial Secretary,  
&c. &c. &c.

No. 7.

*Letter from the Honorable Dominick Daly to Mr. Kelly.*

11th July, 1844.

W. MOORE KELLY, Esq.

SIR,—I am commanded by the Governor General to acknowledge the receipt of your letter of the 10th ultimo, soliciting to be informed of the specific acts of irregularity which were deemed sufficient to warrant your removal from Office, and am to acquaint you in reply, that the following instances of culpable irregularity remain unallected by the further investigation which His Excellency has authorized since your removal from Office.

*First.*—Your accounts for the quarter ending 5th July 1843, had not been closed on the 17th of that month. His Excellency observes what you say as to the laws allowing twenty clear days after the termination of the quarter, to make up and render your accounts to the Office of the Inspector General, but this was no reason why the Books of the Office, had they been regularly kept, should not have been closed immediately after the termination of the quarter.

*Secondly.*—There was no regular Bonded Warehouse Book kept at your Office, the Book so called by you, merely containing copies of the manifests furnished by the masters of the vessels as they arrived, and not shewing what portion of the effects detailed in the manifest are entered in the warehousing.

*Thirdly.*—The plaister imported by James Browne on the 17th April, was not entered, and the duty thereon was not paid until 4th July.

His Excellency observes what you state in answer to this charge relative to there being no Warehouse provided by Government, but in April 1843, the time of the importation, there was an approved Bonded Warehouse in use at Toronto, in which the articles might have been stored and secured, in place of the importers being allowed to retain possession of the goods in their own store without payment of duty, thus giving all other importers a claim to the same indulgence, and to obtain a credit of at least three months for duties for which the Act permits none.

*Fourth.*—The same remarks apply to the Salt imported by Charles Robertson on 20th June, and not entered till 17th July, an instance of great irregularity in giving credit for duties to which the importer was not entitled by law, and which was in violation of the instructions from the Inspector General's Department.

His Excellency is perfectly aware that irregularities in the practice had formerly existed, but these irregularities had been discovered and pointed out by circulars issued from the Inspector General's Office on the 9th September, 1842, by which the Collectors were expressly forbidden to allow credit for duties, except in special cases alluded to in 4 and 5 Vic. cap. 14. The same instructions were repeated by the Inspector General on 4th April, 1843.

*Fifth.*—Carelessness and irregularity in having, in repeated instances, of which a list was furnished to you, neglected to make proper entries.

His Excellency observes your statement in answer, that the law allowed you twenty days to make up your accounts; but he cannot consider this as any justification of the very great irregularity of which you were guilty in not making entries in the Books in the order in which each transaction occurred, and renders it probable that, at least, some portion of these items might have been lost to the Public Revenue, had they not been discovered by Mr. Cameron, and pointed out to you.

*Sixth.*—Having suffered Messrs. Hamilton and Wilson to remove certain goods before entry or payment of duty.

This is another instance of great irregularity and neglect of instructions, in giving credit for duties, notwithstanding your being expressly forbidden to do so.

*Seventh.*—The goods imported by Doane on 30th June were entered since 5th July; and the goods imported by Burke and O'Neil, by which the duties under the old Tariff were avoided.

His Excellency observes your answer to this charge; but it is not asserted that the goods were not landed until the twenty days had expired. His Excellency is advised, that in very few instances a vessel detained for such a time, and he cannot but regard this as another instance of credit being allowed contrary to law and to instructions, and to the prejudice of the Revenue, the duty secured being less than it would have been if paid at the time of entry.

Without going into further details, His Excellency considers that the irregularities above pointed out were such as to render it impossible, with due regard to the public interest, to continue an Officer who had been guilty of them, in an Office of so much importance as that of the Collector of Customs at Toronto, where the greatest exactness and regularity is indispensably necessary to the public service.

I am to add, that your accounts and claim for the balance alleged to be due on them, have been referred to the Deputy Inspector General for Report.

I have, &c.

D. D.

No. 8.

*Letter from Mr. Kelly to the Honorable Dominick Daly.*

(Copy.)

KINGSTON, 23d July, 1844.

SIR,—I am favored with your communication of the 11th instant, by which I am now, for the first time, after the lapse of nearly one year, informed, and but par-

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tially, of the specific charges upon which my summary dismissal on the 31st July, 1843, is even now held justified by His Excellency the Governor General,—I say partially, because a reservation, unwholesome to my object of perfect justification before this community, and elsewhere, is made in your letter where you state that without going into any further details, "His Excellency considers the specific charges such as rendered it impossible, with due regard to the public interest, to continue me in an Office of so much importance as that of Collector of Toronto, where the greatest exactness and regularity is indispensably necessary to the public service;" now, Sir, I request you will be pleased to inform me, without any reservation, of every charge which can aid His Excellency in his determination not to restore me, that I may deal with all at once, and wipe away those fancied grave errors, as I did those of *peculation, fraud, defalcation, and borrowing* of the public funds, which Mr. Cameron's Reports contained, and which you, Sir, on the part of the Government of Canada, have declared unfounded in fact; with the further details, when I am favored with them, I will deal in connexion with the whole subject. With the seven degrees of irregularity specified, I have now to grapple; and with the 1st—I beg leave to state, that the quarter ended 5th July, Mr. Cameron came to Toronto, according to his own Report, on the 13th July, and commenced his examination, although he states I was sick; and he continued his examination of the books, and kept my Clerk employed during the whole time, so that if the term of twenty days that the law allowed could not be extended to me in this instance, Mr. Cameron's maliciously designed interference was sure to interrupt the making up of the returns; but he, who having my Books in his possession, and having had reference to them, could deliberately report that those Books had not been regularly kept, and that every entry was not made consecutively as it occurred, and as the duties were paid,—but no fresh entry was ever made in these Books except the four items admitted by me as omissions in that quarter, and noticed in Mr. Cameron's Report, page 107, viz:

Sovereign,—duty on hops, . . . . .	£3	9	3
Amery,—duty on clocks, . . . . .	1	11	0
Hinds,—duty on cider and fruit, . . . . .	0	6	9
Lane,—duty on apples, . . . . .	0	9	10
	<hr/>		
	£5	16	10

which, I repeat, could not have been undiscovered by me, if Mr. Cameron never had been in Office as Commissioner.

2ndly.—There was no regular Bonded Warehouse Book kept at your office.

The futility of this charge is proven by the fact, that I had an especial Bonded Warehouse Book, besides the general Manifest Book, at the time Mr. Cameron made his Report, which Book remains in the possession of my successor in office, and the copy he gave me is in the Inspector General's Office, and was handed in with the Manifest Book alluded to, and especially pointed out to the Deputy Inspector General. The Bonded Warehouse Book on which so much stress has been laid, contained only a few entries of goods, via Montreal, and I believe two from Quebec,—the only goods Bonded while I was Collector of Toronto.

The 3d, 4th, and 7th charges, referable to the importations of James Browne, Chas. Robertson, Chas. Doane, Burke and O'Neil, are in the same category, and may be best answered by reference to the 25th Clause 3d and 4th Wm. IV., which I take the liberty to enclose, cut from the Statute, viz: "XXV. And be it

"further enacted, that every importer of any goods shall, within twenty days after the arrival of the importing ship, make due entry inwards of such goods, and land the same; and in default of such entry and landing, it shall be lawful for the Officer of Her Majesty's Customs to convey such goods to the King's Warehouse; and if the duties due upon such goods be not paid within three months after such twenty days shall have expired, together with all charges of removal and warehouse rent, the same shall be sold, and the produce thereof shall be applied first to the payment of freight and charges, next of duties, and the overplus, if any, shall be paid to the proprietor of the goods;" and I presume that under its authority His Excellency will hold me innocent of those three charges, when he finds that I had no authority to interfere, and that the entries were made within the period prescribed by Law.

The 5th charge is the all important one; after five days investigation by Mr. Cameron, aided by my Deputy, Mr. Roy, he produced a list of Goods entered in my Manifest Book, most of them reported as arrived on the 5th of July, the last day of the quarter, and the first of the new Tariff. Upon looking over the list, even carelessly, I discovered he took every entry he chose, to swell an amount of charges against me; and upon the same list I made remarks, forthwith, that accounted for all the articles, except the few detailed in my reply to the first charge; which list, containing 87 items of goods, in his anxiety to swell charges against me unaccounted for, he says, in his Report of 28th July, he transmitted to Mr. Secretary Harrison as the best explanation of the matter, having my remarks in the margin, and graciously stating that I had been enabled to have the greater part of the entries stated as omissions by his Report of the 17th July. This set of "Memoranda" Mr. Cameron was ashamed of, for in his printed Report to Parliament he reduced them to 24 items, of which 24 all, but the 4 specified, were duly entered as I received the duties on them. I admit the omissions therefore of those four entries, amounting to £5 16s. 10d. but I aver, without the fear of contradiction, that they would have been duly accounted for to the Government, as they were regularly entered in my Manifest Book, (which I always compared before vouching my accounts,) if Mr. Cameron, as I already remarked, had never been Commissioner.

The remaining charge, the 6th,—having suffered Messrs. Hamilton & Wilson to remove certain goods, before entry or payment of duty. The facts are simply these: Messrs. Hamilton & Wilson came to me in November, 1842, and shewed me an Invoice of goods in their trade as upholsterers, and stating that only 2 cases out of the whole quantity had arrived, and that they could not detail the contents of either of the packages; I desired them to take home the goods and make a distinct invoice, and pay the duties accordingly; they did so, and, in proper course, had the duties returned in my account, 5th January, 1843; in April, two more cases arrived, and being similarly circumstanced, I desired them to do so likewise; and in May, the residue arrived, and I desired them to make the general entry, deducting the value of the 2 first cases; they neglected to do so, and finding myself disappointed in their not acting in the spirit of the accommodation I offered them, I insisted on their restoring to the public stores, two of the unpacked cases, to ensure the payment of the duties; they did so, and His Excellency will perceive what a grievous crime was made of this simple act, and what a false and malicious coloring was given to it, by the late Commissioner of Enquiry.

But were the seven charges of irregularity to have existed, which I have clearly shewn to be groundless and chimerical, I respectfully maintain that even in



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that worst view of the subject, I could find a triumphant vindication in Mr. Cameron's Report, page 1, where it will be found that no forms of *accounts, no books of any kind, no instructions* on the subject were ever furnished to me; and to the very day of my dismissal, this want of system of the Department continued, even under the hallowed auspices of Mr. Cameron's 19 months continuance of office. I beg to submit a quotation of the part alluded to: "The next subject which engaged the attention of the undersigned, was the manner of keeping the Books, which he found as various as the characters and education of the Collectors; no forms of accounts, nor books of any kind, nor instructions on the subject, having ever been furnished them, and many of them never having received any directions by which to be guided, but a few remnants of torn Statutes, handed to them by their predecessors when they took office.

"In the British Custom House there have been Comp-trollers, and in the American, Naval Officers, with a prescribed form of books," &c. In the face of such admissions as these is it not a monstrous injustice to summarily dismiss and degrade a public officer for not having books which the Government ought to have, but had not furnished. I have proved that my accounts have been kept correctly; I refer to page 61 of Mr. Cameron's Report, where it will be found that in the absence of all aid from the Head of the Department, he recommends the system I adopted, a system pursued by me up to the hour of my dismissal, and a system so simple that an entry of one six-pence could not be lost to the Government,—and this is illustrated by the small discoveries made by Mr. Cameron.

Having thus disposed of all the charges against me, I beg further to solicit attention to the fact, that Mr. Cameron protracted to a full fortnight his sojourn in Toronto, took into his inquisitorial aid the services of my Deputy, (to whom the scheme for my destruction was no doubt made known,) and notwithstanding their united efforts to conjure forth materials for its accomplishment, notwithstanding my indisposition admitted by himself, notwithstanding all the "wrinkles" he discovered, and his enquiries among Merchants, Traders, Auctioneers, Forwarders, Mechanics, Steamboat Captains, Pursers, their clerks and servants, not even a solitary discrepancy could be discovered between the amount of duties paid by them into my office, involving upwards of £16,000, *and those regularly accounted for by me to the Government.* To this fact I proudly appeal as the best proof of the correctness with which I kept my accounts, as well as the honesty with which I made my returns. But it would appear that correctness, honesty, and attention to office, were of no consideration to Mr. Cameron in his atrocious design to effect my ruin, when, after leaving me in the delusive security of innocence, his Report was dated on the 28th July, from Toronto, and Mr. Secretary Harrison's letter announcing to me my dismissal, was dated from Kingston, 31st July, (Sunday intervening).

It may have been a subject of concern to provide for the Queen's ex-Printer,—the office I held may be worthy his acceptance,—Mr. Cameron may have had personal feelings to gratify; but I cannot but complain of my being singled out (one of the few Irish Catholics, there being only 3 holding office in Upper Canada, and mine the only important one,) to be sacrificed for these

purposes, to the obloquy of the community, and to the concomitant feelings of anguish and torment of mind I have suffered since that event,—and this too in manifest violation of Lord Glenelg's despatch to Sir Frs. B. Head, dated 5th April, 1837, in which His Lordship stated that he was not aware of so much as a single instance, in which a public officer had been dismissed as a punishment, and on the ground of misconduct, without the most explicit disclosure to him of the circumstances upon which his removal was grounded, and in violation also of the letter written to Mr. Sheriff Thomas, by order of His Excellency, stating that it never was His Excellency's principle or practice to censure or dismiss any public servant without first giving him the fullest opportunity of refuting the imputations against him.

May I then be allowed to hope that justice will be even yet done me,—that if any of Mr. Cameron's catalogue of crimes are yet unanswered, they will be made known to me; but if to the satisfaction of His Excellency, I have rebutted them, I look forward to his sense of honor and justice to leave me no longer the victim of accusations I do not fear to designate as false and malicious.

I have the honor to be, Sir,

Your most obedient humble servant,

(Signed,) W. MOORE KELLY.

The Honble. D. DALY,  
Provincial Secretary,  
&c. &c. &c.

No. 9.

*Letter from the Honorable Dominick Daly to Mr. Kelly.*

(Copy.)

SECRETARY'S OFFICE,  
MONTREAL, 15th August, 1844.

SIR,—I have the honor, by command of the Governor General, to acknowledge the receipt of your letter of the 23d inst., requesting a reconsideration of your case; and I am to acquaint you in reply, that His Excellency having already given it the fullest consideration, and having come to the conclusion that there were irregularities in your office which required your dismissal, sees nothing in your present letter to induce him to alter the conclusion at which he has arrived.

I have the honor to be, Sir,

Your most obedient servant,

(Signed,) D. DALY,  
Secretary.

W. MOORE KELLY, Esq.  
&c. &c. &c.

Appendix  
(K. K. K.)

24th March.

## R E T U R N

To two Addresses from the Legislative Assembly to His Excellency the Governor General; the first, dated 16th January last, praying that His Excellency would be pleased to direct the Board of Works to enquire and report, with as little delay as possible, into the feasibility of giving to the inhabitants of the District of Three Rivers the benefit of an ice-bridge over the River St. Lawrence, by means of three or more piers to be placed between the *Batture à Léonard*, near the Parish of St. Pierre les Becquets, and the *Batture à Bigot*, near the Parish of Champlain, or in the vicinity of these places;—and the second, dated 21st January, praying His Excellency to cause an inquiry to be made by the Board of Works, as to the feasibility of procuring, during each winter, to the inhabitants of the City and District of Quebec, the benefit of an ice-bridge between the City of Quebec and the Parish of Point Levy.

By command,

D. DALY,  
*Secretary.*SECRETARY'S OFFICE, }  
25th March, 1845. }

- No. 1. Letter from President of the Board of Works to Provincial Secretary, 25th March, 1845.  
No. 2. Letter from ditto to Samuel Keefer, Esq., Engineer, Board of Works, 31st January, 1845.  
No. 3. Report from Samuel Keefer, Esq., to President of Board of Works, 3rd March, 1845.  
No. 4. Letter from Registrar Trinity House, Montreal, to President Board of Works, 3rd February, 1845.  
No. 5. Letter from Harbour Master, Montreal, to Wardens of Montreal Trinity House, 28th January, 1845.  
No. 6. Letter from ditto to Registrar and Treasurer of Trinity House, Montreal, 3rd February, 1845.  
No. 7. Letter from Messrs. Boxer, Young and Allyn, of Quebec, to Wardens Trinity House, Quebec, 4th February, 1845, with Return.

No. 1.

*LETTER from President of Board of Works to Provincial Secretary.*BOARD OF WORKS OFFICE,  
Montreal, 25th March, 1845.

The Hon. Provincial Secretary.

SIR,

Immediately on receiving directions through your Office, to have an examination made of the River St. Lawrence below Three Rivers, and at Quebec, off Point Levi, with the view of ascertaining the practicability and cost of constructing Piers, to promote the formation of an Ice Bridge at each of those places, I furnished Mr. Keefer, the Engineer to this Department, with such instructions as I thought were necessary, and sent him down on the Service; and I have now the honour to forward to you that Gentleman's Report, and to state that I fully concur in the conclusions he has come to.

I am, Sir,

Your obdt. Servant,

HAMILTON H. KILLALY.

No. 2.

*Copy of a Letter from President of Board of Works to Samuel Keefer, Esq. Engineer, Board of Works.*

(Copy.)

BOARD OF WORKS,  
Montreal, 31st Jany. 1845.

SIR,

I beg leave to put into your hands the accompanying Resolutions of the House of Assembly—one relative to the construction of a Pier for the creation of an Ice Bridge below Three Rivers, at or near Isle Bigot, the other for the creation of one between Point Levi and Quebec. You will proceed accordingly to the respective sites, at your earliest convenience, (the present being a very fitting time whilst the ice is running,) make such examinations and collect all such information generally upon the subject, as will enable you to Report fully on the projects; and if considered feasible, you will satisfy yourself as to the number, dimensions and cost, of the Pier or Piers, that may be required in each case, their precise positions, &c. &c. In considering these matters, I take leave respectfully to impress upon you the necessity for close inquiry and investigation, as to the effect which the construction of such Works must reasonably be supposed to have upon the navigation—the probability of the ice being delayed by them in the spring, and the delay in the opening of the navigation, which would be consequent thereon. These, with all other matters, in any way connected with the navigation and the early passing away of the ice, will of course engage your serious attention—for however much the country in the immediate vicinity of each Bridge, might be benefited by having an Ice Bridge formed early and annually, I look upon the early freedom of the river from ice, as of infinitely too much importance to be hazarded unless it is fully ascertained *beyond all doubt*, that the effects of the works proposed, would not have a tendency in any degree to detain the ice in the river. You are

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aware, I presume, that early spring vessels have in some seasons arrived at Quebec before the ice above was gone, and they have been obliged to put back in consequence.

Upon your arrival at Quebec, you will please to wait on the Trinity Board, and to embrace in your examination and Report, any other points to which those gentlemen may wish your attention to be directed.

I am Sir,  
Your very obdt. Servant,  
HAMILTON H. KILLALY.

SAMUEL KEEFER, Esq. }  
Engineer Board Works. }

No. 3.

REPORT from Samuel Keefer, Esquire, to President Board of Works. [3rd March, 1845.]

BOARD OF WORKS,  
Montreal, 3d March, 1845.

SIR.

In compliance with your instructions, dated 31st January last, relative to the construction of Piers for the creation of an Ice Bridge below Three Rivers, at or near Isle Bigot, and others for the creation of one between Point Levi and Quebec. I have visited those places, and made enquiries of persons living on the spot, most likely to afford correct information on the subject, and have now the honour to submit, for the information of the Board, the result of my enquiries and examinations.

First, then, as regards the practicability of forming an Ice Bridge regularly every year at either of the above mentioned places. I have no doubt that much may be effected, by artificial means, for the accomplishment of that object.

The Gentilly Shoal, opposite the Parish of Champlain and below Isle Bigot, where, according to Capt. Bayfield's Chart, there is not, in many places, more than one foot of water at low water, affords a good opportunity of arresting the running ice, and of inducing the river to freeze over much earlier, and with greater regularity than heretofore, by the erection of detached Piers upon it, seven of which judiciously placed, would be sufficient for the purpose, but the effect may be increased to a much greater extent by increasing the number of Piers, which could be done at any time afterwards if thought proper.

In some seasons when the water is low, the ice grounds on this shoal, and then the river is sure to freeze over and form the Ice Bridge, which is a sufficient indication of the effect likely to be produced by the Piers.

The Piers or Cribs should be sloped off on the upstream side, the same as those placed by the Board off Point St. Charles, above Montreal, so as not to be injured by the shoving of the ice, and they should not be raised much above the winter level of the St. Lawrence, in order that they may offer no resistance to the ice passing off in spring, but allow it to flow over their summits unimpeded.

It is observed, that the St. Lawrence always rises in spring, before the ice passes off, from six to eight feet over the winter level, but sometimes, in seasons of extraordinary floods, it has been known to rise as much as ten or twelve feet over the same level.

The seven Piers required at this place would cost about £2500 currency.

At Quebec, five Piers at least would be required, and they would have to be built much larger and stronger than those at Champlain. The proper place for them would be on a line drawn across the River from Point Levi to the North Shore, at right angles to the stream, and crossing the shoal running out from the Point where the Church stands. This line crosses the narrowest part of the deep channel, as may be seen on Capt. Bayfield's Chart, and coincides with the place where the ice first takes, in consequence of being jammed in between the point of the shoal where the ice grounds, and the sheet of ice formed in the comparatively still water on the north side.

By placing two strong Piers at about the three fathom line of soundings (taken at low water,) one on each side of the channel, with one more on the south side, half way to the shore, and two on the north side, at about 100 and 200 yards respectively from the first upon the line above referred to, I have no doubt the ice would be induced to take earlier in the winter by three or four weeks, than it will without them, and that an Ice Bridge might be depended upon being created regularly every winter, sooner or later.

In order that the ice in spring may float over the Piers, they should be raised only to the level of the ordinary high spring tides of the winter months, which would be two feet below the flood level of highest spring tides.

These five Piers would cost about £9,400 currency.

The second part of this enquiry, viz:—The effect likely to be produced upon the opening of the navigation, by the erection of such Piers, is a question deserving the most serious consideration, for it cannot fail to impress the mind of every person having at heart the general interests of the Province, that no impediment under any circumstances should be thrown in the way of the Trade and Commerce of the country, and no risk whatever run of retarding the opening of the navigation in spring, however important and beneficial to any particular locality such an experiment might prove.

The importance of this question is heightened by the consideration that the Province is now deeply concerned in the construction of expensive Canals, for facilitating the communication between the great inland lakes and the Atlantic, upon the completion of which and from the growing importance of the Trade, the early opening of the river will be looked for with increasing solicitude year after year.

Impressed with these considerations, I am of opinion that the proposed experiment is dangerous and inexpedient, for the following reasons:—

1st. Taking the case of the proposed operations at Quebec.

It is to be regretted, for the purpose of this enquiry, that no register can be found regularly kept for a given period, of the years in which the river has been frozen over, or the date of its taking and breaking up in the years when it did; but sufficient I believe, is known, and on record; to justify the conclusion arrived at. In the Report to the Trinity Board of Quebec, made by three gentlemen belonging to that Board, upon the subject under enquiry, (the accompanying copy of which was very politely

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furnished me by order of the Board) will be found a table recording the fact of an Ice Bridge having formed at Quebec, in seven of the years between 1817 and 1844; but from all that I can learn, I would suppose that an Ice Bridge as often as once every second year. It appears also by this table, that it has been created as early in winter as the 4th of January, and has remained as late as the 8th of May. And again it has formed as late as the 9th of March, and broke up as early as the 12th of April.

Again, taking the record of the first arrivals from sea, at the Port of Quebec, as given in the Quebec Directory, it may be seen that from 1801 to 1844, thirty-one of the forty-four arrivals occur before the 8th of May, twenty-three before the 3rd of May, and twelve before the 28th of April, the earliest being on the 16th of April and the latest on the 13th of May. In 1843, the Great Britain arrived on the 18th of April, and the Ice Bridge did not break up till the 3rd of May. Her cargo it is said, was worth £100,000 sterling, being bound for Montreal. She experienced in consequence of the Ice Bridge, a delay of fifteen days. Besides this, several ships which arrived after the Great Britain, were seriously damaged by the ice.

If, then, the proposed Piers have the effect which I anticipate, that is, of inducing the ice to take regularly every winter, and earlier on an average, than it has done hitherto, is it not reasonable to suppose that it will be formed thicker and stronger, and consequently remain longer than it otherwise would? It may be said, and has been said, that as the water always rises in spring before it passes off, it will float it over the tops of the Piers, which are to be built expressly for that object, and that, therefore, no delay in the opening of the navigation need be apprehended from the regular annual formation of an Ice Bridge. I think this opinion has been formed without duly appreciating the operations of nature in this instance. All parties concur in stating that the ice in spring breaks up from above, and that the last barrier is always the lowest *i. e.*, farthest down the River; the northern direction of the St. Lawrence goes to prove this, and it is commonly said that when the lake ice gets down (meaning the ice of Lake St. Peter) the navigation is clear. Now if at Quebec the ice is made thicker and stronger, it will in the same ratio, resist for a longer time, the impetus of the descending ice, and even supposing that it does ride clear of the Piers, still it is bound in about the wharves, and moreover the river being nearly a mile broader above than opposite the city, this sheet of ice, being wedge shaped, cannot float out of its place until it is broken up, either in whole or in part. I am therefore led to conclude, that the Piers would have the effect of detaining the ice longer in the river, and so retard the early opening of the navigation.

## 2nd. The proposed Piers at Champlain.

The same process of reasoning which has been applied at Quebec, will hold good here, so far at least, as regards the effect of the Piers upon the early opening of the navigation, and it is therefore unnecessary, to enter upon that part of the question; but here another subject of considerable importance presents itself for enquiry, viz:—the effect that these Piers may possibly have upon the inundations which sometimes occur on the low grounds between the Rivers Batiscan and St. Ann de la Perade, and elsewhere along the St. Lawrence, which have been known to do so much injury.

I have been informed by an old and respectable resident at St. Anne de la Perade, (perhaps the oldest in

the village,) that whenever the St. Lawrence freezes over so as to form the Ice Bridge, the inundation is sure to be increased in height and extent, but that when it does not freeze over, the inhabitants are not apprehensive of danger or damage from the rise of water.

It appears that when the ice breaks up in large bodies, and passes off suddenly, it gets jammed in and chokes up the passage in the narrow and crooked parts of the river below, where, getting turned upon edge, or forced under the sheet of ice, it becomes a body of amazing thickness, forming what is commonly called "the Digue," and dams the water back for many leagues in extent. This Digue is liable to be formed at three points on the river, between Three Rivers and Quebec. The first is at Grondines, the second the Platon or Portneuf, and the third at Cap Rouge or the "Saut," as it is sometimes called, where the river scarcely exceeds half a mile in width. It often happens that after the Digue has given way at the first, it forms again at the second or third place.

An Ice Bridge was formed in 1843, and it was in the spring of the same year that a most extraordinary flood occurred, which swept away all the fences within two miles of the river below Batiscan, drowned a number of cattle, carried away a barn and other buildings of less importance, and did considerable damage to property in the neighbourhood of the village of St. Anne de la Perade; this inundation was caused by a Digue being formed at Grondines by the sudden passing off of the ice; only one other such flood as this is known to have occurred in the recollection of my informant, and it was then accompanied by similar effects.

If it can be clearly established that the Ice Bridge does exert an influence upon the inundations, prejudicial to the interests of the inhabitants occupying these low lands, (and I must confess that there appears sufficient reason to suppose it does,) it would be inflicting an injury of greater or less magnitude upon these inhabitants, to induce their regular formation every year, thereby tending to make the inundations more frequent. Should another such flood occur after the erection of the Piers, as has been described above, I have no doubt the sufferers would put forward a claim for compensation.

Believing, therefore, that the earlier and more regular formation of an Ice Bridge, by artificial means, at either of the places above referred to, would be productive of greater injury than benefit, I think the projects ought to be abandoned.

Respectfully submitted,

by your obedient servant,

SAMUEL KEEFER,  
Engineer Board of Works.

Hon. H. H. KILLALY,  
President Board of Works,  
Montreal.

P. S. It will be seen by referring to the accompanying Reports, that the Trinity Boards of Quebec and Montreal, both consider that the erection of Piers for stopping the ice, would prove hazardous to the navigation, and their opinions are backed by those of the most experienced seamen, and persons best acquainted with the river navigation.

S. K.

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No. 4.

LETTER from the Registrar of the Trinity House,  
Montreal, to President of Board of Works.  
[3rd February, 1845.]

TRINITY HOUSE,  
Montreal, 3rd Feby. 1845.

Sir,

I am instructed to inform you, in reply to your communication, dated 31st ulto., regarding the contemplated erection of Ice Bridges at certain points on the River St. Lawrence, between Quebec and Montreal, that your instructions, as conveyed to Mr. Keefer, Engineer of the Board of Works, appear to be ample and comprehensive.

At a recent Meeting of the Board, called expressly to discuss the subject in question, the members were unanimous in opinion, that the hazard of injury to the navigation of the river from the erection of Piers or wharves, to arrest and retain the ice for the annual formation of what are termed Ice Bridges, was very great, and entirely disproportioned to the benefit the residents in certain localities would derive therefrom.

The Harbour Master of the Port of Montreal, an experienced seaman, and possessing great practical acquaintance with the subject, has addressed two communications to the Board regarding it, copies of which I beg to enclose.

And I am Sir,

Your most obt. Servant,  
JAMES HOLMES,  
Registrar, T. H. M.

The Hon. H. H. KILLALY,  
Chairman, Board Works.

No. 5.

LETTER from Harbour Master of Montreal, to  
Wardens of Trinity House Montreal. [28th  
January, 1845.]

MONTREAL,  
28th January, 1845.

To the Master, Deputy Master and Wardens, of  
the Montreal Trinity House, &c. &c. &c.

GENTLEMEN,

Having perused the Address from the Legislative Assembly, regarding the "feasibility" of giving the benefit of Ice Bridges to the inhabitants of the District of Three Rivers and Quebec, I would respectfully submit the following observations to your consideration.

The formation of an Ice Bridge at Three Rivers would be injurious.

1st. Because the placing of "three or more Piers" "between the Batture à Léonard near the Parish of St. Pierre les Becquets, and the Batture à Bigot, "near the Parish of Champlain or in the vicinity of "these places," would most probably become, in the course of time, a serious impediment to the navigation of the St. Lawrence, as the channel is very narrow at Batture à Bigot, and the "Piers" would accumulate sand banks.

2nd. Because the ice remains longer in the Bay of Gentilly and the Batture à Léonard, than in other parts of the St. Lawrence, and renders it dangerous for steamers descending to Quebec at the opening of the navigation, until it is removed, and the construction of Piers would cause the ice to remain still longer, as it requires spring tides to float the ice in

the Bay over the shoal outside: now, as steamers have been frequently detained at Three Rivers until its removal, they would be detained much longer, and would incur greater danger (provided Piers were erected) if they were overtaken by that body of ice in the Richelieu.

I would therefore suggest to the Board, the expediency of opposing such a measure, as it would only benefit a few inhabitants of the District of Three Rivers, at the risk of endangering and impeding the navigation of the river.

I also consider that the formation of a Bridge at Quebec would be injurious:

1st. Because it would cause ships to arrive at that Port much later than they do at present, and would thus render the business season shorter than it is; for instance, in 1843 (when the natural Ice Bridge was formed) the ship Great Britain arrived on the 18th April, and I recommended Captain Swinburn to put his ship into Mr. Taylor's wharf, at Point Lévi, the only safe and accessible place in the Harbour at that time, for the ship (whose cargo was worth about £100,000 sterling,) and where the vessel was detained about ten days, until the ice broke up so as to enable her to be taken to the wharves at Quebec.

2nd. Because it would occasion the destruction of shipping and other valuable property, and would often cause ships to be detained for some time at Crane Island or Grosse Isle. In 1843, several ships that arrived after the Great Britain, were seriously damaged, and carried down the river, with the loss of anchors and cables, by the moving of the Ice Bridge.

It will thus be perceived that the benefits arising from the formation of these two Bridges, would be entirely local and restricted to a few, while the injuries likely to be produced, would be extensive, and exert a prejudicial influence upon the Commerce of Canada.

I have &amp;c.

W. K. RAYSIDE,  
Harbour Master.

No. 6.

LETTER from Harbour Master of Montreal to the  
Registrar and Treasurer of the Trinity House  
of Montreal. [3rd February, 1845.]

MONTREAL,  
3rd February, 1845.

To JAMES HOLMES, Esq.  
Registrar and Treasurer,  
Trinity House, Montreal.

Sir,

In addition to the accompanying Report, I also consider it right to state, that the construction of Piers at Three Rivers, would cause the ice to ground and jam, and would, consequently, flood the low land on the south shore opposite to, and below Three Rivers, which has been known to be the case of late years, at the opening of the navigation.

I am also of opinion that the erection of Piers at Quebec, would alter the course of the current, and thereby prevent the strong current on the Point Lévy side from reducing the body of ice on that shore, as from the great depth of water, and the great degree of heat produced therefrom, the ice disappears more rapidly from that side than from the opposite side of the river.

I have, &amp;c.

(Signed,) W. K. RAYSIDE,  
Harbour Master.

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No. 7.

Letter from Messrs. Boxer, Young, and Alleyn, of Quebec, to the Master, Deputy Master and Wardens of the Trinity House, Quebec,—with a Return. [4th February, 1845.]

QUEBEC, 4th February, 1845.

To the Master, Deputy-Master, and Wardens, Trinity House, Quebec.

GENTLEMEN,

The Board having called upon us to report our professional opinion, as to what effect the proposed Ice Bridges would have on the navigation of the River St. Lawrence, should artificial means be adopted (by the erection of Piers) to effect that object, and having given this subject our serious consideration, it being of great importance to the trade of this country that the navigation should be opened as early as possible in the spring, and having examined the Minutes of the Trinity House, as to the opening of the navigation, and other Records as to the fixing of the ice, (a copy of which is herewith enclosed) we find, that when an Ice Bridge had been formed, the navigation had been closed much later, for it must be observed, that the detention of the ice, even in one tide, adds greatly to its accumulation above Quebec, the ebb tide running seven hours and the flood only five, which, in our opinion, would make it of longer continuance if stopped in the early part of the winter, and would still lengthen the time for the opening of the navigation, which must always be of the greatest importance, not only to the trade of this country, but also in naval operations, in the event of hostilities; particularly as steam-boats would then cross the At-

lantic in a much shorter time, and be early in the lower part of the river, ready to move up immediately the ice gave way.

It is also necessary to observe, that, by the stoppage of the ice, a large column of back-water is kept upwards, in consequence of the great thaws taking place in the large lakes above, by which much loss and damage to property is frequently occasioned, and the results would, of course, be seriously increased by the formation of an Ice Bridge at Three Rivers.

In illustration of these points, we beg to advert to the season of 1843, when the "Great Britain," and three other ships, arrived between the 18th and 22nd of April, and the first steam-boat from Montreal, on the 5th of May, the bridge having given way on the 3rd; the "Great Britain" being bound to Montreal; suffered a delay of twelve days; and was, with the three other ships, in great danger; two of them, when the ice gave way, were driven on shore, and suffered considerable injury, and would, in all probability, have been lost, had it been bad weather. In the same season, (from the great rise of water above the Ice Bridge) great damage was sustained in the neighbourhood of Three Rivers, the rise of water not having its original outlet.

We are, therefore, of opinion, under the above circumstances; that artificial means ought not to be adopted to stop the ice in the winter months.

We have, &amp;c.

(Signed,)

EDWARD BOXER,  
ROBERT YOUNG,  
RICHARD J. ALLEYN.

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A RETURN of the Minutes of the Trinity House at Quebec, as to the opening of the navigation each year, and of the arrival of the first Steamboats from Montreal, from 1817 (the first Ice Bridges on record) to 1844:—

NAVIGATION OPENED.			ARRIVAL OF FIRST STEAMBOATS.			ICE-BRIDGE FORMED.		ICE-BRIDGE BROKE UP.	
YEARS.	DATE.	DATE.	DATE.	NAMES.	DATE.	DATE.	DATE.	DATE.	
1817,	May	6.	May	7,	Malsham.	January	4.	no minute.	
1818,	April	28.	April	27,	Do.				
1819,	no minute		May	2,	Telegraph.	March		April	25.
1820,	"		April	24,	Lady Sherbrooke				
1821,	"		May	3,	Quebec.				
1822,	"		April	29,	Lady Sherbrooke				
1823,	April	25.	"	27,	Quebec.				
1824,	"	20.	"	21,	Swiftsure.				
1825,	"	19.	"	17,	Do.	February	2.	April	12.
1826,	no minute		"	22,	Laprairie.				
1827,	April	14.	"	16,	Waterloo.				
1828,	"	15.	"	12,	Chambly.				
1829,	"	18.	"	20,	Lady of the Lake.				
1830,	"	16.	"	17,	Do.				
1831,	no minute		"	21,	Do.				
1832,	May	1.	"	29,	St. Lawrence.				
1833,	April	19.	"	18,	Do.				
1834,	"	18.	"	17,	Lady of the Lake.				
1835,	May	4.	May	4,	Canada.	February	3.		
1836,	"	10.	"	11,	Do.	January	16.	May	8.
1837,	"	2.	"	1,	British America.				
1838,	"	1.	April	28,	St. George.				
1839,	April	23.	"	21,	British America.				
1840,	"	21.	"	19,	Lady Colborne.				
1841,	May	4.	May	1,	Queen.				
1842,	April	26.	April	21,	Lady Colborne.				
1843,	May	5.	May	5,	Canada.	February	23.	May	3.
1844,	April	23.	April	23,	Alliance.	January	29.	April	22.

(Signed,)

EDWARD BOXER,  
ROBERT YOUNG,  
RICHARD J. ALLEYN, } Wardens.

QUEBEC, 4th February, 1845.

# REPORT.

THE SELECT COMMITTEE to which was referred the Petition of JOHN McBEAN, of Lancaster, in the Eastern District, for remuneration for constructing a Lock at French's Reef, have the honor to REPORT:—

THAT they have given the subject matter of reference their best attention, and having availed themselves of information derived from various and respectable sources, (which information is appended to their Report) they beg to submit the following, as the result of their inquiries:

The petitioner states, that in the year 1842, having taken into consideration the vast accommodation that would be afforded the public at large, by the construction of a Lock at French's Reef, near Coteau du Lac, on the River St. Lawrence, he caused such Lock to be erected at an expense of £300, and he now prays for such remuneration as your Honorable House may think proper to award him for the same. The principle of a private individual taking upon himself, without the sanction of the highest and competent authority, the project of an improvement on a great highway and navigable river like the St. Lawrence, or indeed in any case, Your Committee have felt, and do feel themselves bound to discountenance and repudiate, no matter how praiseworthy, disinterested, or essential to the public interests, such project may be.

Your Committee are satisfied that the petitioner did actually complete the works mentioned in his petition; but that he projected the same solely for the good of the public has not been substantiated, his object appearing mainly to have been to raise a sufficient head of water, and carry the same to a mill erected by him on the banks of the St. Lawrence. That the said works have been of vast importance to those who are engaged in the transport of upward freight, has been beyond all doubt established; and expenses to which the owners of boats ascending were subject before the erection of the works, as well as the delays and mishaps to which they were formerly liable, have been obviated and avoided; but at the same time, it appears to them that the petitioner's own interest induced him, in a great measure, to improve the navigation by the erection and subsequent extension of the works in question: he could, therefore, in any case, only claim to be partially indemnified for his outlay. Whatever, however, might be the extent of his claim, Your Committee regret that they are restrained from recommending any compensation to be made to him, from the mere fact that he was unauthorized to enter upon the undertaking.

All of which is respectfully submitted.

GEO. MACDONELL,  
Chairman.

26th March, 1845.

## MINUTES OF EVIDENCE.

GEORGE MACDONELL, Esquire, in the Chair.

Saturday, 8th March, 1845.

Hamilton H. Killaly, Esquire, Chairman of the Board of Works, called in; and examined:—

1. Do you know how the petitioner came into possession of that portion of the bank or bottom on the

River St. Lawrence, (at French's Reef) where the Lock constructed by him is situated?—I do not: I consider the Lock in question, with the piers connected therewith, to be an encroachment on public property. I do not consider, however, that it impedes the navigation.

2. Were you acquainted with the navigation of that portion of the river before the Lock was erected, and do you know that boats were unable, from a stiff current, or otherwise, to go up this side of the river, and were obliged to make for an island on the opposite shore, and be towed there?—I had a general knowledge of such navigation, and of the course by which barges were usually towed up: the usual course was along the main shore; but in extreme low water, boats were then obliged to be brought over to the other side.

3. Are you aware that the water in the St. Lawrence has fallen within the last few years?—For the last few years the surface of the St. Lawrence appears to have been lowering.

4. Do you conceive that power to work the mill in the vicinity of the said Lock, could have been obtained without continuing the dam to the extent it now is?—I do not think they would have had the necessary power; in fact, it was proved practically at first, the dam being carried up only half the present distance to near the site of the Lock, when it was found they had not obtained sufficient power, and accordingly the dam was extended to the head of the fall. In doing so, it was made across the channel by which the barges were towed; this would very seriously have interfered with the passage of the boats, if not stopping them altogether, but for the Gates or Locks they put in the dam, in the line of the boat-channel.

5. Have you any Report on the subject of the petition before the Committee?—Upon a copy of the petition being sent to me in reference, I transmitted it to the local officer, with instructions to examine into, and report fully upon the case, and his Report I now hand in. (Appendix No. 1.)

6. Do you consider that the navigation is facilitated from the erection of the Lock in question?—I do, to a trifling extent.

Tuesday, 11th March, 1845.

William Roebuck, Esquire, of Coteau du Lac, called in; and examined:—

7. Where do you reside, and what is your occupation?—I reside at Coteau du Lac, and am Salvage Agent for the St. Lawrence, Montreal, and Toronto Marine Insurance Companies.

8. Have you had any experience in the navigation of the River St. Lawrence, and more especially about that part of it mentioned in the petition of John McBean, and relate what you know about the petitioner's Lock?—I have had upwards of twenty years' expe-

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(M. M. M.)  
26th March.

rience in the navigation of the St. Lawrence, from Coteau du Lac to the Cascades; I knew the spot where the Lock now stands, before Mr. Stevenson's so called improvements; after that, till the Lock was erected;—and have known it since its erection. Mr. Stevenson was sent on by the Commissioners named by the Government to improve the St. Lawrence under a grant of the Legislature of Lower Canada; his proposed improvements rendered the passage much worse, inasmuch as boats which were able previously to pass up there with their usual light loads, were obliged afterwards to traverse the rapid current from the main north shore to French's island, a distance of about 18 arpents, there to wait until the horses were ferried over, then to be hauled up to the end of the island, at the imminent risk of horses, men, and boats; as an example of which, my brother, Henry Roebuck, had four horses dragged in, and lost one span. After arriving at the head, should there be the least west wind, boats were detained there until it fell, from the rapidity of the current being so great above the rapid, as to carry them down again, in attempting to re-cross to the main shore, which is necessary, as there was no other channel. Many times I have known boats to be detained for three or four days.

9. Are you aware that the waters of the St. Lawrence have so fallen as to make it imperative for boats to have traversed to the island just mentioned?—Had the channel remained on the north shore in the state in which it was left by Mr. Stevenson, the water has fallen so much, that it would in all cases have compelled barges to be towed on the island.

10. Do you consider the present Lock an improvement to the navigation?—I consider it has obviated all the difficulties before enumerated, having no knowledge of any boat being obliged to traverse to the island since its erection, which is between two and three years ago. To my knowledge, my brother before named, who does all the towing there, has abandoned all the craft he owned for ferrying his horses to the island for the purpose of towing.

11. Since the erection of this Lock, have all barges passed through it?—Yes, there is no other channel.

12. Has it been of great utility to you, in your capacity as agent for the Insurance Companies?—Undoubtedly; we have used it often, after having rescued boats in the rapids below. Not only is the Lock of great utility, but the pier renders the water quiet, and gives a depth of five or six feet along its length, where formerly great trouble was experienced by boats grounding.

13. What, in your opinion, was the object of the petitioner in erecting the Pier and Lock in question?—As far as I can judge from appearance he must have had two objects in view, viz:—that of raising the head of water in his floom, and of benefiting the navigation. To carry up this wall or pier such a distance, being about 22 arpents in length, was a work of too great magnitude for raising the water in his floom, unless coupled with the benefit that should accrue by placing a Lock there for the public, under the impression that he would be remunerated for it.

14. What do you consider to be the cost of the Pier and Lock in question?—In my opinion, they cost from £800 to £1000.

15. Taking into consideration, as your answer to the 13th question predicates, that the projector had a two-fold object in view, viz:—drawing water to his own mill and benefiting the navigation in view of remuneration, what remuneration, if any, ought to be awarded him from the public purse?—I should say from £400 to £500.

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16. Do you conceive that power to work the mill in the vicinity of the said Lock could have been obtained, without continuing the dam to its present extent;—and do you know that the proprietor failed in working the mill until he had extended the dam or pier to its present length?—As a practical miller, which I have been for the last twenty years, having built, repaired, and worked them, I confidently affirm that I could place a water-wheel in the situation of the same mills, and would have driven them with more effect by a shorter pier than they have now, without taking in the upper fall; and that the failure of these mills arose from mal-construction of the wheels, and not from want of head at any time. As to the second part of this question, I reply, that if he did fail, it was owing to the misconstruction of his wheel, of which he was advised by myself before he entered into the Lock expenditure, and the upper part of the dam.

17. Of what materials are this Pier and Lock constructed?—The Pier is constructed of sunken hemlock abutments, filled with stone, planked down in the inside, and a wall made with earth so as to form a good towing path, as much as eight feet wide at top. The Lock is constructed of pine, with oak gates; the whole, with proper attention and care, may at a trifling expense last from thirty to forty years.

Thursday, 13th March, 1845.

The Honble. *Peter McGill*, a Member of the Legislative Council, called in; and examined:—

18. Is John McBean (the petitioner,) the person who has a right to claim the remuneration for making the Lock at Union Mills, if any be awarded?—Yes; the cost of the Lock, with the other works, forms part of the security which I hold for the advances I made to his brother Alexander and himself to complete these works; and as John McBean has individually undertaken to repay me these advances, and to redeem the property, if he is ever able to do so, I consider him entitled to the repayment of the money laid out.

19. Did you advance the McBeans money to build this Lock, on the understanding that they were to be repaid for it by Government, or the Forwarders?—I did not advance them the money on the understanding that they were to be repaid by the Government, but I advanced money generally to make the whole of the works there; and when I questioned them about making that Lock, I was assured that it would be of great benefit to the public, and that they had no doubt the Government and the Forwarders would indemnify them for the outlay.

20. Is it in your knowledge that John McBean was the lessee, or one of the lessees, in the lease or deed of sale passed 19th October, 1841, by Mr. Watier to Alexander McBean? No, I am not aware that he was.

21. Do you consider John McBean as the proprietor or occupant of the piece of land where the mill and tenements are built?—The property at present, in point of fact, belongs to me; but John McBean is entitled to equity of redemption.

Mr. *Alexander McBean* called in; and examined:—

22. Have you any interest now, in the Lock mentioned in the petition, directly or indirectly?—None whatever.



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23. Who is the person that has a right to receive remuneration for it, if any be awarded?—John McBean.

24. Were you a partner when that Lock was erected, or were you acting for yourself?—I was a partner.

25. For what purpose did you extend the canal, and build that Lock?—It was for the purpose of raising a further head of water for our own mill. I was recommended by several Forwarders to construct the Lock, and they promised to remunerate me for the use of it, if it answered the purpose. I then went to Kingston, and called on Mr. McPherson, who also promised on his part, to pay me something for the use of it, if I did not succeed with Mr. Killaly, the Chairman of the Board of Works, whom he advised me to call upon. I went to Mr. Killaly, and he told me, that if the Lock, when finished, was found to answer the purpose, I should be paid for it; and he recommended me to make a good job of it, as Government were disposed to expend some money in improving the navigation on that side the rapids. When the Lock was finished, I again met with Mr. Killaly, and he said, he understood the Lock answered the purpose exceedingly well, but that it was not in his power to pay me; and he advised me to lay the matter before the Governor in Council, who, he had no doubt, would give me every satisfaction, as they were then improving the river on that side.

26. At that time, were there any improvements in contemplation, or in progress, on the north side?—There were improvements in contemplation, and they were commenced in 1843, after the Lock was finished.

27. Has any remuneration ever been made by any party, to your knowledge?—Not a shilling. A great number of Boats passed in the Fall of 1842, and since that time, and I received nothing from them for the use of the Lock.

28. Does the canal made by you for the purposes of the mill, pass along the line worked, or directed to be worked, by the Commissioners in 1831 or 1832, for the purpose of improving the navigation?—Yes, it is the very same spot where the Commissioners directed the work in 1831 and 1832.

29. Do you know whether the St Lawrence has fallen since the time the Lock was erected?—It was falling until May, 1844, to my knowledge. Since then, I know nothing of it, as I left at that time.

30. Do you think boats could navigate the channel made by Government at French's Reef, if the Lock had not been there?—For a short time in the Spring they might, if not heavily loaded.

31. Had not boats, before the Lock was made, to have the greater part of their loads carted past the rapids?—Yes.

32. How long do you think the Lock is likely to last?—If it be properly used, I have no doubt it will last without repair, for ten years; and by renewing that part above water, from time to time, it would last a century.

33. Is this Lock as large as that at Coteau du Lac?—Yes, it is 6 inches wider, 2 or 3 feet longer, and about 4 inches greater draught of water.

34. What was the cost of building the Lock, clearing the place, and sinking the Lock in its place?—We considered that it cost us £300. The making of the Lock itself, cost from £180 to £200, and clearing and level-

ling the place for it and loading it with stone, cost upwards of £100.

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35. What was the cost of the extra lengthening of the dam above the Lock, to enable boats to get up the rapids?—It cost about £150, before I left it: there has been a large addition since.

36. Would you have gone to this expense, if it had not been for the encouragement you received from Mr. Killaly and the Forwarders?—I would not.

Monday, 17th March, 1845.

Mr. Paul T. Masson, of the Cascades, Forwarder, called in; and examined:—

*Answer to Q. 2.* Yes, I was acquainted with that part of the river before the Lock was built; but it was not the stiffness of the current, but the shallowness of the water, that at certain times prevented boats from going up, and they had to go on the other side to be towed up.

*Answer to Q. 3.* It has been lowering within the last few years; but about 12 years ago it was much lower than it has been for two or three years.

37. Do you know under what circumstances McBean's Mills were built,—whether the canal now used in connexion with the mill, as a mill-race, was not made, or partly made, at the expense of the Province, in 1831 or 1832, and to what extent; and do you consider that power to work the mill could have been obtained, without continuing the dam to its present extent; and did not the construction of the dam interfere with the navigation, and would it not have obstructed the navigation if the Lock had not been made?—I do not know under what circumstances the mill was built; but the canal used for the mill-race is the same as that cut at the expense of the Province, in 1831 or 1832. I do not know the amount expended thereon by Government, but believe it to have been not less than £400. I do not think that power to have worked the mill could have been obtained without continuing the dam to its present extent; the dam would have interrupted the navigation, if the Lock had not been made. I consider that it has been of advantage to Forwarders, and saves the boats the trouble of crossing to French's island.

38. Had the channel remained on the north shore in the state in which it was left by Mr. Stevenson, and from the waters having fallen as you have stated, would it have compelled loaded boats to traverse the current, and be turned up on the island side?—Certainly.

39. From your knowledge of the situation of the navigation before the erection of the Lock, and since, do you consider the navigation much improved, and if so, has it been felt beneficially by that part of the community using the St. Lawrence as an upward highway?—It has, a great deal.

40. Do you believe, from your own knowledge of the Mills, Lock and Pier, that the two latter were built and projected for the two-fold purposes of giving power to the mills and benefiting the navigation also?—I cannot answer that question correctly.

41. Do you conceive that Mr. McBean should, as the Proprietor of the Lock and Pier, be recommended for compensation, or part compensation for the same, from the Government?—I think he should, on account of the good he has done to the navigation, enabling boats of 10 tons greater burthen to ascend the rapids.

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42. How much, in your judgment, should he receive?—£200, I think, would be enough, as he derives a benefit himself from the work.

Saturday, 22nd March, 1845.

Mr. Henry Roebuck, of Coteau du Lac, called in; and examined:—

43. What is your occupation?—I am a miller, boat-hauler, and pilot.

*Answer to Q. 8.* Yes, for the last seventeen years, I have been engaged in towing boats up the River St. Lawrence. I have an intimate and perfect knowledge of that portion of the river where the Lock now stands, both before and since Mr. Stevenson's improvement, and I consider the work done by Mr. Stevenson as of no avail whatever.

*Answer to Q. 9.* Yes.

*Answer to Q. 10.* Most decidedly, as it would be almost impossible to carry on the navigation without it, from the lowness of the water; and boats carrying a heavier cargo than formerly, are now able to ascend the river with perfect safety.

*Answer to Q. 11.* All the barges have passed through it, both loaded and light. I think that more than two hundred barges have passed through the Lock altogether.

44. What do you think is the saving to each boat by this improvement?—Boats are saved 50s. in cartage and other expenses.

45. What rate of toll should have been allowed him, had he been permitted to charge any?—I think about £1 a boat, would have been a fair toll.

*Answer to Q. 13.* The object was two-fold. In the first place it was to raise a sufficient head of water to drive his mill; he then thought, that by the extension of the dam, a greater facility might be afforded to the trade on the river, which was then very great, amounting to between 400 and 600 boats a year, for which reason he was induced to enter into the speculation, in 1842. In 1843, I was requested by Mr. Killaly, the Chairman of the Board of Works, through Messrs. McPherson & Crane, and also through John Simpson, Esq., the Member for the County, who received a letter from Mr. Killaly on the subject, which I saw, to proceed, in connexion with Mr. Masson and Mr. Fleming, Civil Engineer, along the whole line, from the Cascades to the Coteau du Lac, to examine the several points of difficulty; and to give the aid of our practical knowledge to the Civil Engineer, to shew in what manner the navigation might be improved. We did so, and made an estimate, which I now hand to the Committee. (App. No. 2.) Mr. Killaly selected certain points from our estimate for improvements, and they were carried into effect immediately. I also present a list of items. (App. No. 3.) The point where the Lock is situated was not included in our estimate, from the following circumstances: On arriving there, we found it one of the most formidable points, and proposed several methods of improvement, but Mr. Alexander McBean having agreed with us to extend his dam, and thereby deepen the channel, all necessity for a further outlay of public money ceased, and we accordingly omitted it in our Report; and he subsequently extended the dam in the manner so agreed upon, which has answered every purpose.

46. What do you suppose to have been the cost of so altering the dam?—I should estimate it at £100, for the extension of the dam alone.

47. This dam having been extended as above stated, according to your suggestion, would it have been available for purposes of navigation without the Lock?—The Lock was built the previous year: it was not only useful, but indispensable, after the extension of the dam.

#### APPENDIX.

No. 1. Report of Mr. J. B. Mills relative to Mr. McBean's Lock at Coteau du Lac.

No. 2. Statement of proposed improvements of the navigation of the St. Lawrence from the Cascades to Coteau du Lac, and estimated cost of the same.

No. 3. List of the improvements proposed to be effected immediately.

No. 1.—Report of Mr. J. B. Mills relative to Mr. McBean's Lock at Coteau du Lac.

Coteau du Lac, 24th January, 1845.

THOMAS A. BEGLY, Esq.,  
Secretary, &c., &c.

SIR,—I have this day visited Mr. McBean's Lock, in accordance with the instructions of the Board, as per your letter of the 18th instant, and will now respond to the inquiries of said letter briefly, and in the order they occur.

1st. The cost, £120, liberal estimate.

2nd. Expense of attention—In 1843, £1 15s. 0d.  
In 1844, £0 15s. 0d.

3rd. No. of barges passed—In 1843, 68, in 1844, 28.

4th. Period of duration.—Short, possibly two years.

5th. Did boats pay Lockage?—They did not.

6th. The advantage to trade.—Six tons per barge.

The works connected with McBean's milling establishment completed in 1842, occupy a portion of the line of communication traversed previous to the erection of those works, and at the time they were started, or in prosecution, I am informed that objections were made to them, on account of their interference with the navigation.

Said Lock was a *necessary consequence*, and it is acknowledged that the result is an improvement. I have not prepared myself to give a sketch of these affairs; neither have I thought it necessary to detail the estimate. The Lock is a frail one, and one which I cannot propose to the Government to pay for or to buy.

Said advantage or improvement may be considered purely an *incidental* one, growing out of circumstances into which the projectors of the milling establishment had voluntarily placed themselves, and the *necessity* of their repairing the damage done by *their intrusion* upon the old line of transit.

The improvement, as such, is not an intended one; however, if the improvement was of a kind and character warranting, for a considerable time, a favourable effect upon the price of transport, then, the *public* deriving advantage therefrom, would sanction a draft upon the public purse for its existence; but in this case, certain Forwarders only have and may (for a part of the season) derive advantage; if so, why not get remuneration from that quarter, and not charge the *public* purse with the cost of a benefit so very partial.

I shall not take the responsibility even of advising the paying to Mr. McBean any thing by way of compromise or compliment.

I remain, &c.

J. B. MILLS.

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(M. M. M.)

No. 2.

26th March.

*Navigation of the St. Lawrence from the Cascades to Côteau du Lac.*

STATEMENT of proposed improvements, and estimated cost of the same:—

	£	s.	d.
1. Repairing towing path from Split Rock to Jeffrey's Point, (Pointe aux Chiens), . . . . .	18	0	0
2. Repairing towing path and making small bridges above Jeffrey's Point, . . . . .	5	0	0
3. A capstan at Mary's Point, . . . . .	40	0	0
Cable for the same, . . . . .	12	10	0
4. Repairing towing path & bridging ravine at Point Lachinette, . . . . .	15	0	0
5. A capstan at Mill Pitch, . . . . .	50	0	0
Cable for the same, . . . . .	12	10	0
6. Making and filling three cribs of 20 feet each, and removing some large boulders between the two lower bridges upper side of Mill Point, ( <i>vide addendum at end.</i> ) . . . . .	30	0	0
7. Repairing and making additions to the two lower bridges, . . . . .	35	0	0
8. Making about 200 feet of crib and 150 feet of fender, filling the same, and removing boulders in long rapids near saw mill, . . . . .	136	0	0
9. Continuing present crib about 70 feet at the lower, and 80 feet at the upper end, at the "Rigolet," near the Cedars, . . . . .	50	0	0
10. Making 80 lineal feet of fender at Pointe Roussonne, above Long Bay, . . . . .	25	0	0
11. Making 80 lineal feet of fender at head of old cut for a canal, Cedars, . . . . .	20	0	0
12. Making a towing path across a morass above Pointe à Biron, . . . . .	15	0	0
<i>Carried forward,</i> . . . . . £	464	0	0

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	£	s.	d.
<i>Brought forward,</i> . . . . .	464	0	0
13. Making square fender, 100s, and improving towing path, 50s. at Watier's Point, . . . . .	7	10	0
14. Improving towing path from Pointe au Diable to Mrs. Taylor's, . . . . .	5	0	0
15. Making rock excavation and removing some boulders at and above the Horse-Shoe Point, . . . . .	50	0	0
16. Repairing 433 feet (lineal) of Mr. Roebuck's lower bridge, near McBean's Mill, . . . . .	35	0	0
17. Repairing towing path, on swampy ground, at Giroux's Point, . . . . .	15	0	0
18. <i>Addendum,</i> Making three additional cribs, and connecting the whole with large timbers, . . . . .	20	0	0
	£	596	10

No. 3.

List of Improvements proposed to be effected immediately:—

	£	s.	d.
1. Repairing towing path from Split Rock to Jeffrey's Point, (Pointe aux Chiens), . . . . .	18	0	0
2. Repairing towing path and making small bridge above Jeffrey's Point, . . . . .	5	0	0
3. Capstan and cable at Mary's Point, . . . . .	52	10	0
4. Capstan and cable at Mill Pitch, . . . . .	62	10	0
7. Repairing and making additions to the two lower bridges, . . . . .	35	0	0
10. Making 80 feet of fender on Pointe Roussonne, above Long Bay, . . . . .	52	0	0
11. Making 80 feet of fender at the head of the old cut for a canal, Cedars, . . . . .	20	0	0
16. Repairing 433 feet (lineal) of Mr. Roebuck's lower bridge, near McBean's Mill, . . . . .	35	0	0
	£	253	0

## REPORT

OF

SPECIAL COMMITTEE on Petition of WILLIAM MORRISON, and others, of the Township of Brandon, in the County of Berthier; presented to the House, 26th March, 1845.

LEGISLATIVE ASSEMBLY,

COMMITTEE ROOM,

24th March, 1845.

THE SPECIAL COMMITTEE to which was referred the Petition of W. Morrison, and others, of the Township of Brandon, in the County of Berthier, praying that they may be enabled to obtain titles to certain lands in that Township, occupied by them, and originally surveyed and marked out by Government, but which are now claimed by the Seigneur of De Lanaudière: have the honor to Report a number of documents from which the nature of the case will appear. The claims of the Seigniors of the De Lanaudière appear to have rested, up to the time they were confirmed by an Order in Council in the year 1825, only upon the terms of the original deed of concession of the Augmentation of Carufel, which are as follows:—

“Two leagues or thereabouts in front, to commence at the extremity of Fief Carufel, upon the depth which is to be found as far as the Lake Maskinongé, the said Lake being comprised in the whole extent with the Isles, Islands and Shoals, (*Isles, Îlots et Battures*), which shall be found therein.” Notwithstanding the interpretation given by the Orders in Council above mentioned, your Committee cannot see in the terms of that grant, any other intention, but that the depth should extend as far as a certain Lake, so as to comprise that Lake. There is found on the ancient Maps a Lake traced, answering to the above description, and comprised within the lateral lines of the grant; this Lake was called the Lesser Lake Maskinongé. To suppose that another Lake, much to the westward, and six miles, at least, west of those lateral lines, and in rear of the Seignior of Berthier, the rear of another Seignior called Du Sablé, intervening with a front of several miles,—would require stronger grounds than the terms of that grant, particularly as the whole of the tract in rear of Du Sablé, and an arbitrary extent round the larger Lake, are meant also to be included in the concession. In fact there were no data whatever to proceed upon, in the surveys, which preceded and followed the orders in Council, as to the extent of land round that Lake, which has been annexed to the Seignior of De Lanaudière. It must also be remarked, that although the Orders in Council give only six chains around the Lake from the deepest bays, the official survey has set apart a large tract, included within perpendicular lines, so as to comprise the greatest part of the lands then occupied by the Petitioners, and upon which they and their families continue to reside. That Lake, in the rear of Berthier, was called the Grand Lake, or larger Lake Maskinongé; the probability that the other Lake first mentioned above, was also called Lake Maskinongé, is deduced, not merely from the plain terms of the grant, but also from the fact that its present name, Lake Mandeville, comes from the name of a man who lived there in solitude for many years, and died there in about the year 1793 or 1800. The supposition that the greater

Lake was meant, is, besides, contrary to the laws which regulated the course of the lines of Seigniories, and could not be allowed, except on precise and explicit terms in the grant. It must be remarked, also, that in suits at law, instituted by Mr. Pothier, as Seigneur, and as pretending to have legal possession, he alleged only the terms of his grant, as if the Lake, where the Petitioners were settled, had been in the rear of the Seignior of Carufel. Your Committee have procured a full transcript of the proceedings in those cases, for the further investigation of the matter, and they beg to report the same, though they do not think it necessary that it should, at present, be printed, in the Journals of your Honourable House. The suits were instituted at the Court of Three Rivers, which could have had jurisdiction, if the place where the Petitioners were settled had been about the lesser Lake. The larger Lake where they actually reside is incontrovertibly admitted to be and to have ever been, in the District of Montreal. The Sheriff's title, conveying the Seignior of De Lanaudière to Samuel Gerard, Esquire, dated 3rd November 1842, contained no other description but that of the original grant, and yet the new possessor has pretended to have a right to the extent of land in question, under the Orders in Council.

The pretensions of Mr. De Lanaudière, to whose rights Mr. Pothier afterwards succeeded, appear to have originated about the beginning of the present century, and they both had to support them before the Orders in Council, on the *exparte* surveys made by themselves. It is evident, also, that even at the time of the Orders in Council, the existence of the lesser Lake, or of any Lake in rear of Carufel, was totally lost sight of, and such lake, the existence of which is now ascertained by actual surveys, was either omitted or suppressed in the plans and maps of the time, although the *exparte* surveys above alluded to, were doubtless the authority to which the compilers of those maps and plans must have had recourse. The Government from whom the Orders in Council proceeded, were evidently in the same error, and were deceived into confirming the pretensions of the Seigniors of De Lanaudière; and believing that they were obliged to give some lake to Mr. Pothier, they gave him the greater lake to the westward, totally unconnected with the Seignior, as is before mentioned; and on the ground of the Orders in Council then issued, Mr. Pothier assumed to be in possession, as Seigneur, not only of the territory around that lake, circumscribed by particular lines, as will be seen on the plan attached to this Report, but also of the large intervening extent of ground in rear of Du Sablé, and he has besides, under those Orders in Council, and surveys, the whole of the lesser lake, which is in rear of his Seignior, and which was the

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lake originally conceded, with a further extent beyond it.

The Petitioners, or their ancestors, settled there in 1814, believing, as was really the case, that they were on the lands of the Crown, which they could obtain by purchase, or from free grants, as U. B. Loyalists: and it appears from the evidence of Mr. Bouchette, Deputy Surveyor General, that some location tickets had been issued for lands in the Township of Brandon, but those are not the lands inhabited and improved by them, and were not of any value. It appears from the evidence of Mr. John Hibbert, that other location tickets for some of the very same lots now held by the Petitioners, were given originally to them, but that, having sent them to Quebec to obtain their Patents, they received only the exchange location tickets, of which they had no need. Those transactions have not been traced by Mr. Bouchette, in the present Surveyor General's office.

The Petitioners have suffered great hardships from the numerous law suits instituted against them by the Seigneur, both before he had the Orders in Council, and since, while at the same time they have been unable to procure deeds of commission under any tenure, or on any terms whatever, they having repeatedly applied for the same to Mr. Pothier, without being able to learn whether he claimed, or pretended to own the land in Seigniorship or in free and common soccage, except by the law suits in which the possession was alleged. They have improved the land as their only means of support, but from the continued insecurity of their tenure, they have not been able to improve to that extent, which would have made them comfortable; they have even been exposed to heavy law suits on account of fishing in the lake for their own subsistence. Their well known possession of the land, by actual settlement, was totally disregarded, when possession was given to Mr. Pothier by the Orders in Council.

The present proprietor, Mr. Samuel Gerard, declares himself unable, at present, on account of some particular transactions, and of legal difficulties, to give them Deeds of legal Concession. In fact, he does not know the facts of the case, except that he is Seigneur of De Lanaudière.

The limits taken possession of by the Seigneur, were excluded in the surveys made since, from the Township of Brandon, of which they ought to have formed a part.

Your Committee have great doubts whether the Orders in Council, professing only to be merely explanatory and unaccompanied by any Royal Patent or grant, could confer any title or increase of title upon the Seigniors of Maskinongé, affecting those lands, but they fully agree in believing that the original grant may still be discussed in courts of law, as the only foundation of the Seigneur's right; they are also of opinion that it is the duty of Her Majesty's Government, for the protection of that numerous population, consisting of above 300 families, to investigate the matter fully, and in case they come to the conclusion that the Seigneur has a full title, but one which was surreptitiously or erroneously obtained, to annul the pretended title in question; and in case the title is not found to be valid at law, to institute proceedings in Her Majesty's Courts, to be re-instated in the property, so as to be able to do justice to the Petitioners.

But as the Petitioners are willing to take Deeds of Concession from the Seigneur, on the usual terms, paying rent in the meantime, only from the time of such

deeds being granted, on account of their deeds having been refused to them hitherto, and of their insecure possession, there would be in this, an easy means of settling the matter to the satisfaction of all parties, could they be enabled to obtain deeds from the Seigneur. Your Committee express a hope that Legislative enactments will at an early period declare as to the right of the people to obtain deeds of concession from the Seigneur, as is safely provided in the ancient laws of the country, and as to the terms of such concessions under those laws, the Petitioners would be comprised in a general measure of that kind. Mr. Gerard having no title of possession whatever, except it be as Seigneur, but as such a measure might be delayed, and as the Petitioners and other residents of the tract in question, would continue in the meantime to be exposed to the same hardships and disabilities; a special law, meeting their case, should be introduced and passed. In the meantime, it would be the duty of the Government not to consent to any transaction or proceeding which might impair their right to obtain titles, and also, as the present Seigneur declares himself unable at present, to give such titles, it would also be the duty, and incontrovertably in the power of the Government, to grant such titles in lieu of him; although the Crown has not, probably, since the cession of the country, exercised that power, which is one of the beneficial features of the ancient system of settling public lands.

The whole nevertheless, humbly submitted,

D. M. ARMSTRONG,  
*Chairman.*

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## ORDER OF REFERENCE.

LEGISLATIVE ASSEMBLY,  
Monday, 3d February, 1845.

*Resolved*, That the Petition of W. Morrison, and others, of the Township of Brandon, in the County of Berthier, be referred to a Select Committee, composed of

MR. ARMSTRONG,  
HON. MR. ATTORNEY-GENERAL SMITH,  
HON. MR. MORIN,  
MR. CHRISTIE, and  
MR. DUNLOP,

to examine the contents thereof, and to report thereon with all convenient speed, with power to send for persons, papers and records.

Attest,

W. B. LINDSAY,  
Clerk Assembly.

## MINUTES OF EVIDENCE.

COMMITTEE ROOM,  
Tuesday, 11th February, 1845.

In Committee on the annexed order of reference.

PRESENT:

HON. MR. ATTY. GENL. SMITH;  
MR. CHRISTIE;  
MR. DUNLOP;  
MR. ARMSTRONG, and  
HON. MR. MORIN.

MR. ARMSTRONG, in the Chair.

Read the order of reference.  
Read the Petition.

JOHN HIBBERT called in and examined.

1. How long have you been settled and owned land in Brandon? About thirty-two years.

2. When you and others took possession of these lands, were you not informed that they were Crown Lands? We were told they were Crown Lands, and all those who went to settle there, (themselves or their fathers,) paid a guinea to Mr. Antrobus, who acted as a leader of Township, to obtain from the Government, Crown Lands; but that gentleman having made arrangements for himself only, we thought we had the best right to these lands, and, at any rate, entitled to pre-emption.

3. Had Mr. Lanaudière, or Mr. Pothier, previous to the settlement of what he has styled Maskinongé, exercised in any respect the right of property? Never to our knowledge, nor was there any settlement whatever when we took possession.

4. In what year did Mr. Pothier sue the inhabitants of Lake Brandon, and where did he so sue them? About the year 1816 and 1817; the inhabitants (five only in number) were sued at the Court of Three Rivers, District of Three Rivers. Mr. Po-

thier retained every lawyer in Three Rivers, except one young man; and Mr. Attorney-General Ogden declared to me, and to all the others (to my knowledge,) that he would not have accepted a retainer from Mr. Pothier, had he known the foul injustice of Mr. Pothier's pretensions.

5. Is this the only case in which you have been sued in the District of Three Rivers? Yes, although Mr. Pothier and his Agent have often threatened to continue to prosecute us in that District.

6. Was not Mr. Pothier the only person who ever tried to make it appear that Lake Brandon was in the District of Three Rivers? Yes, he is the only person.

7. How many miles are you, and all those whom Mr. Pothier sued at Three Rivers, above the District line of Three Rivers, and consequently in the District of Montreal? About five or six miles above the District line of Three Rivers, and in the District of Montreal, and situated immediately around Lake Brandon.

8. Have you yourself asked for Deeds of Concession from Mr. Pothier, or have you offered to buy those lands as belonging to the Crown? Yes, we have; and we have sought in every way to obtain titles from Mr. Pothier and the Government, by paying the price of Crown Lands.

9. Did you assist Mr. Bouchette to place a boundary stone, dividing the Township of Brandon and the lands in rear of Dudswell and De Lanaudière? Yes, I assisted Mr. Bouchette to place the boundary stone in question.

10. Did you also assist Mr. Sullivan, a sworn Surveyor, employed by Mr. Pothier; after you had assisted Mr. Bouchette to place the boundary stone, to remove that same boundary stone; if so, state where the said boundary stone was removed to, and where it now is? Yes, I was employed by Mr. Sullivan, a sworn Surveyor, employed by Mr. Pothier, to remove the boundary stone which had been put down by Mr. Bouchette; and this was a short time after, and the stone is still in a barn at Lake Brandon.

11. Did you obtain location tickets from the Government for a part of the very land Mr. Pothier now claims in virtue of an Order in Council; and were not those location tickets obtained long before Mr. Pothier obtained those lands? Yes; several location tickets were obtained from the Government, for myself and brothers, long before any grant was made to Mr. Pothier by the Council.

12. Were you not induced to send down your location tickets to Quebec, from representations made to you by Mr. Bouchette, the Surveyor-General, with a promise to have Patents,—and what was the consequence? We gave our location tickets to Mr. Bouchette, because he promised to give us Patents for our lands, as designated in the location tickets; but instead of granting us Patents for these lands, we were located in a totally different place, and in such an unfavourable location that persons will not take the lands for a gift.

13. Was there not an old man by the name of Mandeville, who lived and died at the Lake which is in rear of Lanaudière and Du Sablé Seignories; and have you not heard it repeatedly stated, that the lake was known as Petit Lac Maskinongé; but from the circumstance of Mandeville having died, and his being buried at that lake, it was ever after called Lake Mandeville? Yes; I have seen the spot where he was

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buried, and it is well known, that previous to the residence or peregrination of old Mandeville at the lake in question, and which now bears his name, it was known and called Petit Lac Maskinongé. Mandeville, and many others, made a trade by catching fish called Maskinongé, in that lake. Mandeville died about the year 1810.

14. Are there any *Isles and Islets* in the lake which is now called Mandeville, situated in rear of Lanaudière Seignior and Lake Brandon? Lake Mandeville contains *Des Isles et Islets*, whereas Lake Brandon, which is a much larger Lake, is one uninterrupted sheet of water; there is not even a batture in it. Mandeville, known formerly as Petit Lac, is in rear of Lanaudière Seignior, whereas Brandon is several miles from it,—that is to say, the Seignior Lanaudière is directly north-west from the St. Lawrence, and Lake Brandon is south-west of Lanaudière.

Mr. DUNN called and examined.

The several questions that were submitted to Mr. Hibbert, (with the exception of 11 and 12,) having been presented to the witness, he agreed to the same answers.

Mr. DIGNAN, called and examined.

15. In your capacity of Land Surveyor, do you know any thing of the Township of Brandon? I assisted Mr. Smith, Land Surveyor, in surveying a portion of the Township, in 1823.

16. How is the Township of Brandon situated? The Township of Brandon is situated in rear of the Seignior of Berthier, and is formed or bounded by a prolongation of the lateral lines of this Seignior, with the exception of a tract around the lake, where the Petitioners reside,—which tract, together with the lake, is claimed by the proprietors of the Seignior of Lanaudière.

17. Do not the lateral lines of this Township include the Lake on the banks of which the Petitioners live? Answered by reply to last question.

18. Have you any knowledge of the Seignior of Lanaudière? I have been employed surveying at various times by the censitaires and settlers in this Seignior.

19. Are you aware of the existence of any lake in rear of and in the direction of this Seignior? Yes; there is a considerable lake in rear of the Seignior of Lanaudière, known at present as Lake Mandeville. I have laid off several lots, or farms of land, on the banks of this lake, and can produce a sketch of it.

20. Have you any knowledge of the line which divides the District of Montreal from that of Three Rivers? Yes; I have had occasion to retrace this line for a distance of three leagues, where it forms the north-eastern boundary of the Seignior of Du-sablé. I have also been shewn it in the neighbourhood of Lake Mandeville.

21. On which side of the lake, modernly called Lake Mandeville, does the District line pass? It passes on the upper or south-western side of Lake Mandeville.

22. Have not the lateral lines of all the Seignior-

ies between the Island of Montreal and the City of Quebec, one uniform course? Yes; those on the northern bank of the St. Lawrence should all run due north-west.

23. Do you not think that any portion of the Township of Brandon being annexed to the Seignior of Lanaudière is in contradiction of the law that governs the creation of the Seigniories already alluded to? Yes; it is my opinion, that it would be at variance with the *arrêt ou règlement* of 1676.

24. Is not the lake called Mandeville precisely situated so as to embrace the description of the Lake Maskinongé, mentioned in the said grant of 1750? It is my opinion, that Lake Mandeville would answer to the designation of the limits of the Seignior of Lanaudière,—the only discrepancy would be in the name.

25. From your knowledge of the locality and the matter generally, are you not aware that a man of the name of Mandeville lived and died at that lake, long after the grant, hereinbefore stated, was made? I have frequently heard that it derived its present name from the circumstance of a man of the name of Mandeville being in the habit of fishing for maskinongé in it.

JOSEPH BOUCHETTE, Esq., Deputy Surveyor-General, called and examined.

26. Is there not an old *arrêt* or ordinance in existence, which directs in what course all the Seigniorial lines on both banks of the St. Lawrence, between Quebec and Montreal, should be run? Yes; according to an *arrêt* or *règlement du Conseil Supérieur de Québec*, bearing date 26th May, 1676, Art. 28, the course of the lateral lines of Seigniories on the banks of the River St. Lawrence, is therein directed to run due north-west and south-east.

27. Do you not consider the annexation of the Lake Brandon, (where the Petitioners live,) to the Seignior of Lanaudière, is totally at variance with the *arrêt* already alluded to? I consider that the annexation of a lake, called, on the map of the Province, (compiled in the year 1793) Lake Maskinongé, situate about three miles west of the south-west lateral line of the Seignior of De Lanaudière, and lying within the bounds of the Township of Brandon, is a departure from the title of that Seignior, and the *arrêt* or *règlement* above cited, as the breadth in rear of that Seignior does not correspond with the breadth in front, as should lie between the parallel course of its lateral outlines or boundaries drawn from the front.

28. Do you think that if the existence of the Lake Mandeville, described by Mr. Dignan, had been known to the Governor and Council, that the grant of a portion of the Township of Brandon would have been made to the Hon. T. Pothier, in 1825? It is very probable that a very particular enquiry of the extent and character of the lake called Mandeville would have been effected.

29. In annexing a portion of the Township of Brandon to the Seignior of Lanaudière, does it not necessarily ensue, that a large tract of Crown Lands in the rear of the Seignior of Du-Sablé is also added to the Seignior of De Lanaudière? This tract of land has been claimed by the Seignior of De Lanaudière, and, in some measure, appears to have been admitted, in authorising the survey of the north-east line

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of Brandon, and boundaries being planted at the point A. and H. in the accompanying sketch; but it does not ensue that the tract of land above referred to, does belong to the Seigniorie of De Lanaudière.

30. Is Lake Mandeville on your map? Yes, as taken from Mr. Dignan's sketch.

31. Would not this lake correspond with the description of Lake Maskinongé, mentioned in the grant of 1750, to Lanaudière? In so far as it appears to be within the lateral lines of the Seigniorie drawn from the boundaries in front, in the rear of Carufel, and that it contains islands, as mentioned in the Deeds of Concession,

32. Do you not think that the suppression of the existence of what was designated formerly Lake Maskinongé, and now called Mandeville, on the maps, was designedly done by the proprietors, to mislead the Council? I cannot say.

33. Have you not understood that Mr. Pothier obtained the grant in 1825, of a certain portion of the Township of Brandon, because the Council were led to believe that Lake Brandon was the lake contemplated in the grant made by the French Government in 1750, to Mr. De Lanaudière? I have always understood that the Seignior of De Lanaudière obtained that grant upon representations made by him, that the lake in the Township of Brandon, now within the Seigniorie of De Lanaudière, was the true Lake Maskinongé.

34. From your knowledge of the conflicting claims of parties, and especially, from a belief that several parties lay claim to Crown Lands, without any title or colour of title, would it not be advisable to have a complete survey of the Seigniories of Du Sablé and De Lanaudière, to establish the limitations of the Crown Lands? I conceive that a survey to establish in due form of law, the boundary of these Seigniories, in conformity to the titles thereof with the adjacent Crown Lands, would be highly necessary.

35. Has there been any survey of De Lanaudière, and of that part west of the lateral boundary in particular, to which Government has been a party? There has been a survey of that part of the Seigniorie of De Lanaudière, west of the lateral boundary thereof, establishing the lines of division between the said Seigniorie and the Township of Brandon, performed by me in the year 1825, pursuant to instructions from the Surveyor-General's Office, issued under the authority of Government, and according to which survey the Township has been erected by Letters Patent.

36. What was the title or order under which Mr. Pothier obtained the land aforesaid? Agreeably to the Orders in Council, dated 9th and 29th August, 1828.

37. Can you trace in the records of the Surveyor-General's Office, any mention of location tickets having been issued, as mentioned in Mr. Hibbert's evidence? Not having any knowledge of Mr. Hibbert's evidence, I am unable to trace the location tickets which appear therein to have been alluded to.

SAMUEL GERARD, Esq. called and examined.

38. Are you, or do you consider yourself the proprietor of that tract of land which lies to the north of the Seigniorie of Du Sablé and Berthier, and encircling the lake, called by some, Lake Maskinongé,

and by others, Grand Lake, or Lake Brandon? I am in possession of the said tract of land, as forming part of the Seigniorie of Maskinongé.

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39. Is the said tract of land held by you in Seigniorie, or in free and common socage? In Seigniorie.

40. Have you ever given Deeds of Concession, or otherwise disposed, in favor of tenants, of any part of that tract of land? Not any part of it, as I am not the confirmed proprietor, it depending on conditions which have not yet been complied with; therefore, I have not been able to make any grants.

41. Do you consider that those conditions will be adjusted within a given time, so as to settle the matter finally? I believe that matter will be finally arranged within twelve months.

## APPENDIX TO FOREGOING REPORT.

No. 1.

*EXTRACT of a Report made by a Committee of the whole Council, dated 31st March, 1825, Approved by His Excellency, the Lieutenant-Governor.*

The Committee having taken into consideration the reference respecting the Township of Brandon, and the joint opinion of the late Attorney-General (Mr. Uniacke), and the Advocate-General, and perceiving therefrom, that Mr. Pothier has added ten years possession of the lands which immediately surround the Lake Maskinongé, and are described on the diagram of Brandon by the lines E. F. G. H. to the long possession of the family of De Lanaudière, are humbly of opinion,—

That boundaries ought to be fixed on the above mentioned lines E. F. G. H., and that the fief Maskinongé should, under all the existing circumstances, be forever divided by the said lines from the Township of Brandon.

Certified.

(Signed,) GEORGE H. RYLAND.

True Copy.

THOMAS PARKE,  
Surveyor-General.

SURVEYOR-GENERAL'S OFFICE,  
Montreal; 24th March, 1845.

No. 2.

*EXTRACT of a Report made by a Committee of the whole Council, dated 9th August, 1825, and approved by His Excellency the Lieutenant-Governor, relative to the Boundary line between the Township of Brandon and the Seigniorie of De Lanaudière.*

The Committee having taken into consideration the reference of Your Excellency upon the Surveyor-General's letter of the 18th July last, and the Hon. Mr. Pothier's letter to him, of the 13th July, are at a loss to discover the cause of the difficulty which has occurred in running the division lines between the

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Seignior of De Lanaudière and the Township of Brandon, in the manner recommended by the Report of Council of the 31st March last. But to explain more distinctly (if possible) the recommendation contained in that Report, the Committee annex to this Report the diagram of the Township of Brandon, as returned by the Surveyor-General, and referred to by the Committee, by which it will appear, that, the line G. H. is rectangular to the line A. H. The line G. F. a line parallel to the line A. H. protracted to E. and the line F. E. a line parallel to the line G. H.; and they humbly recommend that these several lines should be so run, including the line A. H.

Certified,

(Signed,) H. W. RYLAND.

(True Copy.)

THOMAS PARKE,  
*Surveyor-General.*SURVEYOR-GENERAL'S OFFICE, }  
Montreal, 24th March, 1845. }

No. 3.

LETTERS from the Commissioner of Crown Lands  
to Mr. Gauthier, and others.

(Copy.)

CROWN LANDS OFFICE,  
Quebec, 6th November, 1835.

To L. J. GAUTHIER, Esq.

SIR,

His Excellency having had laid before him your Petition relating to certain lands claimed by the Hon. T. Pothier, as proprietor of the Seignior of Maskinongé, but which you state to be in your occupation.

I am directed by His Excellency to acquaint you, that answers appear to have been addressed to you, at various times, in reply to similar enquiries on your behalf; at the same time, His Excellency, being desirous of affording you all the protection which your just claims may deserve, has commanded me to furnish you with a plan of the Lake Maskinongé and of the outline boundary of the lands of the Crown in the Township of Brandon, which, it is hoped, will enable you to ascertain the position of your respective lots.

(Signed,)

(Copy.)

CROWN LANDS OFFICE,  
Quebec, 22nd December, 1838.To L. J. GAUTHIER, WM. MORRISON, and W. HOPE,  
Esquires, Brandon.

GENTLEMEN,

In reply to your letter, alluding to one addressed to you by Mr. Chief Secretary Buller, relating to your Petition, laying claim to certain lands in Brandon, I am to acquaint you, that no communication on the subject has been made to this Department. As your letter alludes to a Proclamation issued

by His Excellency the Earl of Durham, I do not see, under the information now in your possession, how it can apply to your case, the land you claim, appearing under the Surveyor-General's Procès Verbal, to be vested in Mr. Pothier: and as far as I have been able to understand your object, it can only be carried out by obtaining from the Government some revival of the Procès Verbal, and Order in Council now in existence, and under which Mr. Pothier holds.

(Signed,)

(Copy.)

CROWN LANDS OFFICE,  
Quebec, 22nd May, 1830.To L. J. GAUTHIER, Esq. }  
To: of Brandon, }

SIR,

His Excellency the Governor-General having referred to the Commissioners of Crown Lands your letter of the 7th instant, with a Petition from several inhabitants in the Township of Brandon, complaining that they had, without obtaining any satisfactory answer, addressed Lord Aylmer, Lord Gosford, and Lord Durham, and setting forth the great injustice done to the Petitioners, by suffering Mr. Pothier to retain the possession of the Lake now called Maskinongé (but which they state to be Grand Lake,) as well as a certain portion of land around the lake, in his right of Seignior of Lanaudière or Maskinongé, both of which, the Petitioners state, should be part of the Township of Brandon, and to the latter of which they lay claim; the Commissioners were at the same time commanded to enquire fully into the circumstances, and they have since been directed to acquaint the Petitioners, through you, with the result of the information obtained, as an answer to your and their application, and it is as follows, viz:—That Mr. De Lanaudière, in his right of Seignior of Lanaudière or Maskinongé, as far back as 1803, laid claim to the lake in question, whether the same be called Lake Maskinongé or Grand Lake, together with about half a mile of the land on two sides of it, and the whole of the space on the S. E. side, down to the rear line of Berthier; and that he supported his claim by a plan which he brought under the consideration of the Government, at the time he made his application.

That the Surveyor-General, when called upon to report on the subject, objected to the extent of territory to which Mr. De Lanaudière laid claim. That this claim was renewed by Mr. Pothier after he became the proprietor of Maskinongé, and that the whole matter was submitted to the Law Officers of the Crown for their opinion; that in consequence of the joint opinion of the then Attorney-General (Mr. Uniacke) and the Advocate-General, the Executive Council, by an approved Order in Council of 31st March, 1825, confirmed by a further Order in Council of 29th May, 1825, directed the Surveyor-General to admeasure and lay off for the Seignior of Lanaudière or Maskinongé, the lake in question, with six chains of land around it from the deepest bay, and that such survey was performed, and duly returned into the Office of the Surveyor-General, on the 25th October, 1825, confirming Mr. Pothier in the possession of the lake and of six chains of land around it, from the deepest bay.

That rather more than a year afterwards, viz. 8th January, 1827, the Township of Brandon was erected under Letters Patent, and the lines were run in con-

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formity with the Orders in Council of March and August, 1825, so as to exclude from the Township the whole of the lake, and the six chains of land around it.

That the Lake, whether called Maskinongé or Grand Lake, to which the Petitioners allude, consequently never formed part of the Township of Brandon, the claim of the Seigneur having been admitted, and the Return of Survey of 26th October, 1825, placing that and six chains of land around it, within the Seignior, having been approved of by the Crown, before the Township of Brandon had a legal existence; it also appears, on examining the present Petition, with the Return of Survey, or Procès Verbal, of 26th October, 1825, that two of the Petitioners, Wm. Dunn and John Hibbert, had been employed as chain-bearers, and subscribed the Procès Verbal as witnesses.

(Signed,)

(True Copies.)

(Signed,) T. BOUTHILLIER.

C. L. O. MONTREAL,  
March 23, 1845.

No. 4.

EXTRACT from remarks on references. [16th May, 1839.]

A Petition from Wm. Morrison, and others, of the Township of Brandon, complaining, that they had, without obtaining any satisfactory answer, addressed Lord Aylmer, Lord Gosford, and Lord Durham, and setting forth the great injustice done to the Petitioners by suffering Mr. Pothier to retain the possession of the lake now called Maskinongé, (but which they state to be Grand Lake,) as well as a certain portion of land around the lake, in his right of Seigneur of Lanaudière or Maskinongé, but which the Petitioners state should be part of the Township of Brandon, and to part of which they lay claim.

*Answer.*

Previous to entering upon the merits of the Petition, it may be proper to state, that from recollections, the Surveyor-General believes Mr. Lanaudière's claim to this lake and land around it, to have been before the Government, since 1803; at that time Mr. Lanaudière, as Seigneur of Lanaudière or Maskinongé, not only claimed the lake, about half a mile on two sides of it, and the whole of the space on S. E. down to the rear line of Berthier, and this claim he supported by filing an *exparte* survey, made under his directions by Mr. Ecuyer; this survey, comprising, as the Surveyor-General conceived, many thousand acres more than his reading of Mr. Lanaudière's titles entitled him to, was formally objected to, and brought before the Government, and on that objection the whole of the subsequent proceedings before Council were founded, which did not terminate until 1825, when the positive and definite Order of the Council was acted on by the Surveyor-General.

With reference to the Petition, the parties have been made acquainted with all the circumstances attending Mr. Pothier's possession, and they were furnished with a diagram of the survey, and they certainly are not satisfactory to them as far as their pretensions are concerned, and a *procès* of the proceedings connected with the claim of Mr. Pothier, the present Seigneur of Lanaudière or Maskinongé, now given His Excellency for information. It appears by the

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Reports of Council of 31st March and 29th August, 1825, the former founded on the joint Report of the then Attorney-General and Advocate-General, and the latter admitting a profession on the part of Mr. Pothier of ten years, that his claim as Seigneur of Lanaudière or Maskinongé to the Lake Maskinongé, was admitted; and under those Reports, instructions issued for the Surveyor-General to lay off for the Seigneur of Maskinongé, the lake, with a tract around it of six chains from the deepest bay, and that the survey was completed by Mr. Joseph Bouchette, Deputy Surveyor-General, and returned into the Surveyor-General's Office on the 26th October, 1825.

The Township of Brandon was not officially erected until 8th January, 1827, more than one year subsequent to the survey which confirmed the possession of the lake and the allotment of six chains around it to the Seigneur of Maskinongé; the land, therefore, immediately around the lake, to which the parties lay claim, never did at any time form part of the Township of Brandon.

It is evident, from the wording of the Memorial, that the Petitioners are under the impression, that, unless some undue influence had been used, and to their prejudice, the lateral lines of Brandon would have been parallel, and not so run as to exclude the lake and the portions of land around it, and it is on this point that the Petitioners must be undeceived; the right of possession, as it respects that lake and the six chains of land around it, was confirmed to Mr. Pothier, on his right of Seigneur of Maskinongé, before the Township of Brandon had a legal existence, and it was not unadvisedly so confirmed, for his Petition, and that of the Seigneur from whom he acquired, had been for years before the Government, and the first Report of the Executive Council, although founded on the joint opinion of the Attorney-General, (Mr. Uniacke) and the Advocate General, was in fact reconsidered, confirmed, and finally and formally acted upon. On examining the present Petition and the Return of Survey of 26th October, 1825, two of the Petitioners, William Dunn and John Hibbert, appear to have been employed as chain-bearers, and to have subscribed as witnesses to the Procès Verbal.

No. 5.

LETTER from Commissioner of Crown Lands, transmitting a Report from Surveyor-General.

[21st October, 1842.]

(Copy.)

CROWN LANDS DEPARTMENT,  
Kingston, 21st October, 1842.

SIR,

Having referred to the Surveyor General, the petition of W. Morrison, and others, praying enquiry into the claim of the Hon. T. Pothier, to Grand Lake, together with the opinion of the Hon. the Attorney General, which accompanied it, I have now the honor to transmit the information furnished by the Surveyor General, and to return the Petition and the Attorney General's opinion.

I have, &amp;c.

JOHN DAVIDSON.

The Hon. the Secy. (East.)

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(N. N. N.) (Copy.)

26th March.

SURVEYOR-GENERAL'S OFFICE,  
Kingston, 19th October, 1842.

Having examined the documents and entries of record in this office, relating to the division lines and boundaries between the Township of Brandon and the Fief of Maskinongé, belonging to the Hon. T. Pothier, I have the honour most respectfully, to report, for the information of His Excellency the Governor General, that the lines of limitation and division, between the Township of Brandon and the said Fief of Maskinongé or De Lanaudière, belonging to the Hon. Toussaint Pothier, were actually drawn in the field and bounded in due form of law at the respective angles, E. F. G. H. A., as described on the annexed diagram, under instructions from this office, to Joseph Bouchette, Esq., sworn Land Surveyor, bearing date the 18th April, 1825, issued under the authority of a letter from Mr. Assistant Secretary, Montizambert, dated the 8th of April, conveying His Excellency the Lieutenant Governor's commands, to carry into effect the approved Report of Council, dated 21st March, 1825, respecting the fixing of the boundary lines between the Fief of Maskinongé and the Township of Brandon, and that, in conformity to the said Report of Survey, bearing date 26th of October, 1825, the description for the creation of the said Township was prepared in pursuance of the Warrant of Survey dated in 1805, and reported to His Excellency in June, 1826, whereupon the Township of Brandon was erected by Letters Patent, dated 8th January, 1827.

By these Letters Patent, part of the said Township of Brandon is bounded on the north-west by the line H. G., bearing magnetically south 54° 50 east, drawn at the perpendicular distance of twenty French arpents, from the most south-eastern point of Lake Maskinongé, (called by the Petitioners Grand Lake,) on the north-east by a line G. F., bearing north 35° 10 west, drawn at six chains from the most south-westerly point of the said Lake, and on the south-east by a line E. F., bearing north 54° 50 east, at six chains from the north-westernmost point of said Lake Maskinongé, the said lines being permanently established and marked by hewn stone boundaries separating the said Township of Brandon from the said Fief of Maskinongé or De Lanaudière.

From further information obtained in this office, it would appear that several of the Petitioners are settlers around the borders of the above mentioned Lake Maskinongé, within the hereinabove described boundaries of the Seignior of De Lanaudière, belonging to the Hon. Mr. Pothier.

All which is nevertheless  
most respectfully submitted,

THOMAS PARKE,  
*Surveyor-General.*

No. 6.

COPY of PÉTITION from Inhabitants of Township  
of Brandon to Governor-General.

[22nd October, 1842.]

(Copy.)

To His Excellency the Right Honourable Sir  
CHARLES BAGOT, G. C. B., &c. &c. &c.

The Petition of the undersigned Inhabitants of the  
Township of Brandon, in the District of Montreal,

MOST RESPECTFULLY SHEWETH,

That as early as the year 1814, your Petitioners, chiefly descendants of American Loyalists, emigrated from the Parish of Maskinongé, in the District of Three Rivers, to the Township of Brandon, in the District of Montreal, and formed a settlement around a lake known by the name of *Grand Lac*, situated in that Township.

That Your Petitioners, not many years after such settlement was made, were greatly surprised to find that the Honourable Mr. Pothier, Seigneur of Lanaudière, claimed the lands upon which they were thus settled, as part of his Seignior, and instituted legal proceedings of a harassing character against some of them. These proceedings, however, although entailing ruinous expenses upon your Petitioners, led to no definite result as respects the right of property.

That Your Petitioners have at various times made repeated applications to several of Your Excellency's Predecessors, for the purpose of obtaining titles to the lands upon which they are thus settled, but that, in consequence of the erroneous information and the incorrect surveys laid before the Government, such applications have hitherto had an unsuccessful result.

Aware, however, as Your Excellency's Petitioners are, that the pretensions of the Seigneur of Lanaudière, are not sustained by his title, and believing as they do, that Government has been led into error from want of correct information, they are impelled by a sense of duty to themselves and their families, and in full reliance upon Your Excellency's justice, to make another appeal to Her Majesty's Government, and to lay this, their humble Petition, before Your Excellency.

Your Petitioners humbly conceive that the extent and boundaries of the Seignior of Lanaudière, can be best ascertained by referring to the original grant, which bears date 1st March, 1750, and they therefore respectfully pray leave to extract from it the following description: "Two leagues or thereabouts in front, to commence at the extremity of Fief Carufel, upon the depth which is to be found as far as the Lake Maskinongé, the said Lake being comprised in its whole extent with the isles, islands and shoals, (*isles, islets et battures,*) which shall be found therein."

Your Petitioners would respectfully aver, that the lake thus intended to be included within the Seignior of Lanaudière, is not the lake to which the name of Lake Maskinongé has been recently given, but another lake of smaller dimensions, latterly known as Lake Mandeville—that this latter lake (the real Lake Maskinongé, although entirely omitted in Mr. Bouchette's map,) is about four miles in circumference, and contains several islands and shoals, corresponding exactly with the lake named in the above description; it is moreover situated within a parallelogram formed by an extension of the lateral lines of the Seignior, upon a breadth of two leagues in rear of Fief Carufel, to a depth of between three and four leagues, the usual form of Seigniories.

That the Grand Lake which is about nine or ten miles in circumference, does not correspond with the one above mentioned; inasmuch as it does not contain a single island or shoal, and it is so situated that it cannot possibly be included within a parallelogram formed by lines drawn upon a breadth of two leagues in rear of Fief Carufel.

That, on the contrary, it lies entirely within the Township of Brandon, in rear of the Seignior of

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Berthier, and between that Township and the Seignior of Lanaudière, there is a space of unconceded Crown Lands, upwards of a league in breadth, in rear of the Fief Du Sable.

That in order to comprise the *Grand Lac* within the Seignior of Lanaudière, it became necessary to abandon the lateral line pointed out by the terms of the grant as extending in rear of *Fief Carifel*, and to draw a line at right angles with it in rear of *Fief Du Sable*, across the said space of Crown Lands, and thence a certain distance into the Township of Brandon, which would have the effect not only of giving an irregular and unusual figure to the Seignior, but of transferring to it a large tract of land never contemplated by the original grant. For the better understanding of the title in question, and the purport of this Petition, your Petitioners would respectfully refer to Mr. Bouchette's Topographical Map, published in 1815, whereupon the pretensions of Mr. De Lanaudière are represented by the letters A. B. C. D. E. F. G. H. I. J. K. L., and also to a small diagram accompanying this Petition.

That any colour of plausibility to which these pretensions of the Seigniors of Lanaudière may be considered to lay claim, is manifestly derived from an ignorance on the part of Her Majesty's Government of the existence of the real Lake Maskinongé, and from a supposition, through the erroneous information conveyed to them, that the larger lake in the Township of Brandon, was the one contemplated by the grant of the Seignior of Lanaudière.

It must, therefore, have been in consequence of this erroneous information that Mr. Pothier succeeded, in the year 1825, as your Petitioners have been informed, in obtaining two Orders in Council, directing the Surveyor General to admeasure and lay off for the Seignior of Lanaudière, the large lake in question, with six chains round it from the deepest bay. The Council evidently assumed, in making these Orders, that the Seignior of Lanaudière adjoined the Township of Brandon, and did not seem at all aware that in order to carry the Orders into execution, that is, in order to reach the lake in question, it was necessary to quit the Seignior of Lanaudière, and to advance in a westerly direction, at right angles with the lateral line of that Seignior, over the unconceded lands of the Crown, a distance of from four to six miles in rear of Fief Du Sable. The Council have made no Order with respect to this space of unconceded lands, and yet the Seignior of Lanaudière claims it in conjunction with the lake and the lands surrounding it, as part of his Seignior.

Your Petitioners would respectfully represent, that an error on the part of the Council can neither confer a title upon the Seignior nor prejudice the rights of your Petitioners,—that the Council never intended to make a new grant, but to confirm (as they supposed) an old one. When, therefore, it becomes apparent, that the original grant never contemplated the lake in Brandon, as supposed by the Council, their Orders become unavailable to the Seignior in whose favour they were made.

The Township of Brandon was laid out nearly half a century ago by Mr. Lasx, of the Surveyor-General's Department, including within its limits the *Grand Lac* in question; the survey, therefore, of Mr. Bouchette, in 1827, made in obedience to the above Orders in Council, whereby that lake was transferred to the Seignior of Lanaudière, (although that Seignior is at a distance of from four to six miles from the lake,) was but a continuation of the error into which the Council was led, as above stated, and cannot alter the rights of the parties as established by the original grant.

Your Petitioners are desirous of abstaining from all observations of a personal tendency, and of confining themselves to a mere statement of facts, but they cannot help observing that, in Mr. Bouchette's maps,

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published in 1815 and 1831, the real Lake Maskinongé is entirely omitted, while, in the works accompanying the maps, he gives a favorable colour to Mr. Pothier's claims.

That your Petitioners are especially impelled to address your Excellency at the present time, and respectfully to pray for the interference of Her Majesty's Government, inasmuch as it appears that the Seignior of Lanaudière is advertised for sale by the Sheriff of the District of Three Rivers, on the third day of November next; should, therefore, the description of the Seignior given by the said Sheriff in his advertisement, be considered to comprise the large lake in Brandon, with the extensive addition of territory above described, and should no opposition be made to the sale, the difficulties which the Government would have to encounter in recovering so large and valuable a tract of Crown Lands, and your Petitioners in obtaining that justice to which they conceive themselves entitled, would be greatly increased.

That your Petitioners are loyal and faithful subjects of Her Majesty, most of them descended from those, who, as a proof of their loyalty, abandoned their all, and fled for protection to the remaining dominions of Her Majesty on this continent. That all they now pray for, is a title for those lands, which, by their industry, they have redeemed from the wilderness and reduced to a state of cultivation; nor will they do more than slightly glance at the hardships which they have been made to endure;—discouraged by Her Majesty's Government, to which their poverty and obscurity almost debarred them access, and deprived them of the means of making their case effectually known; oppressed and harrassed by a powerful and wealthy neighbour, who, while he claimed their lands as a part of his Seignior, refused at the same time to receive them as *consitaires*. Repelled thus on every side, your Petitioners, while industriously cultivating their lands, supporting their families, and performing all the duties of loyal subjects, have been denied all right of citizenship,—all participation in the elective franchise,—and whether they presented themselves at the hustings or in a Court of Justice, were considered as intruders, and little better than outlaws from society.

Wherefore, your Petitioners humbly pray, that your Excellency will be graciously pleased to take their aforesaid case into your consideration, and to direct that the necessary steps be taken to maintain and preserve the right of the Crown to the lands upon which they are settled. And upon ascertaining the truth of your Petitioners' allegations, to maintain them in possession, and grant them titles to the same in free and common soccage.

And Your Excellency's Petitioners, as in duty bound, will ever pray.

Township of Brandon, October 10, 1844.

CERTIFIED BY  
W. MORRISON.  
BENJAMIN PAGE.  
JOHN HIBBARD.  
BENJAMIN PAGE.  
ANTOINE M. BELLAND.  
JOSEPH M. MORIN.  
DAVID ARMSTRONG.  
AUGUSTUS ARMSTRONG.  
FRS. XAVIER M. LAMBERT.  
J. B. M. ROY.  
NICHOLAS M. BRISSETTE.  
JOSEPH M. BRULÉ.  
J. B. LAMONTAGNE.  
SIMON GILLIOTT.  
EDWARD M. SWEENEY.  
DANIEL M. SWEENEY.  
THOMAS DOYLE, Senr.  
JOHN M. SHIRKET.  
SOLOMON M. CARPENTIER.  
ISAAC M. JACQUES.  
JOSEPH M. RACQUE.  
ROBERT GORDIN.  
THOMAS M. DOYLE, Junr.  
JOHN M. DOYLE.  
ANTOINE M. BELMORE.  
DAVID M. ST. ANTOINE.  
THEODORE M. BEYERON.  
JOSEPH M. JALBERT.  
THEODORE M. BELMORE.  
ISAAC M. BELMORE.  
JOHN HEBBARD.  
EDWARD HEBBARD.  
WILLIAM HOPE.  
HECTOR M. MORRISON.

ALEXANDER MORRISON.  
ALEXIS M. DUCHARME.  
JOHN MORRISON.  
LOUIS M. RACINE.  
GEORGE M. REMINGTON.  
JAMES M. REMINGTON.  
AUGUSTUS M. SYLVESTRE.  
CHARLES DONN.  
HECTOR DONN.  
PIERRE M. CHAMPAGNE.  
PIERRE M. CHARPANTIER.  
CHARLES M. LEFRANCOIS.  
J. BTE. M. BEAUDOIN.  
PIERRE M. BEAUDOIN.  
JOSEPH M. BLAIS.  
JOHN PAGE.  
JOSIAH G. PAGE.  
ISAI M. BAROLET.  
FRANCOIS M. MORIN.  
WIDOW JOSEPH M. MORIN.  
JOSEPH M. CORBIN.  
CHARLES M. PINSENSE.  
BENJAMIN M. RIVARD.  
CHARLES M. DANFINET.  
JOHN BTE. M. GOVIN.  
JOSEPH M. ARMSTRONG.  
JOSEPH M. BELLEARD, Senr.  
AUGUSTIN M. CARPENTIER.  
BERNARD MONDAY.  
JOSEPH M. ROCK.  
J. BTE. M. GRANDCHAMP.  
LS. L. GAUTHIER.  
LS. JOS. GAUTHIER.  
NARCISSE CHENVERT.

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(N.N.N.)

No. 7.

26th March.

EXTRACTS from Record and Map, in Surveyor General's Office.

The tract laid down under the name of Autaya, between Dautray and Berthier, is referred to in the ancient Records at different times, under the different names, Autaya, Comporté and D'Orrillier.

It is remarkable that, according to the records of the grants immediately on the banks of the River St. Lawrence, the rectangular distance between the line which separates Autaya from Dautré, and that which separates Chichot from Maskinongé, should be two leagues and a quarter, notwithstanding which the grant to Mr. L'Étage, in the rear, which is expressly said to be bounded by the prolongation of those lines, is called in the Records "*Trois lieues, si telle quantité se trouve.*" As the grant to Mr. L'Étage comprehends whatever breadth there shall be between those lines, this remark would not have been necessary, had it not happened that a boundary mark was found in the field by Mr. McCarthy, at the point A., on the bank of the River St. Lawrence, which answers to none of the grants. If this boundary at A. should have been placed for the boundary between Dautré and Autaya, La Noraye or Dautré would be short of their measure by more than a mile, and the grants between Dautré and Maskinongé, would be upwards of a mile more than their measure. So great an error in so short a distance is scarcely imaginable, and it would therefore seem more likely that this boundary at A. might have been placed for the boundary of some purchase or family partition. For this reason the grants are laid down according to the records, without regarding the said boundary at A., but, to shew that the matter is not clear the lines are dotted. It would be much better that the back boundary line of the grant to Pierre L'Étage, should consist of one straight line, comprehending the desired quantity of land, rather than be bounded by zig-zag lines; this observation holds equally in all cases, unless there should be sales or other subdivisions that might render such zig-zag lines necessary.

It appears from a Survey of Lake Maskinongé, taken in 1793, by Mr. James Rankin, Deputy Surveyor, at the instance of Mr. De Lanaudière, that he (Mr. Rankin,) found a line at N. O. run and marked in the woods, which he understood to be a part of a line that had been run for the back boundary of the Seignior of Berthier. If such line should actually have been run for the back boundary of Berthier, either the depth of Berthier must have been taken much greater than the grants give, or else the depth of Carufel, on which Mr. Rankin's survey commenced, must be much short of what the grant mentions.

The grant to Mr. De Carufel extends "*depuis celle qui a été ci-devant concédée au Sieur le Gardien, jusqu'au premier sault de la dite Rivière Maskinongé, ce qui tient deux lieues ou environ de front sur pareille profondeur,*" and the depth is accordingly so laid down on this map, but the Sault referred to in the grant, is not yet known in the Surveyor General's Office, on which account the back line is dotted.

The two leagues given for the breadth of this grant runs in upon the Fief St. Jean, which was granted to the Ursulines in the part G. F. V. C., but the grant of the Ursulines being the oldest, must of course take first.

The grant of augmentation to the Ursulines, behind the depth of their former grant, runs in upon Carufel in the space C. V. G. P., but here Mr. De Carufel's grant has the priority.

Again, the grant to Mr. Lanaudière, behind the depth of Carufel, runs in upon the above mentioned grant of augmentation to the Ursulines, in the space E. G. S. J. Here again the Ursulines' grant has the priority.

This grant to Mr. De Lanaudière, in the rear of Carufel, has the extent of depth "*qui se trouvera jusqu'au Lac appelé le lac Maskinongé, le dit Lac compris dans toute son étendue, avec les isles, islets et battures, qui se trouveront en icelui.*" It seems to have been supposed at that time, that the Lake Maskinongé lay somewhere between the parallels S. E. and H. M., and Mr. De Lanaudière conceives that the words of his grant are strong enough to give him that vacant land round the lake, although out of those parallels. It would seem advisable, therefore, for the Surveyor General's Office to avoid comprehending those lands in any Return of Survey, until the opinion of His Majesty's law officers shall have been taken, respecting Mr. De Lanaudière's grant.

Mr. Rankin appears to have included the space *pg. si.* in his survey of Mr. Lanaudière's tract, but this is considered to be wrong, unless Mr. De Lanaudière shall have obtained it by purchase or agreement, that space being comprehended in the prior grant to the Ursulines.

In running the line of G. L. Mr. Rankin crossed a line at T. which had been run by Mr. Gaudot, Deputy Surveyor, for the south-easterly line of the Township of Hunterstown; but according to Mr. Gaudot's *acesant*, this line proceeded from the westerly corner of Dumontier. From these circumstances, it follows either that the depth of Dumontier has been taken much greater than the grant mentions, or else that the depth of Carufel is much less than the two leagues mentioned in that grant; which of the two may in reality be the case, can be determined only by an actual admeasurement on the field, and by so much as the depth of Carufel shall fall short of two leagues, by so much, the Lake Maskinongé, as also the line N. O., which Mr. Rankin found behind the Seignior of Berthier, will lay to the south-east of where they are dotted on this map; this should therefore be corrected on a new map as soon as the truth shall become ascertained.

REMARK No. 2.—Grants between the Seignior De Tonnancour at Point du Lac and Three Rivers, and the country in the rear on the westerly side of the River St. Maurice. The records appertaining to this part of the country were found so defective as not to be capable of delineation without further information than could be gathered from those records considered by themselves. These delineations were therefore taken from a map of that neighbourhood, belonging to Mr. Coffin of Three Rivers, who says that it is a copy of the map by which the present proprietors regulate themselves in regard to the limits of their property. These limits in some instances, differ from those of the grants that have been found on the records, but this may perhaps have arisen from the neighbours having made purchases, the one from the other, and annexed those purchases to their former possessions. The space marked A. contains the Town and Banlieu of Three Rivers. The space marked D. the Common. The space marked C. is a tract, which, according to Mr. Coffin's map, was obtained by the Jesuits, on the 9th of June, 1650, in exchange for something else. There is on the Records (Ex-Secy. No. 257,) a grant made to the Jesuits on the 26th February, 1637, in the neighbourhood of Three Rivers, which had its dependence on a certain wall of masonry which was then standing, but which is not known in the Surveyor General's Office. The small tract between the space marked C. and the Fief of Viewport, is mentioned in Mr. Coffin's Map, by the name of *Marets*, but which has not been found on the Records.

True copy of the Record in this office.

THOMAS PARKE,  
Surveyor General.

SURVEYOR GENERAL'S OFFICE, }  
Montreal, 22nd March, 1845. }

Appendix  
(N.N.N.)

26th March.

DIAGRAM  
accompanying the foregoing Petition.

*Dautre*

*DarUchout.*

*Berthier*

*Brandon.*

*Dusable'*

*Waste Lands  
of the  
Crown.*

*Districc Line*

*Fief Carusel*

*Lanaudiere*

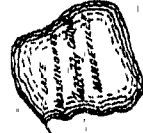
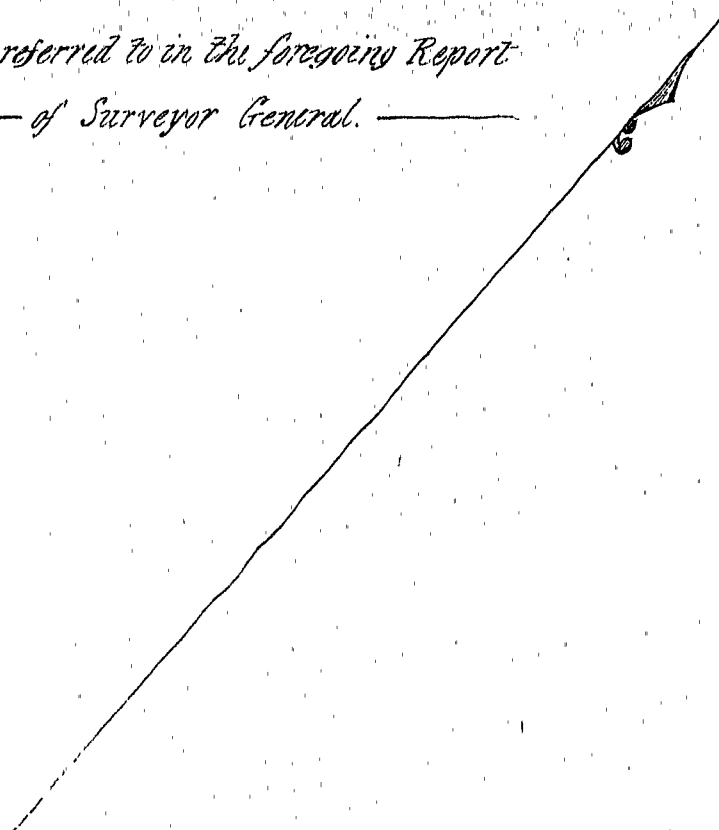




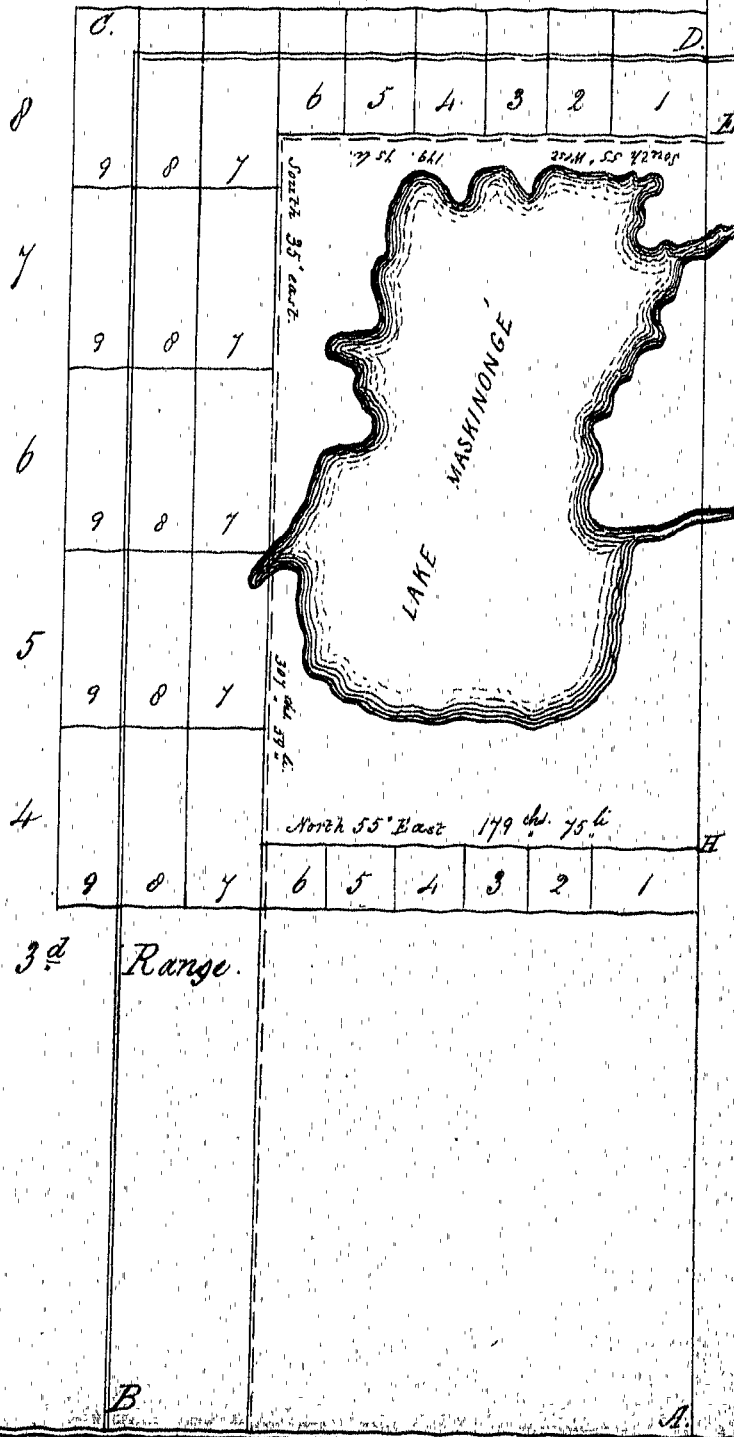
Diagram referred to in the foregoing Report  
of Surveyor General.



Crown Lands.

Township of Brandon.

Scale 80 Chains to an Inch.



Summary of Larouchiere or Mashinonge.

Surveyor General's Office,  
Kingston 20th October, 1862.  
Signed  
Thomas Pike,  
Surv. Genl.

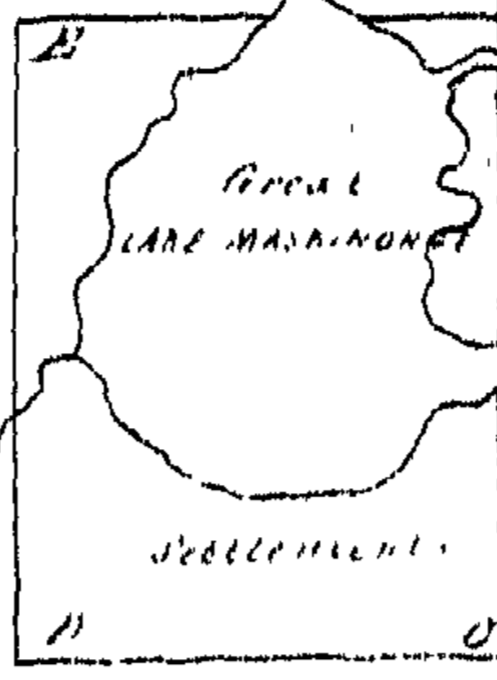
North 55° east. (Augmentation of Berthier.)



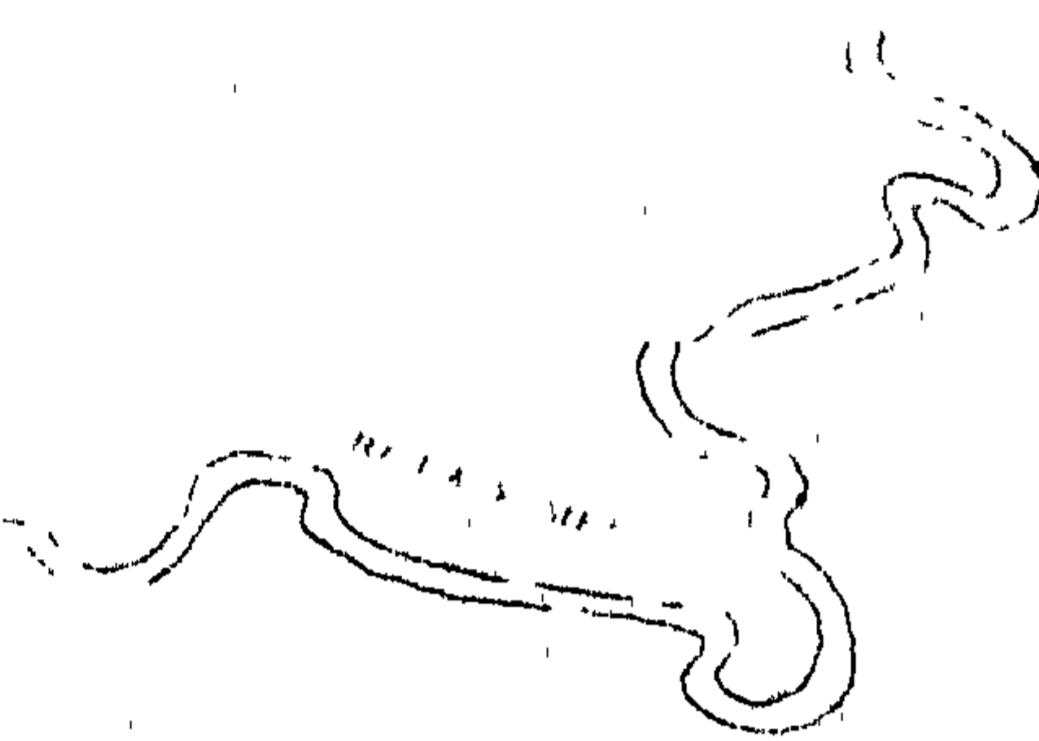


Seigneurie of  
Dauville & Ramsay.

Township of  
Brandon.



Grande  
Lac Manikouagou  
Settlements



Seigneuries of Lanouye & Davelre

Seigneurie of Pothier

Fief Durable

Line dividing the district of Montreal from that of Three Rivers

Lanouye

Fief Carafel

Fief St Jean

Seigneurie of Rivier au Loup

Seigneurie of Grandpre

Seigneurie Grubois

Seigneurie of Mademoiselle

R I V E R  
S T L A W R E N C E

Figurative Sketch of the Seigneurie of Lanouye showing its position relative to the Township of Brandon, and the adjacent Seigneuries.

The figure designated by the Letters A, B, C, D, E, F denotes the Tract of Land claimed by the Hon<sup>ble</sup> Toussaint Pothier, as forming a portion of the Seigneurie of Lanouye.

Beethes, Feb<sup>r</sup> 1843.

James Dignam, M. S. G.



SCALE OF STATUTE MILES.



# R E P O R T.

THE SELECT COMMITTEE to which was referred the Petition of Donald Cameron, of the Township of Thorah, in the Home District, for the appointment of a Commission to investigate alleged injustice towards the Petitioner and others, with regard to their Lands, by the Executive Council of Upper Canada, together with the Report of the Select Committee of the Commons of Upper Canada on a former Petition of Mr. Cameron to the House of Assembly of that Province,—have the honor to REPORT:—

THAT Your Committee have examined the proceedings had on the subject matter of the Petitioner's complaint before Committees of the House of Assembly of Upper Canada.

That they find that those proceedings extend through the Sessions of 1836, 1836-7, and 1839. That the Committee of 1836, reported that Mr. Smalley, whom the Government had sent as a Commissioner to examine and report on the condition of Mr. Cameron's Settlers, and whose Report was in terms unfavorable to that gentleman, had in fact reported a greater number of lots vacant than, according to Mr. Cameron's schedule, had been given to him for settlement; and that but for the then state of public affairs they would have reported an Address calling on the Lieutenant Governor to appoint a Commission for the purposes of justice.

Your Committee find that the Committee of 1836-7 reported an Address, recommending that the complaints of the Petitioner and his friends should be examined by a Commission to be appointed much in the manner now desired by the Petitioner; but no further proceedings appear to have been taken in the case that Session.

That the Committee of 1839 reported their full concurrence in the Report of the Committee of 1836-7, and upon their Report, an Address was moved for, introduced, read a second time, and committed to a Committee of the whole House, which Committee, however, rose without reporting.

The Petitioner complains of serious loss, both to himself and his friends, by the course taken by the Executive Government of Upper Canada; but it appears to Your Committee, that before any Parliamentary action can be satisfactorily had upon the subject, the matter must be brought regularly under the consideration of the Provincial Government, in order to an examination into the case by them.

The whole nevertheless humbly submitted.

ROBT. BALDWIN,  
*Chairman.*

March 27th, 1845.

DOCUMENTARY EVIDENCE laid before the Committee by the Chairman.

THORAH, 12th February, 1839.

We, the undersigned, came to the Townships of Thorah and Eldon upwards of ten years ago, as Donald Cameron, Esquire's, followers; and we firmly believe that there were upwards of seven hundred persons of the above D. Cameron's followers came to Thorah and Eldon in less than three years after he and

his followers received their grant in the above Townships. We further believe that he, the said Cameron, in less than three years from the above time, raised the value of land in Thorah and Eldon and the neighbouring Townships to be worth upwards of twenty times what it was when he got his grant. The said Cameron and his followers opened upwards of one hundred miles of roads in about twenty months after they got their grant, to and through the above Townships. We further state, through his main influence, and very great exertions, if Mr. Cameron had not been injured by the Council, that the above Townships would be worth by this time more than treble what they are at present. The said Council commenced to ruin Mr. Cameron since the latter part of the year 1829. It appears to us by their proceedings and false statements, and Orders in Council, they were fully determined to injure him to the greatest extent. We further know that Cameron suffered great losses through the misstatements and decrees of the Council, as well as his great sufferings in body and mind through the same Council. We further beg leave to remark that we cannot find, and believe it is not to be found, on the records of this Province, any person that has given such valuable service to Her Majesty's subjects, at different times, through his own means and personal exertions, as the above Mr. Cameron has done for the last twenty years,—the annals of the Province, with other documents, will prove it in such a powerful manner that it cannot be repelled by the said Council, notwithstanding the unjust acts they have put in force against him and followers for the last nine years. We do hereby certify the above to be correct to the best of our knowledge and belief.

The undersigned sworn before me this 13th day of February, 1839.

(Signed,) ALEXANDER MEWEN.  
ALEXANDER CAMPBELL.

(Signed,) MATHEW COWAN, J. P.

We, the undersigned, Inhabitants of the Township of Brock, are well acquainted with Donald Cameron, Esquire, of Thorah, for the last twelve years past; do solemnly swear, to the best of our knowledge and belief, the above signed certificate by the Inhabitants of Thorah, is in all its bearings most correct and true.

The undersigned persons sworn before me this 14th day of February, 1839.

(Signed,) MICHAEL CORGAN,  
JOHN SHELL,  
W.-F. MAYBEE,  
TOBIAS MAYBEE,  
PATRICK SHELL,  
GODFREY MAYBEE.

(Signed,) MATHEW COWAN, J. P.

Appendix  
(O. O. O.)

27th March.

We, the undersigned, Inhabitants of the Townships of Thorah, Eldon, Georgina and Brock, in the Home District, firmly believe that the above signed certificates by the Inhabitants of Thorah and Brock, are most correct and true in all their bearings.

Signed by CHARLES M'PHERSON,  
and 38 others.

THORAH, 29th March, 1832.

This is to certify that we the undersigned came from Liverpool last fall in the ship *Forverin*, and at the same time Donald Cameron, Esquire, of Thorah, came passenger in said Ship: We fell short of provisions, and if it was not for the exertions of said Donald Cameron, in his perseverance and good conduct, prevailed on the Captain to put ashore at St. Pierre, a French Island, for provisions, we would actually have starved to death for want of wood and water; and that at the risk of his life, as well as his assistance in provisions and money to some of the passengers on board the said ship, the above Cameron has done through humanity, as we never saw him before meeting him at Liverpool.

Signed by L. CAMERON,  
and 11 others.

ELDON, 18th September, 1841.

This is to certify that I, Duncan Cameron, came to Thorah, in the month of May, 1826, at the same time that Donald Cameron, Esquire, came to settle Thorah and Eldon; and I can recollect that some of the party which accompanied Mr. Cameron as followers, repeatedly expressed that if they by any means could abandon Thorah, they would not remain twenty-four hours for both Townships to themselves,—this being the way that Thorah and Eldon was valued when I came to them.

(Signed,) DUNCAN CAMERON.

FENELON, 27th July, 1839.

This is to certify that I brought my goods, horses and cart, in the year 1829, from Whitby to Thorah, on the principal part of the road opened by Donald Cameron, Esquire, of Thorah.

(Signed,) ANGUS M'LARIN.

THORAH, 16th March, 1840.

Appendix  
(O. O. O.)

27th March.

This is to certify that I used to charge from Two pounds to Four pounds currency, for carrying passengers from Thorah to the Holland Landing, in the years 1830 and 1831.

(Signed,) EWIN KENNEDY.

13th July, 1840.

This is to certify that I, with eight others of my relations, came down from the Holland Landing to Thorah, in the year 1830, in Mr. D. Cameron's boats, for which he charged nothing for our passage.

(Signed,) JOHN + HARKLEY.  
his  
mark

TORONTO, 17th January, 1840.

I certify that the price for furnishing a boat and four hands was, for the conveyance of a passenger to Thorah from the Holland Landing, ten years ago, £3 or £4 currency.

(Signed,) E. BEMAN.

BARRIE, 16th March, 1841.

This is to certify that I was brought down from the Holland Landing, and my father's family, eight in number, in the year 1830, in Donald Cameron's boat, free of all expenses, as we told him that we had no means to carry us down to Thorah.

(Signed,) JOHN HARKLEY.

Witness—(Signed,) R. M'DONALD.

To the Hon. ROBERT BALDWIN.

I could send to you many other proofs, but I believe that those documents, with what is on the records of the House in the Sessions of the years 1836 and 7, will be the means to shew the Members of your House enough to grant me and my followers and settlers a fair trial in this case.

D. C.

## R E P O R T.

THE SELECT COMMITTEE to which was referred the Petition of J. H. Maitland and J. C. Becket, of the Canada Sunday School Union, praying that measures be adopted to establish a cheap and uniform rate of POSTAGE, and various other Documents, Petitions, and matters connected with the POST OFFICE DEPARTMENT,—have the honor to REPORT:—

THAT by the pressing calls of other Committees, and by the late period of the Session, your Committee have been prevented from entering into the consideration of the subject committed to them, with the full attention which its importance demanded.

They have, however, obtained some important evidence from the Deputy Post-Master General, and from Christopher Dunkin, Esquire, Secretary to the late Commission of Enquiry into the Post-Office Department, chiefly with reference to any change in the rate of internal postage, and to some control being exercised over this Department by the Provincial Government, which evidence is hereunto annexed.

Your Committee naturally directed their attention to the Report of the Post-Office Commission, supposed to have been made to the Executive during the Government of Lord Sydenham, as containing the result of very extended enquiries, and conveying the opinions of three Officers, whose thoughts and labour had been during many months directed to that subject; and they have been desirous of possessing themselves of a copy of this Report. In this desire, however, they have not been able to succeed,—the only copy which they have ascertained to exist in the Province, and that an unauthenticated one, being in the possession of the Deputy Post-Master General, who does not feel authorized to give communication of it without instructions so to do; at the same time that he expressed his entire willingness to give it up when so instructed.

Your Committee naturally supposing that the original Report must be in the possession of the Home Government, and deeming it highly desirable that its suggestions should be made available, they are respectfully of opinion, that it would be expedient for the Legislative Assembly to present an humble Address to His Excellency the Governor General, praying that he would be pleased to use his endeavour to procure and communicate to your Honorable House a copy of the said Report.

Your Committee have further had under their consideration, the question of a uniform and reduced rate of Postage. They are of opinion, that such an amended system would be of very great benefit to the public at large, and might eventually be made to afford an increased revenue, as well as greatly extended accommodation; they are, however, disposed to question the expediency, under the circumstances of the Post-Office Revenue, the surplus of which is but trifling, amounting only to about £8000 per annum, of any other than a gradual approach to a reduced system of Postage, which though found to be eminently successful in Great Britain, as there adopted in its full extent, may possibly have depended for its success in the first instance upon the resource of a very large surplus Revenue; and they, therefore, hesitate to recommend at this moment, any particular course, in a question involving very great difficulty, and requiring very detailed enactments if carried out.

Connected further with this branch of their enquiry, as well as with other proposals for improvement in the

Department, your Committee have entered into the consideration of the question of some sort of control being conferred upon the Provincial Government over the Provincial Post-Office, but on account of the late period of the Session, and its approaching termination, they have not been able to form any conclusive opinion upon this point; but they respectfully recommend that it should form a subject for enquiry at an ensuing Session of the Legislature.

The whole, nevertheless, humbly submitted.

ED. HALE,  
*Chairman.*

28th March, 1845.

## MINUTES OF EVIDENCE.

EDWARD HALE, Esquire, in the Chair.

*Wednesday, 19th February, 1845.*

*Thomas Allen Slayner*, Esquire, Deputy Post-Master General, called in; and examined:—

1. Have you in your possession a copy of the Report made by the late Commissioners of Enquiry, relative to the Post-Office Department; and if so, can you lay it before the Committee?—I have no official or authenticated copy of the Report made by the Commissioners of Enquiry.

2. Have you any objection to communicate to the Committee the copy of the Report admitted to be in your possession; and if so, state your objection?—I do not feel myself at liberty to communicate to the Committee the copy of the Report alluded to, without the sanction of His Lordship the Post-Master General, and I respectfully trust, that having in view the peculiar circumstances in which the Committee must see I am placed, they will not insist upon my departing from the view I have taken of my duty in this matter.

3. What are the grounds upon which you do not feel at liberty to communicate the Report in question, without the sanction to which you have referred?—I think that the communication of the Report in question should be looked for at the hands of Government, if to be made at all; and that it would consequently be wrong in me to interpose any action of mine in such a case.

4. Is the Post-Master General aware of your being in possession of a copy of the said Report, and have you been instructed to regard it as a confidential document?—I have not advised the Post-Master General that I am now in possession of a copy of the Report, although it may be so understood by His Lordship, since I communicated a copy to the Department in London: I have consequently not been instructed by the Post-Master General to regard the document in a confidential light.

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(P. P. P.)

28th March.

5. Is the authority delegated to you for the management of the Department sufficient to enable you to provide for the efficient discharge of the duties thereof; and if not, will you inform the Committee what further authority is required?—It appears to me that the Post-Master General is the only person in the Post-Office who is in a position to pronounce upon this question. I would respectfully remind the Committee that I am but a subordinate officer, subject to the orders of the Post-Master General in all matters pertaining to the management of the Department.

6. Are you of opinion that a cheaper and more uniform rate of internal Postage than now prevails, could be beneficially established, and what reduced rates, and what system, would you recommend for that purpose?—The Returns which I have furnished, by command of the Committee, will shew that, in the year ended 5th July last, there was a surplus Revenue of only £8,748. 19s. 1½d., including the Packet Postage. It is evident, therefore, that upon so small a surplus, it would be impracticable, without some provision to meet the contingency, to reduce the Postage rates materially, for that there would be a falling off at first, through the adoption of any considerable reduction of the rates, there can exist no doubt. I am much at a loss what to say as regards the latter part of the question, since, as I have already observed, very little in the way of reducing the rates at all could be ventured upon in the present state of the funds of the Department. I may observe, however, that there is at present no rate below 4½d. currency, which covers a distance of 60 miles, and that this operates to discourage correspondence between adjacent towns and settlements, as the higher rates do between towns and places more widely separated. The amount of correspondence passing by the post between towns less than thirty miles apart is very trifling. I think a very low rate would be found advantageous for distances not exceeding thirty miles, say 2d. currency. As regards the main question of reduction, I conceive that a moderate uniform rate, for distances over thirty miles, would produce excellent results; or perhaps two rates, that is, one rate for distances over thirty and not exceeding two hundred miles, and another rate for all distances exceeding two hundred miles.

7. Are you of opinion that a reduced rate of internal Postage would lead eventually to an increase of Revenue, at the same time that it would tend to the convenience of the public?—I am of opinion that a reduced rate of inland Postage would, by encouraging correspondence, eventually lead to an increase of Revenue, and that it would tend to the convenience and benefit of the public. The rates are generally complained of as being too high, and this, no doubt, provokes in a material degree the illicit conveyance of letters throughout the country, which it is notorious is carried on to a great extent.

8. Does the present scale of allowances to Post-Masters in country Parishes and Townships form such a remuneration as to lead to the efficient performance of the duty?—The complaints are general of the Post-Masters in country Parishes and Townships, that their remuneration is insufficient, more especially where no compensation in lieu of the franking privilege exists. I cannot say that the duties have not been performed, but great difficulty is experienced of late in enforcing the performance of them at many of the offices, through the dissatisfaction of the Post-Masters with their allowances; and resignations are very frequent.

9. Is any difficulty experienced by you in finding persons competent and willing to undertake the office of Post-Master in the country Parishes and Town-

ships?—The nomination to Post-Masterships being now vested in the Governor General, it is no longer my duty to find persons to take charge of the Post-Offices.

10. Are you aware that any country Parishes or Townships have lost benefits which they had previously enjoyed in Post-office accommodation, in consequence of any recent changes?—In consequence of the withdrawal of the franking privilege, I have been obliged to close several offices, from the inability of the Governor General to find substitutes for the retiring Post-Masters; some few of them, after being closed for some time, were afterwards recommissioned, individuals having been found willing to take charge of them; others still remain closed. I can furnish a Return of those cases, if the Committee require it.

11. What change in that respect would you recommend?—I think the Post-Masters should be better paid.

12. Are you of opinion that any changes are required in the Establishment or scale of allowances of the Post-Office in the Province to increase its efficiency, or to lead to economy; and do you contemplate making any recommendation upon these points?—I beg to observe that I have in part replied to this question, in my answer to question 8. Changes could no doubt be made advantageously, and are, in fact, constant subjects of Departmental consideration; but for the reason alluded to in my reply to question 5, I do not feel myself in a position to state my own views, as the latter part of this question seems to require me to do.

13. Can you state the amount of Postage received from the Military and Naval Authorities within the Province for the last three or four years?—I will lay before the Committee such a statement as is here required.

14. What is the expense of the Atlantic Packet Service to the Post-Office for the same periods?—I do not know what is the expense of the Atlantic Packet Service, except by hearsay.

15. What is the amount of Packet Postage received in the Province during the same time?—It would be a difficult research, and consume a good deal of time to ascertain the amount of Packet Postage received in the Province during the several years alluded to, for no distinct account of that Postage has been attempted to be kept until very recently; but if the Committee requires it, I will set about it. I had, however, for my own satisfaction, some short time since, ascertained the amount of this Postage for the year ended the 5th of July last, and I beg to lay the information before the Committee: the amount, as nearly as it can be ascertained, for I do not vouch for its being minutely accurate, is, for the year alluded to, £5127 currency.

The following answer to the 13th question was subsequently received from Mr. *Stayner*:—With reference to the information called for in the question numbered 13, the Deputy Postmaster General has the honor to lay before the Committee a Return of the Postage collected from the Military Departments for the four years ending, respectively, the 5th October 1841, 1842, 1843, and 1844. The materials for this Statement were at hand, and the account is consequently rendered without delay; if required for any later period, it will be necessary to send to the distant Military Stations for some of the information. No separate account is ever rendered to the Deputy Postmaster General, of the Postage of the Naval Departments, but it must be very inconsiderable.

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Abstract of Military Departmental Postages collected in Canada in four years ending, respectively, the 5th October 1841-2-3 and 4 :

	Currency.	
Year ending 5th October, 1841,	£13,505	12 0
“ 5th October, 1842,	13,152	14 4
“ 5th October, 1843,	9,831	17 8
“ 5th October, 1844,	6,124	6 7

T. A. STAYNER,  
D. P. M. Gen.

20th February, 1845.

*Note.*—The requisition upon which this Return is furnished, mentions Military and Naval Postage. I have no means of ascertaining the Naval Postage, as no account of it has been rendered to me; but the amount is very inconsiderable.

T. A. S.

THURSDAY, 27th March, 1845.

*Christopher Dunkin*, Esquire, called in; and examined:—

1. Were you Secretary to the Post Office Commission which was formed during Lord Sydenham's Administration of the Government?—I was.

2. Are you in possession of any copy of the Report made by the said Commission; and if so, will you produce it to the Committee?—I am not in possession of any such copy; the office copy which I considered it my duty to keep when the original was sent to England, having passed out of my hands shortly after the arrival of the present Governor General, by His Excellency's order, and not having been since returned to me.

3. Are you aware that there exist any documents or returns connected with Post Office details, upon which the Report of the Commission is based; and if so, where are they deposited?—So much of the correspondence, returns, and other papers of the Commission as was thought to be of any public interest was embodied in the Appendix to the Report. This Appendix was printed, for the sake of convenience, by direction of Lord Sydenham; as it was too bulky to admit of several copies being taken in manuscript, as would otherwise have been necessary. A few copies were sent home with the Report, and a few more were furnished to the Deputy Post Master General for use in his Department, as (after the fire which destroyed his office at Quebec) they embodied nearly all the information he had left on many points connected with it. The remainder of the impression, with the exception of a copy furnished to each of the Commissioners, is still in my hands.

4. Can you lay the same before the Committee?—Without permission to that effect from the Government, I do not understand myself to be at liberty to part with any of the papers in my keeping as Secretary to the late Post Office Commission; but if the Committee wish it, I shall be happy to apply for such permission.

5. Does your acquaintance with Post Office details enable you to form any opinion as to the expediency and practicability of establishing a reduced and uniform rate of postage within the Province, with a due regard to the interests of the public as well as of the revenue?—I have no doubt of the necessity of an extensive change being made in this respect. The present rates are in every respect most objectionable. There are far too many of them. The lowest charge is for distances not exceeding 60 miles, a second for

distances between 60 and 100, and every additional 100 miles of distance causes a further increase. As the distances, within this Province, range beyond 1300 miles, there are thus 15 or more rates for Canadian letters only. Within British North America, the maximum distances range beyond sixteen and even seven-teen hundred miles. The amounts are also inconvenient in the last degree. Having originally been enacted in sterling money, their conversion into currency renders necessary a constant recourse to fractions of the penny. The lowest rate is 4½d; the next 7d; then 9d; then 11½d; then 1s. 1½d; and so on. The useless difficulties which such rates must cause, are too obvious to need to be more than alluded to. They are also far too high. A letter may pass from any part of Canada to any part of Great Britain for 1s. 4d. currency, whereas if only sent to Halifax in Nova Scotia, the same letter might cost 3s. 4d; so that the sender would in such case save money by mailing it for England, and having it there, remailed for Halifax. No letter can pass through the Post Office for the shortest distance, for less than 4½d., a rate so high as entirely to cut off correspondence between neighbouring offices. By the new Post Office Law of the United States, a letter may pass to any distance for ten cents, or 6d. per currency, and for any distance not exceeding 300 miles, for half that sum. The reform here called for in these respects is, in my opinion, the establishment of a very few rates, not exceeding two or three, or at the utmost four, for amounts in currency, easy of calculation, and far below those at present in force, more especially as regards the longest and shortest distances. I doubt whether a single rate would be found to answer. An elaborate calculation made by the Deputy Postmaster General for the year 1839-40, and laid before the Post Office Commission, showed that the average cost incurred by the Department on each single letter passing through the office (Halifax Packet letters excluded) was a little over 5d. currency. I should think it almost as likely to have increased since, from the adoption of more costly modes of mail conveyance, as to have diminished from the greater number of the letters mailed. In Great Britain it was ascertained, before adopting the penny-rate, that the actual cost on each single letter was but a fraction of the penny to be charged. A uniform rate here, which should be fixed upon the same rule, would satisfy no one; inasmuch as for short distances it would be prohibitory of correspondence. There are obvious reasons for the adoption of the new rule of the United States as the future rule for these Provinces; and I consider that on the whole it would be decidedly the best rule to follow. It is not expected that it will there at first yield a revenue equal to the wants of the Department; and certainly it could not be expected to do so here. But if this change be thought too great, the principle on which it proceeds ought at least to be adopted. For short distances, say under 50 miles, a rate not to exceed 3d. currency, on a letter under the half ounce, should be established; indeed it may well be doubted whether 2d. would not, before long give as much revenue as 3d. would. For distances between 50 and 100 miles, the rate should not exceed 6d. currency; and would perhaps hardly yield less revenue after a few years at 4d. than at 6d. And for distances beyond, it should not exceed 9d. and might perhaps safely be made 6d. Should these higher rates of 3d. 6d. and 9d. be adopted, a rate of 2d. for shorter distances, say under 30 miles, should form part of the scheme. I would not be understood to say that I think either of these latter scales would at first yield a revenue equal to the wants of the Department. For some years there would probably be a deficit; and from one hardly more or less than from the other. But I do not doubt that the revenue would soon recover itself; and in the meantime, for the sake of the immense advantages to be derived from

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the change, I cannot think there would be any difficulty in providing by Parliamentary vote for the deficit,—supposing always, of course, the administration of the Department in other matters, such as the establishment of new routes and offices, the choice of Post Office sites and of Postmasters, and the enforcement of its rules generally, to be calculated to meet the reasonable wishes of the public.—I should add, that in expressing the above opinion as to the probable results of these scales of rates, I take it for granted that the postage on official correspondence, Civil and Military, is to continue to be paid as heretofore. Even with the present rates there would be a deficit, I believe, were either the Civil or the Military Departments allowed to make use of the Post Office without paying for it. In a new country like this, it is impossible to sustain an adequate Post Office establishment by charges on private correspondence only. The public revenue must contribute to the support of the Department, at the very least in the ratio of the service rendered Government in the transmission of its correspondence.

6. Are you of opinion that the change of rates which you suggest, should be sought by Legislative enactment?—The Lords of the Treasury have by law full power to reduce rates of postage, and it appears to me that it would be far better that any experiment of reduction should be made by their Warrant than by express enactment to that effect. Indeed, I cannot think that any Provincial Legislation whatever could be conveniently undertaken in reference to the Post Office Department; since it is most important that its regulations should everywhere bear the same general character, as regards rates of postage, the liberty to pay on the sending or on the receipt of letters, the punctual and convenient exchange of the mails for and from other Provinces and the Mother Country, and the mode of keeping and balancing their respective accounts. If Provincial Acts were allowed to regulate the Post Office Departments of the several Provinces of British America, the confusion of rates and rules would soon become intolerable; as it is not to be supposed that several different Legislatures would agree to all the details of any one plan. One scale of rates, one system for the interchange of the mails, and one rule for the keeping of the Post Office accounts, should be established for the whole of these Provinces. The Imperial authority alone can enforce this uniformity; but cannot do so, if hampered by Provincial Laws regulating Provincial Post Office establishments.

7. Do you carry this argument to the extent of considering the Post Office as an exclusively Imperial Department, and one which therefore should not be placed under Provincial control?—I mean only that the rates of postage and the general regulations of the Department should emanate, for the sake of uniformity, from the Imperial authority. In local matters, such as the erection of new offices, the determining in what manner, how often, by what routes, and at what price, the mail should be carried within each Province, (except in so far as the reasonably rapid transmission of the mails for and from the mother country and other Provinces may be in question,) the choice and remuneration of Postmasters, the disposal to be made of any surplus Post Office revenue fairly accruing within the Province, or (which is the contingency to be rather looked forward to) the determining how far Post Office accommodation shall be suffered to outrun the means of the Department and become a charge on the revenue of the Province,—in all these and other like matters it seems to me that the Post Office Department in each Province may and should be left to the control of the Government of the Province; a course which would fully ensure that accommodation of the details of the system to the wishes and wants of the people of each Province, which is essential to its satisfactory working.—At present, these local details (except only in so far as the appointment of Postmasters is in

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question) are understood to be matter of regulation in London, where no one can have the kind of information which is requisite in order to their being satisfactorily ordered. And the necessary consequence is, that as they are often not settled as people here would wish, and are never settled as promptly as the people require, the Department becomes unpopular, and legislation is called for by many, as the only sufficient remedy for what are considered its abuses. Were the Provincial Government, however, understood to be responsible for the conduct, as respects these details, of the Post Office Department, it would soon have to place it on such a footing as public opinion might require. There could in that case be no doubt as to the readiness of the Provincial Parliament to make good any deficit in the revenue of the Department which might have been caused by the adoption of a lower scale of rates, or of a more liberal system of Post Office accommodation, in compliance with the public wish.

8. Do you consider that any material advantage has resulted from the recent change which has vested the appointment of Postmasters in the Provincial Government?—I do not think this change has been productive of any advantage. The mere right of naming Postmasters cannot enable the Provincial Government to exercise that authority in the affairs of the Department which it ought to possess. If the sites of the several Post Offices, the rate of the Postmaster's remuneration when appointed, and the question of censuring or removing Postmasters whose conduct may not give satisfaction, are to be reserved as matters of decision for the authorities of the Post Office in London, the same authorities might as well keep to themselves the naming of the Postmasters also. Not one Postmaster in ten receives such an amount of emolument as to make the office desirable on that account. It is generally hard to find Postmasters; and as long as the control of the Provincial Government shall remain, as it is understood to be, limited to this one act, it must often be impossible.

9. Are the Postmasters, in your opinion, sufficiently remunerated?—Every body, I believe, is perfectly satisfied that they are not. The great majority receive a mere nothing from the per centage allowed them. While they had the franking privilege, persons could always be found who were willing to serve for the sake of it. But the case is now quite different. The individual Postmasters who formerly enjoyed this right, and valued it at more than one pound a-year, are allowed a fixed compensation for its loss, (which, however, bears no relation to the amount of their duties or other remuneration,) but their successors and all Postmasters at new offices are required to serve for the per centage only. The greatest difficulty is consequently found in obtaining Postmasters for the small offices; and many have been closed in consequence.—It is a necessary inference from this state of things that the control of the Department over its Postmasters must be very imperfect, and that it cannot enforce from them that punctuality and efficiency which the service requires, and which under a better system might easily be enforced.

10. What change in this respect would you suggest?—I am not prepared to suggest the particulars of a new rule as to the remuneration of Postmasters. There are grave objections to the franking privilege: but it may in spite of them be found necessary to restore it. Before doing so, however, I would try the effect of raising the per centage, and promptly assigning a moderate fixed compensation to all Postmasters whose duties are more than commonly arduous. Few of them have such compensation now; but no Postmaster should be required to do night duty, or other extra labour, without some special recompense for it. No details of this sort, however, I must repeat, can ever be regulated satisfactorily from London. If it is meant to have them properly arranged at all, they must be left for decision in the Province.

## RETURN

To an ADDRESS of the House of Assembly, praying that His Excellency will be pleased to order the proper Officer to lay before them, an Account in detail of all monies expended under the Authority of the Board of Works, in and upon the COBOURG HARBOUR; and, also, the Orders in Council and other Authority, under which the Expenditure took place; and, also, to inform them if any Survey was made by or under Authority of the Board of Works, to connect that Harbour with the Plank or Macadamized Road, now being made between Port Hope and the Rice Lake, and why such Survey was made; and if the same proved practicable, why such connecting Road was not constructed.

SECRETARY'S OFFICE, }  
28th March, 1845.

By Command,

D. DALY, *Secy.*

Memorandum of Documents relating to the Road from Rice Lake to Lake Ontario.

- No. 1. Copy of Minute of Council, dated 3rd March, 1843.
- No. 2. Copy of Report of Board of Works on which the above Report of Council was framed.
- No. 3. Memorial of Inhabitants of Peterborough, alluded to in Board of Works Report.
- No. 4. Report of Council on same subject, dated 23rd March, 1844, on a letter from Messrs. Boswell and Perry.
- No. 5. Copy of Messrs. Boswell and Perry's Letter.
- No. 6. Report of the Board of Works alluded to in the above Report of Council of the 23rd March, 1844.
- No. 7. Copy of a Report of Council, dated 5th June, 1844, on same subject.
- No. 8. Letter from Chairman of Board of Works, dated 8th May, 1844, on which the above Report of Council was framed.

Documents relating to the completion of Cobourg Harbour.

- No. 9. Extract from the Minutes of the Cobourg Harbour Company.
- No. 10. Assignment of Cobourg Harbour to the Board of Works upon certain Trusts.
- No. 11. Letter from the Inspector General to the President of the Board of Works.
- No. 12. Letter of Directors of Cobourg Harbour to Mr. N. H. Baird.
- No. 13. Report of Mr. N. H. Baird.
- No. 14. Memorandum respecting Cobourg Harbour.
- No. 15. Statement of Expenditure on Cobourg Harbour.

No. 1.

Copy of a Report of a Committee of the Executive Council, dated 17th February, 1843, and confirmed by His Excellency the Governor General in Council, on the 3rd March, 1843, on the subject of a selection of a line of Road between Rice Lake and Lake Ontario.

The Committee of the Executive Council have carefully considered the accompanying Report of the Board of Works on the subject of the selection of a line of Road between Rice Lake and Lake Ontario,—which Report sets forth the relative advantages and disadvantages of three proposed routes,—one terminating at Port Hope, one at Cobourg, and one intermediate between these towns, and the reasons which induced the Board to recommend the adoption of the line of road last above mentioned.

The Committee are of opinion that the main object to be kept in view in the choice of the line of road in question, is the affording to the back country the benefit of communicating with a Harbour on Lake Ontario by the shortest route which can be opened at the least expense. The line terminating at Port Hope appears to possess these advantages, and the Committee are of opinion that neither the outlay of public money on the Cobourg Harbour, or the local frontier interests, should be allowed to outweigh these advantages in the choice of the line of communication with the Lake.

It is true that in a country fully populated, and with large towns and ample markets already existing, it may be for the interest even of the interior country to communicate with an established and superior market by the longer, rather than with an inferior one by the shorter route; but the Committee, looking upon the country in the rear as well as on the frontier, in the

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present instance, as in a state of rapid improvement, they feel bound to look to future and permanent benefits to arise from the road rather than to present and temporary convenience.

The Committee would, therefore, be led, as well upon the Report of the Board of Works as by perusal of the evidence taken by a Committee of the Legislative Assembly during the last session, to prefer the route terminating at Port Hope, even if the arguments in favor of Cobourg, arising from its present condition, were stronger than those advanced; and they accordingly respectfully recommend that the Board of Works be instructed to construct the road on the Port Hope line in preference to that ending at Cobourg, or the intermediate one suggested by the Board of Works.

No. 2.

Copy of the Report of the Board of Works.

(Copy.)

BOARD OF WORKS,  
7th November, 1842.

SIR,—I have the honor to enclose you a Memorial from the Inhabitants of Peterboro', and that District, praying for the immediate proceeding with the works of the Road leading from Lake Ontario to Rice Lake.

The works at Whitlas and Crooks' Locks, by which an inland navigation of between forty and fifty miles will be effected, have progressed in a most satisfactory manner this season. The masonry at the former place being finished, and that at the latter being nearly so, the entire navigation will be opened early next spring, but no benefit from it can, as the Memorialists state, be derived until the Road leading from the head of Rice Lake is constructed.

A vast deal of local feeling and interest having been manifested regarding the location of this line of road, the Board have had every line spoken of or suggested by the different parties examined, and no pains or expense have been spared to sift the question thoroughly.

The result of those Surveys generally, appears to the Board to prove that the shortest and most direct line of road to connect the extensive and highly improvable back country about Peterboro' and to the north, and north-west of Rice Lake, with a port on Lake Ontario, would lead to Port Hope: that none of the present lines of travelled road, or allowances for roads, are throughout available for the proposed communication, owing to sundry natural obstacles. That in consequence of the instructions given by the Board to the Engineer for his guidance, viz.—“Having forwarded your Reports, &c. upon the above matters, you will proceed to explore and determine the best route for a line of plank road from or near the western end of Rice Lake to Lake Ontario, as upon the improvement of the water and other communications of that section of country, this road will, in all probability, become a portage of considerable importance. Every possible curtailment of distance, and the avoiding of ascents and descents, as far as can be, is advisable; and the line should be laid out so as not to admit of any alteration for the better hereafter, and in such a manner as will meet the general, without reference to local or individual, interests. The probability of the extension of this road northward, hereafter, by Peterboro', is also to be kept in view in the selection of the line;”—and subsequently, “upon a careful consideration of your Report on the line of the Rice

“Lake Road, and the documents connected therewith, the Board do not consider that they are yet sufficiently in possession of the matter to come to a decision thereon; they, therefore, wish you, without loss of time, to examine again the line called the Boundary Line in the Report, the present line of travelled road from Bletcher's to Rice Lake, or any other better line which may be found west of it.”

The Engineer's attention was chiefly given to three lines,—one to Port Hope by the present travelled line, with necessary deviations; one to Port Hope by a middle line, to the present front road, and thence along it to Port Hope; and the third, by the middle line to the front road as before mentioned, and along the same to Cobourg.

	Miles.	Chains.	Cost.
That the length of the first would be—	11	24	£11,840
Of the second, . . .	13	39	12,804
Of the third, . . .	15	31	13,731

The Honorable Council will perceive that the foregoing afforded but little data of an engineering or practical nature upon which the route could be determined, and, after much consideration, being led to believe that the intermediate line would, under all circumstances, be most likely to meet the views of the majority of the back settlers, inasmuch as it would afford them the choice of Cobourg or Port Hope markets, and taking also into consideration the large public outlay of money upon the Harbour at Cobourg, the interest of which is secured as the first charge on the revenue of the Harbour, the Board had decided upon adopting the intermediate line, and the work would accordingly have, by this time, been considerably advanced, but for the introduction of the subject before the House of Assembly during the last Session. The evidence taken before the Committee appointed to inquire into the matter, it is presumed is now printed, and can be laid before the Council.

There being, as before stated, no decided engineering or practical reason (with which alone it is considered the Department have to do) to govern the selection of the line, the Board do not feel themselves authorized to proceed with the work, without having the expressed decision of the Council thereon.

It is most important that a conclusion be promptly come to, as very little more delay will retard the completion of the work another year.

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

(Signed,) HAMILTON H. KILLALY.  
THE HONBLE. R. B. SULLIVAN,  
President, Executive Council.

No. 3.

Memorial of the Inhabitants of Peterboro'.

To the Honorable H. H. Killaly, M. P. P.,  
President of the Board of Works.

SIR,—We, the undersigned, Inhabitants of Peterboro' and its vicinity, beg respectfully to represent our earnest desire that steps should be taken to advance the progress of the plank road between the Rice Lake and Lake Ontario. We have viewed with great satisfaction the impartial and wise selection made by the Board of Works for the termination of the road

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at a point, as near as practicable, midway between Cobourg and Port Hope. At the same time, we cannot refrain from expressing our deep regret that the local interest of the inhabitants of the front should so long have been permitted to interrupt the progress of a work so highly essential to the prosperity and convenience of this portion of the country, and for which it was particularly intended, and also as a continuation of the route formed by the waters of the river Otonabee and Rice Lake, the improvements on which are now fast drawing to a close, and will be totally useless until the connecting link, by the plank road, is completed.

We sincerely hope that the Report made by a Committee of the Honorable the House of Assembly, and which Report was not, and we are of opinion never can be, concurred in by the Honorable House, may not be permitted to retard a work so highly important and immediately necessary, and we confidently rely upon instructions being given for the prosecution of the work without delay.

We can assure you the opinions herein expressed are those entertained by a large portion of the inhabitants of this section of the country.

Signed by W. S. CONGER, Sheriff,  
and 13 others.

Peterboro', 26th October, 1842.

## No. 4.

Copy of a Report of a Committee of the Executive Council, dated the 20th March, 1843, and approved by His Excellency the Governor General in Council on the 23d of the same month, on a letter from Messrs. Boswell and Perry, on the subject of a branch of the Rice Lake Plank Road to Cobourg.

The Committee of the Executive Council having reference to the Minute of Council of the 3d March instant, in which it was decided that the road to be opened between Lake Ontario and Rice Lake, in the Newcastle District, should be upon the shortest practicable route from the western end of the Rice Lake to the nearest port on Lake Ontario, have considered a Report of the Board of Works stating that the revenues to be derived on the road would be materially increased by the construction of a branch of the said road, which would open the communication to Cobourg; and further representing, that of the appropriation made by Parliament for the Newcastle District, out of the English loan, there will, after the construction of the line of road agreed upon, remain a sufficient sum to complete the communication with Cobourg, and recommending that tenders should be advertized for the construction of the road agreed upon, as well as of the branch to Cobourg,—are respectfully of opinion that the Report of the Board of Works be approved of, on the *distinct understanding that the branch road will not be undertaken, unless it shall clearly appear, from the tenders received and accepted, that a sufficient sum will remain of the appropriation to complete both roads, and that no public money will be applied for the said roads other than the sum already appropriated by Parliament.*

The Committee are further of opinion that, to avoid misunderstanding on this subject, Mr. Secretary Harrison should be instructed to inform the gentlemen who have applied for the branch road, of the contingency upon which the construction of the same will depend.

## No. 5.

Copy of Messrs. Boswell and Perry's Letter to the Honorable S. B. Harrison.

KINGSTON, 13th March, 1843.

SIR,—We have just seen a copy of a Minute of Council, by which we regret to perceive that the decision the Board of Works had come to in reference to the Rice Lake and Lake Ontario Plank Road, has been set aside, and a recommendation made, that "the Board of Works be instructed to construct the road on the Port Hope line." The effect of this would be to deprive Cobourg altogether of that fair opportunity to compete for the trade of the back country which they have hitherto always enjoyed, by the road leading direct from the road of the Rice Lake to Cobourg. We do not believe that this was the intention of the Executive Government, and we beg you will have the goodness to call the attention of the Honorable Executive Council to the subject, with a view to some modification of the line of road.

We have never asked for any exclusive privilege, and have always been most willing that Port Hope should enjoy, equally with Cobourg, all the trade its situation justly commands. The intermediate line of road adopted by the Board of Works was not suggested by the Inhabitants of Cobourg, who would always have preferred, what we conceived would be far most advantageous for the general interests,—a branch to both places.

This plan we hope can yet be adopted, and we have no doubt it would give general satisfaction.

We have the honor to be,  
Your very obedient servants,

(Signed,) G. M. BOSWELL,  
EBENEZER PERRY.

The Hon. S. B. HARRISON.

## No. 6.

(Copy.)

Report of the Board of Works on the Road from Rice Lake to Lake Ontario.

The adoption of the shortest practicable route from the west end of the Rice Lake to the Town limits of Port Hope having been decided on by the Honorable the Executive Council as most likely to promote the general interests of the public, and of the back townships; and further, having been led to believe by the representations of the merchants and others of the Town of Cobourg, that the construction of an off-branch to the limits of that Town would tend materially to increase the revenue to be derived from this communication, they consented to the making of this branch road, provided it was clearly ascertained that the amount appropriated for the improvements in this section of the country (the Newcastle District,) would be sufficient to cover the cost of this branch.

The Board directed that the accompanying approximating Estimate of the sums expended and yet required for the completion of these improvements, from which it appears that there will be a balance sufficient to execute the Cobourg branch, should be submitted to the Council, and they consider the most advisable course will be, to advertize for the formation of and materials for both the main road and its branch, and upon the

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receipt of the tenders, as the ultimate cost will then be fully and definitely ascertained, to bring the result before Council and know their final decision.

(Signed,) HAMILTON H. KILLALY.

Board of Works,  
20th March, 1843.

Approximating Estimate for the Construction of the several Works in the Newcastle District.

Scugog River,.....	£ 1,20 )
Scugog Road,.....	7,500
Crooks' Rapids,.....	1,100
Whittas' Rapids,.....	650
Chisholm's Rapids,.....	5,500
Port Hope Road,.....	11,000
Various Slides,.....	10,000

£36,950

Expended,..... 12,000

£48,950

Amount of appropriation in currency, £55,555  
48,950

Amount disposable,.....£ 6,605

(Signed,) HAMILTON H. KILLALY.

16th March, 1843.

No. 7.

Copy of a Report of a Committee of the Executive Council, dated 1st June, 1844, and confirmed by His Excellency the Governor General in Council, on the 5th of the same month.

On a Letter from the Chairman of the Board of Works, dated 8th May, 1844, stating, that should the construction of the branch Road from Cobourg to the Rice Lake be sanctioned, he would recommend that it be provided that it be undertaken for a sum not exceeding £5000 currency.

If the Committee rightly understand the Report of the Chairman of the Board of Works, there remains of the appropriation for this line of communication, in money unexpended, and repayments of certain advances, a sum very nearly sufficient to cover the expense of this line of road, which also appears to have been sanctioned by Order in Council of the 23rd March, 1843. Considering this previous sanction by Your Excellency; that there is but a small deficiency of the Legislative appropriation, and that the Chairman of the Board of Works, on full consideration of all the objections which have been urged, recommends the work, the Committee are of opinion that the requisite authority may be given by Your Excellency.

No. 8.

Letter of the Chairman of the Board of Works, to the Provincial Secretary.

(Copy.)

BOARD OF WORKS,  
Kingston, 8th May, 1844.

SIR,—I have the honor to acknowledge the receipt of Mr. Boswell's letter, and the other documents connected with the Rice Lake Road; and I beg leave to report thereon as follows:

The appropriation of £50,000 for "improving the inland waters of the Newcastle District, the construction of slides, locks, and certain roads leading thereto," was based upon an estimate furnished by me, by order of the late Lord Sydenham, and not on the document marked A, as supposed by Mr. Boswell. This document I had no knowledge of whatever, and never saw it until within the last day or two. I notice this, inasmuch as it is referred to by Mr. Boswell, as showing that two Roads from Rice Lake were in contemplation, which was not the case. There are other inaccuracies in Mr. Boswell's letter which however do not require observation.

Upon receiving authority to proceed with the works, the Board directed a survey to be made by their local Engineer, part of whose instructions were: "You will then proceed to explore and determine the best route for a line of plank road from or near the Western end of Rice Lake, to Lake Ontario, as upon the improvement of the water and other communications of that section of Country, this road will, in all probability become a portage of considerable importance. Every possible curtailment of distance, and the avoiding of ascents and descents, as far as can be, is desirable; and the line should be laid out so as not to admit of any alteration for the better hereafter, and in such a manner as will best meet the general, without reference to local or individual, interests.

"The probability of the extension hereafter of this road northward by Peterboro', is also kept in view in the selection of the line."

After a great deal of examination and careful consideration, that officer furnished a Report, Map and Estimate of the line, which under all the circumstances he was led to believe the best for the general interests of that section. This was called the "middle line," as it joined the main road between Cobourg and Port Hope, thereby affording to the people of the back country, the option of either market.

The Board upon due deliberation adopted that line, and were about to proceed with it, when local interests were aroused and opposition made to it, and it became the subject of investigation before a Committee of the House of Assembly. The Committee reported, but no action was taken by the House in the matter; and subsequently, on its being pressed upon the attention of the Governor and Executive, the Order of Council of 3rd March, 1843, (a copy of which is herewith transmitted) was made; and again upon a Report from this Department, a further Order in Council of the 23rd of the same month (also sent) was made.

By the former, it was decided that the road should lead from Rice Lake to Port Hope, and by the latter, that the making a branch road from it to Cobourg, was authorized "on the distinct understanding that the branch road will not be undertaken, unless it shall clearly appear from the tenders received and accepted,

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"that a sufficient sum will remain of the appropriation, to complete both roads, and that no public money will be applied for the said road, other than the sum appropriated by Parliament."

By an approximating estimate then made, it appeared that there would be left a balance of the appropriation, sufficient to make this branch road, and accordingly tenders were advertized for the construction of it, and duly received; but as the balance above referred to, in the meantime, was much reduced, and a strong protest against the making of the road at all having been sent in by Captain Williams, I considered it advisable to let the matter lie over until the meeting of Parliament; but in taking this course, I had not anticipated the delay which has occurred. The fact also, of my having no colleagues, made me also more disinclined to press the subject on the notice of the Executive. As it is now, however, brought up through another channel, I have no hesitation in recording my individual opinion in favor of the construction of this work. It is true Captain Williams, and others solely interested in and about Port Hope, are strongly opposed to it—but on the other hand, as a large portion of the produce of the back country, of which this road is the outlet, has hitherto been brought to Cobourg, and as I learn from the best information I have been able to collect, will continue to be brought there, I am strongly inclined to think that the revenue from it will be found to pay the interest; but at the same time, I feel it my duty to state that many individuals residing in that section of country are of opinion that the revenue from this diagonal branch to Cobourg would not pay the interest, and that the same amount of expenditure upon the main road from the town of Cobourg to Port Hope, would be much more remunerative.

Certain claims against the late Commissioners have been, by order of Council, paid off from time to time, through this Department, and charged *pro tem.* against the appropriation: the amount of this sum, when repaid, together with the small balance which may remain, will cover, or nearly so, the cost of the branch; for the justice of making which, the circumstances connected with the Cobourg Harbour Accounts, in my mind, plead very strongly.

Certain private individuals had expended their own funds in making this Harbour to a certain extent, and upon its being necessary for the Government to afford aid towards its final completion, this aid was allowed to be a first charge on the entire work, and the full interest on the Government loan to be paid before the private holders receive any thing.

I look upon it therefore that the shareholders who have so tied themselves up, would have great and just cause to complain that the making this road from the extreme back country to the Harbour of Port Hope, exclusively, was, at the public cost, cutting off the very trade heretofore enjoyed at Cobourg, and upon which they calculated when they entered into the engagements respecting the Harbour Loan.

Under all the circumstances, therefore, should His Excellency in Council be pleased to sanction the construction of the branch Road, I would recommend that it be provided that it be undertaken for a sum not exceeding £5000 currency.

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

(Signed,) HAMILTON H. KILLALY.

The Honble. D. DALY,  
Provincial Secretary.

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Extracts from the Minutes of the Cobourg Harbour Company, 27th May, 1842.

"Resolved,—That the interest of whatever sum of money necessary for the completion of the Harbour, advanced to the Cobourg Harbour Company, or expended on the Harbour by Government, be paid out of the receipts of the Company annually, before any dividend be declared to the Stockholders of the profits of the Company, and that the principal so advanced or expended be secured to the Government upon the Harbour."

1st June.

"Resolved,—That an application be forthwith made to the Government for an extension of the time for the payment of the present Loan to the Cobourg Harbour Company of One thousand pounds currency, now over due; and that the Government be requested to take it into consideration in connection with the application for a further Loan to the Company.

"Resolved,—That Thomas Kittson, Esquire, be requested to communicate the foregoing Resolutions to the President of the Board of Works."

True extract.

(Signed,) W. H. KITTSON,  
Secretary.

No. 10.

Assignment of Cobourg Harbour to the Board of Works upon certain Trusts.

(Copy.)

THIS Indenture made this eighteenth day of August, in the year of Our Lord, One thousand eight hundred and forty-two, between the President, Directors, and Company of the Cobourg Harbour, of the one part, and the Board of Works, of the other part:—Whereas the said President, Directors, and Company of the Cobourg Harbour are indebted to the Provincial Government for a certain sum of money advanced to them; and whereas it will greatly conduce to the safety and convenience of steamboats and other vessels navigating Lake Ontario, that the Wharves and Harbour at Cobourg should be speedily completed in a substantial manner; and whereas the said Board of Works have, in pursuance of the powers entrusted to them by a certain Act of the Provincial Legislature, passed in the fifth year of the reign of Queen Victoria, entitled, "An Act to appropriate certain sums of money for public improvements in this Province, and for other purposes therein mentioned," determined upon completing the said Harbour, provided the sole control thereof shall be given to the said Board of Works, and the Tolls and Dues of the said Harbour shall be appropriated to pay the interest of the said debt due to the Province, and of the sum or sums which it may be necessary from time to time to advance for the completion and repairs thereof: And whereas the said President, Directors, and Company of the Cobourg Harbour have agreed to assign the said Harbour, and all the privileges thereto belonging, to the Board of Works, for the considerations, purposes, and conditions hereinbefore mentioned: Now these presents witness, that for the purpose of securing the completion of the said Harbour, and for and in consideration of the sum of five shillings of law-

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(Q. Q. Q.)  
20th March.

ful money of Canada, to the said President, Directors, and Company of the Cobourg Harbour in hand paid by the said Board of Works, at or before the sending and delivery of these Presents, the receipt whereof is hereby acknowledged, they the said President, Directors and Company of the said Cobourg Harbour have conveyed, assigned, transferred, delivered, and set over, and by these Presents, do convey, assign, transfer, deliver, and set over unto the said Board of Works, their successors and assigns, the Cobourg Harbour, and the wharves, piers, storehouses, and all the rights, privileges, emoluments, and appurtenances thereto belonging, and all the rents, dues, tolls, and profits of every description proceeding therefrom, giving to the said Board of Works the same full, free, and complete enjoyment and possession of the said Harbour and its appurtenances, as are held by the said President, Directors and Company of the Cobourg Harbour: To have and to hold the same with their and every of their privileges and appurtenances unto the said Board of Works, and their successors and assigns for ever. In trust nevertheless, and to, for and upon the express conditions, uses, ends, and purposes hereinafter mentioned, that is to say, in trust to receive all the rents, tolls, dues, and profits arising from the said Harbour, and therewith and out of the same to pay, *first*, the annual expenses and such repairs as the said Harbour may from time to time require; *secondly*, to pay the interest upon such sums of money as are now due by the said Company to the Government, and the interest of all such further sums as may be advanced or expended in completing or improving the said Harbour; and *thirdly*, to pay to the said President, Directors and Company of the said Cobourg Harbour, the residue of the said rents, profits, dues, and tolls; provided always nevertheless, and it is the true intent and meaning of these Presents and of the parties hereunto, and these Presents are upon this express condition that if the said President, Directors and Company of the Cobourg Harbour do and shall at any time hereafter, either by means of the tolls of the said Harbour, or by any other means whatever, pay to the Government of the Province all such sum and sums of money as have been advanced, or which may hereafter be advanced, in completing or improving the said Harbour, then these Presents and every matter and thing herein contained shall cease and be utterly null and void as though these Presents had never been entered into, any thing herein contained to the contrary thereof in anywise notwithstanding. In witness whereof, the said parties to these Presents have hereunto affixed their Corporate Seals, the day and year first hereinbefore written.

W. BOULTON, *President*, [L. S.]  
*Cobourg Harbour Company.*

Sealed and delivered  
in the presence of,

R. H. THROOP.  
S. E. MACKECHNIE.

No. 11.

Letter from the Inspector General to the President of  
the Board of Works.

(Copy.)

INSPECTOR GENERAL'S OFFICE,  
*Kingston, 19th August, 1842.*

SIR,—I have examined the documents submitted to me relative to the Cobourg Harbour Company. It appears that two loans were made to that Company by the Government, one for £3000, and the other for

£1000, both of which are charged against it in the books of this office, with arrears of interest due on the 30th June last, of £1211 3s. 3d. Total £5211 3s. 3d. To secure this sum, it would be most desirable that the whole work should be assumed by Government on the terms proposed by the Company; but as I understand the matter, a serious difficulty stands in the way. The original loan of £3000 was granted on the security of a mortgage given by Mr. George Boulton, who applied the money not to the purposes intended by the Act, but to the purchase of Stock in the Company for the benefit of himself and friends. Mr. Boulton has been very remiss in paying the interest, and his debt is now increased to £3879 6s. 4d. leaving the balance for which the Company alone is responsible only £1331 16s. 11d. Now you will observe in the Statement of the Company, that they only estimate the annual interest at £60, so that they have no intention of paying the large amount for which Mr. Boulton is responsible. It is right that you should fully understand that the Government is only interested in the small amount which I have named, and it will be deserving of consideration whether, under the circumstances, the punctual payment of the entire amount of interest due to the Government should not be secured.

I have the honor to be, Sir,

Your most obedient servant,

(Signed,) F. HINCKS,  
*Inspector General.*

Honble. The President  
of the Board of Works.

P.S. It will of course be evident from the foregoing remarks, that although the interest of the Government in the Work is not so great as you may have supposed, the security is materially increased; and I do not apprehend that there can be the least doubt that the Tolls will be amply sufficient to meet the interest of the sum necessary to complete the Work.

(Signed,) F. HINCKS,  
*Inspector General.*

20th August, 1842.

No. 12.

Copy of a Letter of Directors of Cobourg Harbour to  
Mr. N. H. Baird.

*Cobourg, 17th June, 1843.*

To N. H. BAIRD, Esq.,  
Off: Board of Works,  
*Cobourg.*

SIR,—We, the undersigned Members of the Board of Directors of the Cobourg Harbour, are of opinion that the old T on the eastern side of the eastern pier, ought to be built up and finished in the same manner as the other parts of the Wharf have been done, and we hereby request that you will take steps to complete the same accordingly.

(Signed,) EBENEZER PERRY,  
D. BETHUNE,  
T. SCOTT,  
J. H. BOULTON, *Pres.*

Appendix  
(Q. Q. Q.)  
20th March.

Appendix  
(Q. Q. Q.)

No. 13.

Copy of Report of Mr. N. H. Baird.

ENGINEER OFFICE,  
19th June, 1843.

Sir,—I find it necessary to apprise you, that in consequence of the dilapidated state of the eastern northern jetty, the whole of the superstructure tumbled to pieces on Mr. Russell removing that of the main pier, and I had given him orders to proceed in strict accordance with the specification, viz: "not to rebuild the eastern jetty, not being included in the arrangement with Mr. Russell."

The Directors hearing the course I had decided on pursuing, addressed me the accompanying letter, on which I decided on allowing Mr. Russell to proceed.

It is very clear one of two courses must have been adopted, either the total removal or the rebuilding of the projection, and as the former would cost nearly as much as the latter, I have no doubt the Board will agree to the arrangement,—Estimate £120.

I may also mention that the portion of the east pier from the northern jetty to the 92 feet breach, has, on removal of the superstructure, turned out in a much worse state than I could have any idea, and has very much astonished the Directors themselves.

On removing the upper logs of crib work, those under, to the depth of 3, 4, and 5 feet, spring up, having neither bolts nor treenails to hold them. Such a miserable piece of work was probably never put together, and in the same cribs the stones are, in some instances, seven feet from the surface of the water; this is independent of the 92 feet breach referred to in Estimate.

The whole of the east pier has been taken down to below water level, in some instances to 5 or 6 feet, and is now in progress of rebuilding. The west pier is in progress of filling in with stones, and completing the planking. The whole is now covered so as to allow a free passage to and from the steamers which now call there. In course of next month, I hope to report the completion of this work, with the exception of the additional cribs to the break-water, which will require time to settle.

I have this day made an experiment of the comparative weight of coarse shingle from the beach and shore, and find the shingle precisely the same as lime-

stone; hard-stone (of which the Contractor is getting abundance) is heavier than either.

From the closeness of the joints of the new work of the eastern pier being capable of retaining the shingle; I have resolved to put coarse shingle in from a foot above water level, for three feet in height, and top off with a layer of hard-stone packed closely in; as the quantity of stone will be materially exceeded, a material saving will be made in the adoption, and equally serve in the east pier the purpose intended.

I have the honor to be, Sir,

Your most obedient servant,

(Signed,) N. H. BAIRD.

THOMAS A. BEGLY, Esquire,  
Secretary Board of Works,  
Kingston.

No. 14.

Memorandum respecting the completion of the Cobourg Harbour.

The Cobourg Harbour Company having memorialized the Executive Government to undertake the completion of that Harbour, the subject was discussed at several meetings of the Council, and it was finally determined that it should be undertaken, upon the condition that the interest of the monies previously advanced by the Government, together with the interest of those required to complete the work, should form a first charge upon the revenues of the Port; an instrument to that effect having been prepared by the Crown Officer, was approved of and perfected. It became necessary to proceed with the works as quickly as possible, as from the very dilapidated and insecure state they were in, a considerable breach had been made through the principal pier, and there was danger to apprehend the total destruction of the works should another gale occur while they remained in that state; as will appear on reference to the Report of the Engineer in charge,—herewith transmitted.

THOMAS A. BEGLY,  
Secretary Board of Works.

Board of Works,  
Montreal, 29th March, 1845.



STATEMENT of Outlay upon Cobourg Harbour, made for the extension of the East and West Piers, Jetties, construction of Light-House, repair of old works, &c. &c., under the direction of the Board of Works.

		£	s.	d.
Amount of contract for timber, ... ..		1022	13	2
Amount of contract for the extension of the east and west pier and the jetty, including filling with stones, bolting with iron, &c. ... ..		5413	3	7
Amount for fenders along the piers and securing the same with screw and rag bolts; snubbing posts; renewing old work under water, with iron bolts for securing the same; extra work at eastern jetty, with stringers; planking and bolting with iron, spikes, stones, two snubbing posts; extra bolting in west pier; oak cap pieces for east and west piers and west jetty; securing corners with oak plank, iron bands and bolts; filling up openings in west pier to prevent sand getting through; planking portions of east, west, and main piers, &c. &c. ... ..		975	14	6
Amount of contract for erection of light-house, ... ..		112	4	3
Lantern and lamp for the same, ... ..		25	0	0
Amount paid sundries as under, viz :—				

Date.	Labourers and Workmen.			Materials.			Teamsters.			Superintendence.			Contingencies.				
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.		
1842.—September, ... ..	203	19	2	574	12	9	0	0	0	0	0	0	3	2	9		
October, ... ..	187	0	1	252	9	7	0	0	0	0	0	0	9	16	10		
November, ... ..	178	9	0	327	9	5	19	12	10	0	0	0	1	14	6		
December, ... ..	82	0	9	205	19	9	2	11	3	0	0	0	0	0	0		
1843.—January, ... ..	59	8	5	63	6	4	0	0	0	0	0	0	0	0	0		
February, ... ..	41	18	2	162	5	8	0	0	0	5	0	0	9	11	10		
March, ... ..	24	12	9	17	16	2	77	10	0	10	10	0	1	0	5		
April, ... ..	49	5	2	0	0	0	40	10	8	30	0	0	4	12	9		
May, ... ..	229	16	10	80	13	7	3	11	1	0	0	0	0	0	0		
June, ... ..	28	11	9	44	7	3	0	0	0	0	0	0	1	1	0		
July, ... ..	26	1	11	14	0	9	0	1	8	0	0	0	7	9	9		
September, ... ..	21	9	5	0	0	0	0	0	0	9	0	0	0	0	0		
October, ... ..	0	1	0	1	10	0	0	0	0	9	0	0	0	0	0		
December, ... ..	0	0	0	0	0	0	0	0	0	0	0	0	2	15	2		
1844.—January, ... ..	0	0	0	1	18	11	0	0	0	0	0	0	0	0	0		
June, ... ..	0	0	0	1	8	6	0	0	0	0	0	0	0	0	0		
		£	1133	3	5	1747	18	8	143	17	6	63	10	0	41	5	0
Abstract of the above, &c., viz :—																	
Labourers and workmen, ... ..			1133	3	5												
Materials, ... ..			1747	18	8												
Teamsters, ... ..			143	17	6												
Superintendence, ... ..			63	10	0												
Contingencies, ... ..			41	5	0												
Amount of contract, ... ..			7548	15	6												
		£	10678	10	1												
Cr.																	
By tools, &c. disposed of after completion of the work, ... ..			161	0	6												
		£	10517	9	7												

The details, vouchers, &c. of the entire of the foregoing, are in the Inspector General's Office.

THOS. A. BEGLY,  
Secretary Board of Works.

GENERAL STATEMENT and RETURN of Baptisms, Marriages, and Burials, in the District of Quebec, for the year 1843.

Counties.	Parishes on the North side of the St. Lawrence.	BAPTISMS.		MARRIAGES.	BURIALS.		Augmentation of the Population by Parishes.	Total augmentation of the Population by Counties.	Remarks.	Deficit.
		Males.	Females.		Males.	Females.				
Portneuf.	Grondines, ... ..	29	37	9	14	12	40	358		
	Deschambault, ... ..	50	45	11	20	13	62			
	Cap Santé, ... ..	70	74	30	32	24	88			
	Écureuils, ... ..	13	9	5	6	7	9			
	Pointe aux Trembles, ... ..	41	40	9	22	19	40			
	St. Augustin, ... ..	38	39	7	18	16	43			
	St. Catherine, ... ..	65	44	11	15	18	76			
Quebec.	St. Foy, ... ..	40	29	14	25	19	25	1077		
	Ancienne Lorette, ... ..	41	27	12	20	16	32			
	St. Ambroise, ... ..	48	53	22	28	20	53			
	Charlesbourg, ... ..	35	30	16	20	22	23			
	Valcartier and Stoneham, ... ..	16	14	6	6	2	22			
	Beauport, ... ..	74	57	34	35	27	69			
	Notre Dame de Québec, ... ..	498	571	174	326	267	476			
	St. Roch, ... ..	347	369	95	244	216	256			
	Hôtel Dieu, ... ..	..	..	..	16	21	..			
	Hôpital Général, ... ..	..	..	..	4	5	..			
	English Church, ... ..	74	57	37	60	40	31			
	Scotch Church, ... ..	35	42	51	33	26	18			
	Wesleyans, ... ..	33	26	16	10	8	41			
Military Congregation, ... ..	30	28	12	37	28	..				
St. John's Church, Scotch, ... ..	20	16	20	11	6	19				
Mariners' Chapel, or St. Paul's, ... ..	28	13	3	20	13	8				
St. Peter's Chapel, ... ..	17	16	9	29	10	..				
Congregational Church, ... ..	3	2	..	..	1	4				
Montmorency.	Ange Gardien, ... ..	14	20	17	12	12	10	77		
	Chateau Richer, ... ..	18	19	14	8	9	20			
	St. Anne, ... ..	25	16	7	14	15	12			
	St. Féréol, ... ..	12	13	6	11	6	8			
	St. Joachim, ... ..	28	23	2	10	14	27			
Saguenay.	Petite Rivière St. Fran. Xav. ... ..	10	16	3	2	3	21	494		
	Baie St. Paul, ... ..	92	77	22	21	26	122			
	St. Agnès, ... ..	28	32	9	11	8	41			
	St. Urbain, ... ..	13	15	2	7	9	12			
	Eboulemens, ... ..	50	57	13	18	13	76			
	St. Irénée, ... ..	7	14	3	6	2	13			
	Isle aux Coudres, ... ..	11	14	3	2	6	17			
Malbaie, ... ..	103	80	35	27	27	129				
St. Alexis du Saguenay, ... ..	47	35	21	11	8	63				
Orleans.	St. Pierre, ... ..	19	17	4	6	5	25	94		
	St. Famille, ... ..	16	14	6	7	11	12			
	St. François, ... ..	9	6	6	7	4	4			
	St. Jean, ... ..	24	30	7	11	9	34			
	St. Laurent, ... ..	19	15	3	11	4	19			
Townships.	Stoneham, &c. ... ..	..	..	..	..	..	..	222	No Return.	
	Lake Beauport, ... ..	2	5	..	1	3	3			
	Grosse Isle, Catholics, ... ..	2	3	..	2	2	1			
	Do. Protestants, ... ..	5	3	..	8	11	..			
	Frampton and Standon, ... ..	17	16	2	2	2	29			
	Leeds, ... ..	9	19	3	2	3	23			
	Presbyterian Congregation, ... ..	15	18	4	1	..	32			
	St. Giles, Mission, ... ..	23	12	3	2	1	32			
	Township of Ireland, (English,) ... ..	31	25	7	6	2	48			
Do. (Methodists,) ... ..	25	21	8	1	3	42				
Destitute Settlements, ... ..	8	4	..	..	..	12				
		2327	2277	803	1278	1074	2322	2322		70

Appendix  
(R. R. R.)

GENERAL STATEMENT and RETURN of Baptisms, &c.—(Continued.)

Appendix  
(R. R. R.)

1845.	Counties.	Parishes on the South side of the St. Lawrence.	BAPTISMS.		MARRIAGES.	BURIALS.		Augmentation of the Population by the Parishes.	Total augmentation of the Population by Counties.	Remarks.	Deficit.	1845.
			Males.	Females.		Males.	Females.					
Lotbinière.	}	St. Jean Deschallons, ...	56	27	9	11	10	62	479			
		Lotbinière, ...	91	55	27	42	38	66				
		St. Croix, ...	49	62	19	17	28	66				
		St. Antoine, ...	67	66	27	20	16	97				
		St. Gilles, ...	16	17	1	1	4	28				
		St. Sylvestre, ...	106	95	24	24	17	160				
Dorchester.	}	St. Nicholas, ...	60	61	31	25	18	78	517			
		Pointe Levy, ...	94	105	28	53	53	93				
		Aubigny, ...	5	7	1	2	1	9				
		St. Henri, ...	66	76	31	32	22	88				
		St. Anselme, ...	73	68	18	20	24	97				
		St. Jean Christostôme, ...	75	56	20	27	19	85				
		St. Isidore, ...	49	43	8	15	10	67				
Beauce.	}	St. Marie, ...	194	184	63	53	65	260	753			
		St. Joseph, ...	82	81	27	20	17	126				
		St. François, ...	62	82	20	21	12	111				
		St. Claire, ...	72	59	14	17	16	98				
		St. George, ...	36	32	11	6	5	57				
		Frampton, ...	26	26	6	10	10	32				
		St. Marguerite de Joliet, ...	47	62	7	22	18	69				
Bellechasse.	}	Beaumont, ...	21	26	6	15	7	25	415			
		St. Charles, ...	47	39	26	17	20	49				
		St. Gervais, ...	153	130	43	51	37	195				
		St. Michel, ...	50	48	21	32	24	42				
		St. Vallier, ...	40	37	17	25	21	31				
		Berthier, ...	20	20	8	5	9	26				
		St. François, Rivière du Sud, ...	41	36	14	17	13	47				
L'Islet.	}	St. Pierre, Rivière du Sud, ...	26	32	6	8	5	45	487			
		St. Thomas, ...	86	91	30	46	17	114				
		Cap St. Ignace, ...	59	56	14	30	18	67				
		Isle aux Grues, ...	9	8	1	4	3	10				
		L'Islet, ...	88	55	29	31	38	74				
		St. Jean Port Joly, ...	91	75	38	46	28	92				
		St. Roch, ...	60	65	21	24	16	85				
Kamouraska.	}	St. Anne, ...	73	82	34	30	29	96	478			
		St. Denis, ...	36	54	11	11	12	67				
		Rivière Ouelle, ...	58	63	24	35	31	55				
		Kamouraska, ...	58	55	31	22	25	66				
		St. Paschal, ...	76	82	40	33	31	94				
		St. André, ...	73	72	20	24	21	100				
Rimouski.	}	Kakouma, ...	81	75	33	39	28	89	629			
		St. Patrice, Rivière du Loup, ...	67	87	33	26	26	102				
		St. Patrick, (Protestant,) ...	2	5	1	..	..	7				
		Trois Pistoles, ...	57	67	25	34	19	71				
		Isle Verte, ...	62	59	16	27	20	74				
		Rimouski, ...	81	78	32	31	25	103				
		St. Simon, ...	69	49	9	23	16	79				
		St. Luce, ...	52	50	28	20	16	66				
Matane, ...	25	25	10	10	2	38						
			2987	2885	1013	1154	960	3758				

RECAPITULATION :

Total Baptisms on the North side of the St. Lawrence—	Males, ...	2327
	Females, ...	2277
		4604
Do. on the South side of do.	Males, ...	2987
	Females, ...	2885
		5872
		10476
Burials to be deducted on the North side of the St. Lawrence—	Males, ...	1278
	Females, ...	1074
		2352
Do. on the South side of do.	Males, ...	1154
	Females, ...	960
		2114
		4466
Total augmentation, ...		6010

Less—1 Return wanting, of the Population in the District of Quebec for the year 1843.

QUEBEC, 15th February, 1844.

(Signed,)

PERRAULT & BURROUGHS, P. B. R.

True copy of original remaining of record in our Office.  
PROTHONOTARY'S OFFICE, Quebec, 17th July, 1845.

BURROUGHS & HUOT, P. B. R.

GENERAL STATEMENT and RETURN of Baptisms, Marriages, and Burials, in the District of Quebec, for the year 1844.

Counties.	Parishes on the North side of the St. Lawrence.	BAPTISMS.		MARRIAGES.	BURIALS.		Augmentation of the Population by the Parishes.	Total augmentation of the Population by Counties.	Remarks.	Deficit.	
		Males.	Females.		Males.	Females.					
Portneuf.	Grondines, ... ..	32	30	11	6	13	43	350	Roman Catholic.		
	Deschambault, ... ..	58	45	22	23	29	51		Do.		
	Cap Santé, ... ..	73	57	27	29	32	69		Do.		
	Ecureuils, ... ..	12	14	3	5	8	13		Do.		
	Bourg Louis, (no Return,) ... ..	..	..	..	..	..	..		..		Protestant Episcopal.
	St. Raymond, ... ..	6	14	1	3	1	16		..		Roman Catholic.
	Pointe aux Trembles, ... ..	53	25	15	17	21	40		..		Do.
	St. Augustin, ... ..	43	25	11	16	12	40		..		Do.
St. Catherine, ... ..	51	52	21	16	9	78	..	Do.			
Quebec.	Ancienne Lorette, ... ..	42	34	19	19	21	36	1343	Do.	35 5	
	St. Ambroise, ... ..	64	47	16	23	26	62		Do.		
	St. Gabriel, Valcartier, ... ..	20	15	5	2	5	28		Do.		
	Valcartier, (no Return,) ... ..	..	..	..	..	..	..		..		Presbyterian Mission.
	Charlesbourg, ... ..	45	27	15	18	14	40		..		Roman Catholic.
	St. Foye, ... ..	27	41	18	13	14	41		..		Do.
	St. Dunstan, ... ..	9	3	1	2	2	8		..		Do.
	Beauport, ... ..	49	60	19	41	35	33		..		Do.
	Notre Dame, Quebec, ... ..	561	477	219	214	236	588		..		Do.
	St. Roch de Québec, ... ..	360	376	158	192	183	361		..		Do.
	Hôtel Dieu, ... ..	..	..	..	19	16	..		..		Do.
	Hôpital Général, ... ..	..	..	..	2	3	..		..		Do.
	Metropolitan Church, ... ..	57	42	54	35	37	27		..		Protestant English Church.
	St. Andrew's Church, ... ..	44	40	32	26	19	39		..		Church of Scotland.
St. John's Church, ... ..	17	11	15	7	6	15	..	Protestant Episcopal.			
St. Paul's Chapel, ... ..	21	19	10	19	7	14	..	Connexion with English Church.			
St. Peter's Chapel, ... ..	14	13	5	19	8	..	..	Protestant Episcopal.			
Congregational Society, ... ..	5	4	4	1	..	8	..	Protestants.			
Wesleyan, ... ..	32	28	10	11	6	43	..	..			
Military Congregation, ... ..	24	20	6	31	14	..	..	..			
Montmorency.	L'Ange Gardien, ... ..	7	22	9	10	5	14	178	Roman Catholic.		
	Chateau Richer, ... ..	29	23	10	16	13	23		Do.		
	St. Anne, ... ..	17	18	9	8	13	14		Do.		
	St. Férol, ... ..	12	12	3	4	10	10		Do.		
	St. Joachim, ... ..	21	18	8	11	6	22		Do.		
	St. Laurent, Island of Orleans, ... ..	15	18	6	5	7	21		Do.		
	St. Jean, do. ... ..	28	23	10	15	11	25		Do.		
	St. François, do. ... ..	10	5	3	5	2	8		Do.		
St. Pierre, do. ... ..	14	17	6	8	8	15	Do.				
St. Famille, do. ... ..	15	22	8	7	4	26	Do.				
Seguény.	Petite Riviere St. Fran. Xav. ... ..	14	7	3	6	7	8	297	Do.		
	Baie St. Paul, ... ..	72	54	39	39	26	61		Do.		
	St. Agnès, ... ..	14	27	4	9	6	26		Do.		
	St. Urbain, ... ..	16	21	7	8	11	18		Do.		
	Eboulemens, ... ..	45	51	13	25	17	54		Do.		
	St. Irénée, ... ..	13	11	3	8	8	8		Do.		
	Isle aux Coudres, ... ..	13	8	5	3	4	14		Do.		
Malbaie, ... ..	69	88	38	25	24	108	Do.				
Chicoutimi, St. Alexis, (no Return,) ... ..	..	..	..	..	..	..	..	Do.			
		2143	1964	901	1021	959	2168	2168		41	

Appendix  
(R. R. R.)

GENERAL STATEMENT and RETURN of Baptisms, &c.—(Continued.)

Appendix  
(R. R. R.)

1845.		BAPTISMS.		MARRIAGES.	BURIALS.		Augmentation of the Population by Parishes.	Total augmentation of the Population by Counties.	Remarks.	Deficit.
Counties.	Parishes on the South side of the St. Lawrence.	Males.	Females.		Males.	Females.				
Lotbinière.	St. Jean Deschaillons, ...	39	37	12	12	8	56	532	Roman Catholic.	
	Lotbinière, ...	60	71	36	42	31	58		Do.	
	Ste. Croix, ...	86	51	10	25	11	101		Do.	
	St. Antoine, ...	84	73	22	25	17	115		Do.	
	St. Giles, ...	55	52	14	21	14	72		Do.	
	St. Sylvestre, ...	91	64	14	24	28	103		Do.	
	St. Giles' Mission, ...	15	12	9	..	..	27		Protestant Episcopal.	
Megantic.	Leeds, and parts adjacent, ...	9	13	7	6	8	8	74	Mission, Church of England.	
	Upper Ireland, ...	17	15	8	3	4	25		Do. do.	
	New Ireland, ...	21	23	6	..	3	41		Wesleyan Methodist.	
	Leeds and St. Sylvestre, (no Return,)	..	..	..	..	..	..		Mission, Church of Scotland.	
Dorchester.	St. Nicolas, ...	58	80	14	11	19	108	1140	Roman Catholic.	
	St. Jean Chrisostôme, ...	72	52	27	21	14	89		Do.	
	Pointe Levy, ...	105	108	31	44	52	117		Do.	
	Pointe Levy, ...	1	8	2	2	1	6		Mission, Church of England.	
	St. Henry, ...	77	73	28	32	31	87		Roman Catholic.	
	St. Anselme, ...	58	47	10	31	31	43		Do.	
	Ste. Claire, ...	71	62	16	28	27	78		Do.	
	St. Isidore, ...	47	58	21	26	19	60		Do.	
	Ste. Marie, Nouvelle Beauce, ...	158	158	56	71	88	157		Do.	
	St. François, do. ...	64	86	17	27	17	106		Do.	
	St. Joseph, do. ...	94	83	32	26	26	125		Do.	
	Ste. Marguerite, ...	57	60	9	30	40	47		Do.	
	St. Bernard, ...	6	6	1	1	1	10		Do.	
	St. George Aubert Gallion, ...	43	34	12	12	18	47		Do.	
Kennebec Settlement, ...	9	3	..	3	3	6	Church of Scotland.			
Frampton, ...	25	18	4	7	2	34	Roman Catholic.			
Frampton and Standon, ...	15	13	11	5	3	20	Church of England.			
Bellechasse.	Beaumont, ...	16	25	10	10	10	21	389	Roman Catholic.	
	St. Charles, ...	44	36	9	16	17	47		Do.	
	St. Gervais, ...	150	130	42	67	55	158		Do.	
	St. Michel, ...	48	40	19	30	24	34		Do.	
	St. Vallier, ...	56	43	14	17	29	53		Do.	
	Berthier, ...	23	12	8	8	7	20		Do.	
L'Islet.	St. François, Rivière du Sud, ...	51	33	15	16	12	56	461	Do.	
	St. Pierre Rivière du Sud, ...	27	27	10	14	11	29		Do.	
	St. Thomas, ...	114	65	37	35	31	113		Do.	
	Cap St. Ignace, ...	55	53	17	13	28	67		Do.	
	Isle aux Grues, ...	6	9	8	1	1	13		Do.	
	L'Islet, ...	93	82	26	43	33	99		Do.	
	St. Jean Port Joli, ...	72	85	32	36	37	84		Do.	
	Grosse Isle, ...	1	4	2	6	5	..		Do.	
St. Roch des Aulnets, ...	58	45	16	25	22	56	Do.			
Kamouraska.	Ste. Anne la Pocatière, ...	85	77	21	32	37	98	515	Do.	
	Rivière Ouelle, ...	89	64	22	25	24	104		Do.	
	St. Denis, ...	54	34	10	15	12	61		Do.	
	Kamouraska, ...	55	59	20	28	13	73		Do.	
	St. Paschal, ...	71	72	28	29	33	81		Do.	
	St. André, ...	82	68	26	31	16	103		Do.	
Rimouski.	Rivière du Loup, ...	89	87	22	26	18	132	721	Do.	
	Rivière du Loup, ...	2	..	3	2	2	..		Mission, Church of England.	
	Kakouna, ...	77	59	18	24	27	85		Roman Catholic.	
	Isle Verte, ...	80	71	23	22	18	111		Do.	
	Trois Pistoles, ...	72	69	32	26	27	88		Do.	
	St. Simon and St. Fabien, ...	43	42	18	11	16	58		Do.	
	St. Germain, ...	103	71	33	21	23	130		Do.	
	Ste. Luce, ...	63	67	14	21	22	87		Do.	
	Matane, ...	24	26	7	11	9	30		Do.	
	Travelling Missionary, Revd. White, ...	8	5	1	7	6	..		Protestant Church.	
		3248	2920	992	1203	1141	3832	3832		8

Appendix  
(R. R. R.)  
1845.

Appendix  
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1845.

RECAPITULATION :

Baptisms on the North side of the St. Lawrence—	Males, ... ..	2143
	Females, ... ..	1964
		4107
Do. on the South side of do.	Males, ... ..	3248
	Females, ... ..	2920
		6168
Burials on the North side of the St. Lawrence—	Males, ... ..	1021
	Females, ... ..	959
		1980
Do. on the South side of do.	Males, ... ..	1203
	Females, ... ..	1141
		2344
		4324
		5951
		49
		6000
	Deficit, ... ..	

Five Returns wanting.  
PROTHONOTARY'S OFFICE,  
Quebec, 5th March, 1845.

BURROUGHS & HUOT,  
P. B. R.

GENERAL STATEMENT of the Baptisms, Marriages, and Burials, made in the District of Montreal, during the year 1843.

Counties.	Parishes.	BAPTISMS.		MARRIAGES.	BURIALS.		Increase.	Decrease.	Total Increase.	Total Decrease.	Remarks.
		Males.	Females.		Males.	Females.					
Montreal.	Montreal Parish Church, ...	1071	1078	388	728	659	762				
	Church of England, ...	96	75	39	85	71	15				
	Scotch Church, St. Helen St. ...	...	...	...	...	...	...	...	...	...	No Return.
	Scotch Church, St. Gabriel St. ...	...	...	...	...	...	...	...	...	...	Do.
	Scotch Church, St. Peter Street, ...	...	...	...	...	...	...	...	...	...	Do.
	Methodist New Connexion Church, ...	6	6	3	5	3	4				
	Methodist Chapel, ...	...	...	...	...	...	...	...	...	...	Do.
	Presbyterian Church, ...	34	25	24	19	19	21				
	American Presbyterian, ...	16	15	9	8	12	11				
	Congregational Free Church, ...	...	...	...	...	...	...	...	...	...	Do.
	Garrison, ...	29	21	8	36	15	...	1			
	St. Mary, Cross, ...	...	...	...	...	...	...	...	...	...	Do.
	St. Mary Chapel, Current St. Mary, ...	9	11	2	4	3	13				
	French Presbyterian Church of Montreal, ...	2	...	2	1	...	1				
	Baptist Church, St. Helen Street, ...	2	4	4	1	3	2				
	Jewish Church, ...	4	1	...	5	1	...	1			
	Hôpital Général, ...	2	...	...	86	99	...	183			
	Congregational Church, ...	8	8	35	6	7	3				
	Wesleyan Congregation, ...	54	46	23	73	26	61				
	Ste. Anne du Bout de l'Isle, ...	22	14	9	8	9	19				
	Pointe Claire, ...	51	28	13	21	13	45				
	Ste. Geneviève, ...	65	71	24	41	29	66				
	Sault au Recollet, ...	48	45	17	31	25	37				
	St. Laurent, ...	61	71	21	21	34	77				
	Pointe aux Trembles, ...	31	29	16	9	14	37				
	Longue Pointe, ...	27	12	6	12	10	17				
St. Paul's Church, Montreal, ...	27	26	24	11	9	33					
Presbyterian Church, St. Lawrence Suburbs, ...	25	11	21	11	10	15					
Lachine, Protestant, ...	2	6	3	3	...	5					
Lachine, Catholic, ...	45	52	14	26	21	50					
Lachine, Scotch Presbyterian, ...	8	8	4	2	1	13					
Episcopal Congregation, Trinity Chapel, ...	27	28	25	12	11	32					
St. Thomas Church, Montreal, ...	26	27	11	9	7	37					
Coteau du Lac Episcopal Congregation, ...	6	4	1	5	2	3					
St. Joseph, Rivière des Prairies, ...	19	23	11	12	19	11					
		1823	1745	757	1231	1132	1390	185	1205		

GENERAL STATEMENT of Baptisms, &c.—(Continued.)

1845.

Counties.	Parishes.	BAPTISMS.		MARRIAGES	BURIALS.		Increase.	Decrease.	Total Increase.	Total Decrease.	Remarks.
		Males.	Females.		Males.	Females.					
Ottawa.	Petite Nation, ...	...	...	...	...	...	...	...	...	...	No Return.
	Notre Dame de Grenville, ...	31	21	13	9	5	38				
	Hull, ...	22	17	3	1	2	36				
	Gore, ...	10	11	3	...	3	18				
	Mission of the Church of Eng- land, ...	...	...	...	...	...	...	...	...	...	Do.
	St. Grégoire de Naziance, ...	...	...	...	...	...	...	...	...	...	Do.
	Township of Buckingham in connexion with the Church of England, ...	...	...	...	...	...	...	...	...	...	Do.
	Township of Clarendon, ...	40	28	17	5	2	61				
	Ste. Anne du Grand Calumet, and others, ...	...	...	...	...	...	...	...	...	...	Do.
	Baptist Church, Chatham, ...	9	8	3	2	3	12				
Missions of St. Paul d'Aylmer, and other Missions of Ottawa,	51	38	32	5	4	80					
	163	123	71	22	19	245			245		
Vaudreuil.	Vaudreuil, ...	86	66	20	32	38	82				Do.
	Vaudreuil, Protestant,	...	...	...	...	...	...	...	...	...	
	Isle Perrot, ...	25	20	8	12	7	26				
	Rigaud, ...	127	98	35	63	55	107				
	Soulanges, ...	51	51	21	20	21	61				Do.
	St. Polycarpe, ...	...	...	...	...	...	...	...	...	...	
	Coteau du Lac, Episcopal Congregation,	83	89	20	42	29	101				
	10	6	3	4	1	11					
	382	330	107	173	151	388			388		
Lake of the Two Mountains.	Ste. Scholastique, ...	128	92	49	99	85	43				
	St. Andrews, ...	6	5	1	5	2	4				
	St. Eustache, ...	99	83	32	33	36	113				
	St. Eustache, Protestant,	4	2	1	1	...	5				Do.
	St. Benoit, ...	...	...	...	...	...	...	...	...	...	
	Lac des Deux Montagnes,	43	27	12	13	20	37				
	Lachute, Scotch Church,	13	10	13	3	...	20				Do.
	Argenteuil, ...	...	...	...	...	...	...	...	...	...	
	St. Hermas, ...	57	59	15	37	29	50				
	Associate Synod of the Secession Church, St. Eustache,	...	...	...	...	...	...	...	...	...	Do.
St. André d'Argenteuil, Lachute, Presbyterian Congre- gation, ...	55	61	14	22	23	71					
	2	6	1	2	1	5					
	407	345	138	208	196	348			348		
Terrebonne.	St. Coloman, ...	19	19	12	4	6	28				
	St. Jerome, ...	100	97	23	79	59	59				
	Terrebonne, ...	54	66	23	28	27	65				
	Ste. Rose, ...	71	57	16	44	29	55				
	St. Vincent de Paul, ...	64	61	14	41	26	58				
	St. Martin, ...	104	71	22	66	48	61				Do.
	St. Anne des Plaines,	...	...	...	...	...	...	...	...	...	
	St. Thérèse de Blainville, ...	111	80	24	46	40	105				
	St. Thérèse, Protestant,	2	5	1	2	4	1				
	St. Augustin, ...	62	61	14	36	20	67				
	St. Martin, Episcopal Congre- gation, ...	1	2	...	...	2	1				
	St. Thérèse, French Protestant, United Associate Congregation of New Glasgow, ...	1	...	3	...	...	1				
	4	6	1	5	4	1					
	593	525	178	351	265	502			502		

Appendix  
(R. R. R.)

Appendix  
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GENERAL STATEMENT of Baptisms, &c.—(Continued.)

1845.

1845.

Counties.	Parishes.	BAPTISMS.		MARRIAGES.	BURIALS.		Increase.	Decrease.	Total Increase.	Total Decrease.	Remarks.
		Males.	Females.		Males.	Females.					
Leinster.	St. Jacques, ... ..	152	148	52	86	62	152				No Return.
	L'Assomption, .. ..	106	76	43	44	44	94				
	St. Sulpice, .. ..	23	19	8	20	11	11				
	Repentigny, ... ..	22	30	12	22	23	7				
	St. Grégoire de Rawdon, ... ..	...	...	...	...	...	...	...	...	...	
	Rawdon, Wesleyan Methodist, ... ..	13	16	2	...	1	28				
	Lachenaie, ... ..	32	23	10	19	18	18				
	St. Henry de Mascouche, ... ..	65	65	30	40	43	47				
	St. Roch, ... ..	74	74	22	37	29	82				
	St. Lin, ... ..	83	71	18	45	46	63				
	St. Ours de St. Esprit, ... ..	63	64	25	26	30	71				
	Kilkenny, ... ..	...	...	...	...	...	...	...	...	...	
	Episcopal Congregation, ... ..	...	...	...	...	...	...	...	...	...	
	Mascouche, ... ..	...	...	...	...	...	...	...	...	...	
		633	586	222	339	307	573		573		
Berthier.	Berthier, ... ..	140	145	62	54	37	194				Do. Do.
	St. Antoine de Lavaltrie, ... ..	30	36	11	22	24	20				
	St. Paul de Lavaltrie, ... ..	74	61	36	38	35	62				
	Ste. Elizabeth, ... ..	117	103	35	50	31	139				
	St. Thomas, ... ..	...	...	...	...	...	...	...	...	...	
	St. Marcel du Lac Maskinongé, ... ..	...	...	...	...	...	...	...	...	...	
	St. Cuthbert, ... ..	51	61	39	15	25	72				
	Lanornie, ... ..	32	41	18	19	24	30				
	Lac Maskinongé, Kildare, ... ..	23	24	9	9	4	34				
	St. Barthelemi du Sablé, ... ..	53	42	13	30	20	45				
	Ile du Pads, ... ..	18	24	4	7	3	32				
	St. Mélanie, ... ..	54	51	16	10	9	86				
	St. Ambroise de Kildare, ... ..	51	37	15	32	20	36				
	St. Gabriel de Rawdon, ... ..	33	30	6	9	9	45				
St. Mélanie de Daillebout, ... ..	...	...	...	...	...	...	...	...	...		
St. Thomas, ... ..	21	29	11	9	11	30					
St. Charles du Village de l'Industrie, ... ..	39	52	6	22	18	51					
		736	736	281	326	270	876		876		
Richelieu.	St. Ours, ... ..	77	79	25	35	41	80				Do.
	St. Denis, ... ..	74	85	21	32	40	87				
	St. Charles, ... ..	47	38	20	12	14	59				
	Sorel, ... ..	164	154	61	76	68	174				
	William Henry, Protestant, ... ..	15	12	5	13	9	5				
	Ste. Victoire, ... ..	18	17	5	8	6	21				
		395	385	137	176	178	426		426		
St. Hyacinthe.	St. Aimé, ... ..	91	89	21	35	28	117				Do. Do.
	St. Hyacinthe, ... ..	146	182	42	77	70	181				
	St. Jude, ... ..	25	39	9	15	10	39				
	St. Damase, ... ..	67	79	28	44	42	60				
	St. Césaire, ... ..	162	121	41	54	39	190				
	St. Hugues, ... ..	63	43	12	17	21	68				
	St. Pie, ... ..	...	...	...	...	...	...	...	...	...	
	St. Paul, Yamaska Mountain, ... ..	...	...	...	...	...	...	...	...	...	
	St. Simon, ... ..	...	...	...	...	...	...	...	...	...	
	Ste. Rosalie, ... ..	44	38	7	25	18	39				
	St. Dominique, ... ..	15	8	8	22	12	...	11			
St. Barnabé, detached from St. Jude, ... ..	30	36	8	16	11	39					
		643	635	176	305	251	733	11	722		
Rouville.	Ste. Marie de Monnoir, ... ..	127	117	44	51	46	147				Do. Do.
	Caldwell and Christie Manors, ... ..	31	36	10	15	16	36				
	St. Jean Baptiste, ... ..	50	63	16	26	26	61				
	St. Mathias, ... ..	34	36	19	14	11	45				
	St. Athanase, ... ..	116	116	27	52	53	127				
	Présentation, ... ..	26	32	10	32	29	...	3			
	St. Hilaire de Rouville, ... ..	20	22	13	20	12	10				
	Epis. Congregation, Christievile, ... ..	6	5	2	...	...	11				
	Ste. Brigette, ... ..	15	18	4	6	1	26				
St. Gregoire, ... ..	71	54	14	26	19	80					
		496	499	164	242	213	543	3	540		



Appendix  
(R. R. R.)

GENERAL STATEMENT of Baptisms, &c.—(Continued.)

Appendix  
(R. R. R.)

1845.	Counties.	Parishes.	BAPTISMS.		MARRIAGES.	BURIALS.		Increase.	Decrease.	Total Increase.	Total Decrease.	Remarks.	
			Males.	Females.		Males.	Females.						
Verchères.	Verchères.	Verchères, ... ..	50	65	26	25	28	62					
		St. Antoine, ... ..	37	41	15	25	19	34					
		Varenes, ... ..	88	90	31	32	43	103					
		Contrecoeur, ... ..	44	50	16	31	21	42					
		Belœil, ... ..	54	60	16	18	24	72					
		St. Marc, ... ..	27	33	12	16	8	36					
			300	339	116	147	143	349		349			
Chambly.	Chambly.	Chambly, Catholic, ... ..	123	129	47	49	58	145					
		Chambly, Protestant, ... ..	24	14	9	17	8	13					
		Longueuil, ... ..	85	81	22	37	39	90					
		Boucherville, ... ..	90	84	24	49	42	83					
		St. Luc, ... ..	32	28	11	6	14	40					
		St. John's, Catholic, ... ..	123	115	42	50	44	144					
		St. John's, Protestant, ... ..	...	...	...	...	...	...					No Return.
		St. John's, Wesleyan Methodist, ... ..	11	11	5	3	1	18					Do.
St. John's, Garrison, ... ..	...	...	...	...	...	...					Do.		
			488	462	160	211	206	533		533			
Huntington.	Huntington.	St. Constant, ... ..	62	55	31	31	35	51					
		Laprairie, Catholic, ... ..	137	124	35	57	53	151					
		Laprairie, Protestant, ... ..	...	...	...	...	...	...					Do.
		Laprairie, Epis. Congregation, ... ..	5	9	3	1	2	11					
		Laprairie, Scotch Presbyterian, ... ..	...	...	...	...	...	...					Do.
		Sault St. Louis, ... ..	46	46	12	22	21	49					
		Desserte de St. Philomène, Parish of Chateauguay, ... ..	41	63	14	16	15	73					
		Chateauguay, ... ..	44	36	13	22	9	49					
		St. Philippe, ... ..	...	...	...	...	...	...					Do.
		St. Edouard, ... ..	116	96	37	28	29	155					
		Blairfindie, ... ..	62	60	40	36	22	64					
		St. Cyprien, ... ..	128	126	44	47	37	170					
		St. Valentin, ... ..	100	88	32	26	31	131					
		St. Remi, ... ..	...	...	...	...	...	...					Do.
		Odelltown, Wesleyan Methodist, ... ..	...	...	...	...	...	...					Do.
		Catholic Mission, Township, ... ..	...	...	...	...	...	...					Do.
St. George, ... ..	112	111	27	51	21	151							
French Protestant, Grand Ligne, ... ..	8	9	1	4	3	10							
St. Jacques le Mineur, ... ..	45	25	11	6	7	57							
Lacole, New Connexion, Minister stationed at Henrysburgh, ... ..	...	...	...	...	...	...					Do.		
New Connexion Church, ... ..	...	...	...	...	...	...					Do.		
Henrysburgh Church, ... ..	...	...	...	...	...	...					Do.		
			906	848	300	347	285	1122		1122			
Beauharnois.	Beauharnois.	St. Clement, ... ..	104	111	34	51	37	127					
		Georgetown, ... ..	...	...	...	...	...	...					Do.
		St. Timothée, ... ..	110	120	26	100	92	38					
		St. Regis, ... ..	28	34	9	3	5	54					
		St. Anicet, ... ..	40	52	9	7	3	82					
		St. Isidore, ... ..	51	53	16	15	20	69					
		St. Martin, ... ..	125	120	21	55	37	153					
		Hinchinbrooke, ... ..	...	...	...	...	...	...					Do.
		Beauharnois, ... ..	...	...	...	...	...	...					Do.
		Protestant Episcopal Church, Chateauguay, Ormstown, ... ..	32	31	9	7	3	53					
		Ormstown, ... ..	10	13	6	1	...	22					
		Georgetown, North and South, ... ..	...	...	...	...	...	...					Do.
		Hemmingford, ... ..	...	...	...	...	...	...					Do.
		Beach Ridge Mission, ... ..	3	8	1	...	2	9					
		Dundee, ... ..	...	...	...	...	...	...					Do.
Russelltown Circuit, Methodist, ... ..	...	...	...	...	...	...					Do.		
Russelltown, Epis. Congregation, ... ..	31	21	10	1	3	48							
Hemmingford, Presbyterian, ... ..	...	...	...	...	...	...					Do.		
Seignior of Beauharnois, Congregational Church, ... ..	7	3	2	4	1	5							
St. Timothée and the Irish Mission on the Beauharnois Canal, ... ..	76	70	24	1	1	144							
Sherrington Township, ... ..	27	10	3	...	5	32							
			644	646	170	245	209	836		836			

1846.

Appendix (R. R. R.)

GENERAL STATEMENT of Baptisms, &c.—(Continued.)

Appendix (R. R. R.)

1845.

Counties.	Parishes.	BAPTISMS.		MARRIAGES.	BURIALS.		Increase.	Decrease.	Total Increase.	Total Decrease.	Remarks.
		Males.	Females.		Males.	Females.					
Missisquoi.	St. Armand East, ...	8	6	12	5	6	3				No Return. Do.
	St. Armand West, ...	9	3	5	7	9		4			
	Wesleyan Methodist, ...	...	...	...	...	...	...	...	...	...	
	St. Armand, ...	...	...	...	...	...	...	...	...	...	
	Dunham, ...	3	1	1	4	1	...	1			
	Dunham South, ...	4	2	...	...	1	5				
	Stanbridge, ...	66	50	9	4	4	108				
	Huntingdon, Presbyterian, ...	5	7	...	...	...	12				
	Dunham, Wesleyan Methodist, ...	53	62	14	1	4	110				
	Huntingdon, Episcopalian Congregation, ...	46	55	5	9	5	87				
	Stanbridge, Baptist, ...	...	...	11	2	6	...	8			
	Granby, ...	...	...	...	...	...	...	...	...	...	
	St. Jean Chrisostôme, and other Missions, ...	103	130	30	24	19	190				
St. Bernard de Lacole, ...	12	10	2	1	...	21					
St. Armand, Methodist, ...	42	55	5	5	7	85					
		351	381	94	62	62	621	13	608		
Stanstead.	Stanstead, ...	2	1	21	2	...	1				Do. Do. Do. Do.
	Hatley, ...	...	...	...	...	...	...	...	...		
	Henrysburg, ...	...	...	...	...	...	...	...	...		
	Potton Circuit, ...	...	...	...	...	...	...	...	...		
	Stanstead Circuit, Wesleyan Methodist, ...	1	4	1	2	2	1				
	Baptist Church, ...	...	...	...	...	...	...	...	...		
	Bolton Circuit, Methodist Protestant Church, ...	24	13	13	3	6	28				
Methodist New Connexion in Stanstead, North Circuit, ...	1	...	...	...	2	...	1				
		28	18	35	7	10	30	1	29		
Shefford.	Shefford, ...	24	26	19	3	4	43				Do. Do.
	Stukely, ...	...	...	...	...	...	...	...	...		
	Brome, ...	...	...	...	...	...	...	...	...		
	Shefford Circuit, Wesleyan Methodist, ...	31	45	15	...	1	75				
	Abbotsford, ...	23	20	2	4	2	37				
		78	91	36	7	7	155		155		

RECAPITULATION of the above STATEMENT for the year 1843.

Counties.	BAPTISMS.		MARRIAGES.	BURIALS.		Increase.	Decrease.	Total Increase.	Total Decrease.
	Males.	Females.		Males.	Females.				
Montreal, ...	1823	1745	757	1231	1132	1390	185	1205	
Ottawa, ...	163	123	71	22	19	245	...	245	
Vaudreuil, ...	382	330	107	173	151	388	...	388	
Lake of the Two Mountains, ...	407	345	138	208	196	348	...	348	
Terrebonne, ...	593	525	178	351	265	502	...	502	
Leinster, ...	633	586	222	339	307	573	...	573	
Berthier, ...	736	736	281	326	270	876	...	876	
Richolieu, ...	395	385	137	176	178	426	...	426	
St. Hincintie, ...	643	635	176	305	251	733	11	722	
Rouville, ...	496	499	164	242	213	643	8	540	
Verchères, ...	300	339	116	147	143	349	...	349	
Chambly, ...	488	462	160	211	206	533	...	533	
Huntingdon, ...	906	848	300	347	285	1122	...	1122	
Beauharnois, ...	644	646	170	245	209	836	...	836	
Missisquoi, ...	351	381	94	62	62	621	13	608	
Stanstead, ...	28	18	35	7	10	30	1	29	
Shefford, ...	78	91	36	7	7	155	...	155	
	9066	8694	3142	4399	3904	9670	213	9457	

Appendix  
(R. R. R.)  
1845.

SUPPLEMENTARY RETURN of Baptisms, Marriages and Burials for the years 1840, 1841 and 1842.

Appendix  
(R. R. R.)  
1846.

Counties.	Parishes.	BAPTISMS.		MARRIAGES.	BURIALS.		Increase.	Decrease.	Total Increase.
		Males.	Females.		Males.	Females.			
Montreal,	St. Paul's Church, for 1840, ...	19	14	31	6	10	17	...	...
	St. Paul's Church, for 1841, ...	21	16	35	17	11	9	...	...
	St. Paul's Church, for 1842, ...	27	7	22	10	5	19	...	...
	Scotch Presbyterian of Lachine, for 1840, ...	8	4	3	4	4	4	...	...
	Scotch Presbyterian of Lachine, for 1842, ...	7	1	1	3	3	2	...	...
	St. Mary's Chapel, for 1842, ...	9	8	3	6	1	10	...	...
	Garrison, for 1842, ...	30	15	10	40	18	...	13	...
		121	65	105	86	52	61	13	48
Ottawa, ...	Grenville and Chatham, for 1842, ...	46	42	31	1	...	87		
	Hull, for 1842, ...	19	13	4	3	...	29		
		65	55	35	4	...	116	...	116
Leinster, ...	Rawdon, for 1842, ...	34	23	5	3	8	46	...	46
Rouville, ...	Ste. Marie, for 1842, ...	125	117	42	61	45	136		
	St. Grégoire, for 1842, ...	61	64	13	42	30	53		
	Missisquoi Bay and neighbourhood, for 1842, ...	7	13	2	1	...	19		
		193	194	57	104	75	208	...	208
Huntingdon, ...	Wesleyan Methodist Congregations in the Circuit of Odelltown, for 1842, ...	19	27	4	6	8	32	...	32
Beauharnois,	Dundee, for 1842, ...	15	12	1	...	...	27		
	Ormstown, for 1842, ...	10	13	3	5	1	17		
		25	25	4	5	1	44	...	44
Stanstead,	Barnston Circuit, ...	3	2	15	1	2	2	..	2

PROVINCE OF CANADA, DISTRICT OF MONTREAL.

COUNTY AND DISTRICT.	Area in Square Miles.	Births.	Marriages.	Deaths.
County of Montreal, ...	Nine Parishes, ...	3568	757	2363
County of Vaudreuil, ...	Seven Parishes, ...	712	107	324
County of Terrebonne, ...	Eleven Parishes, ...	1118	178	616
County of Leinster, ...	Twelve Parishes, ...	1219	222	646
County of Berthier, ...	Twelve Parishes, ...	1472	281	596
County of Richelieu, ...	Five Parishes, ...	780	137	354
County of St. Hyacinthe, ...	Twelve Parishes, ...	1278	176	556
County of Rouville, ...	Seven Parishes, ...	995	164	455
County of Verchères, ...	Six Parishes, ...	639	116	290
County of Chambly, ...	Five Parishes, ...	950	160	417
County of Huntingdon, ...	Thirteen Parishes, ...	1754	300	632
County of Beauharnois, ...	Thirteen Parishes, ...	1290	170	454
County of Stanstead, ...	Four Parishes, ...	46	35	17
County of Missisquoi, ...	Six Parishes, ...	732	94	124
County of Shefford, ...	Two Parishes, ...	169	36	14
County of Two Mountains, ...	Eight Parishes, ...	752	138	404
County of Ottawa, ...	Five Parishes, ...	286	71	41
		17760	3142	8303

GENERAL STATEMENT of Baptisms, Marriages, and Burials made in the District of Montreal, during the year 1844.

Counties.	Parishes.	BAPTISMS.			MARRIAGES.		BURIALS.		Increase.	Decrease.	Total Increase.	Total Decrease.	Remarks.	
		Males.	Females.		Males.	Females.	Males.	Females.						
Montreal.	Parish Church, Catholic,	1137	1122	449	659	628	972							
	Christ Church, Protestant Episcopal, ...	49	71	37	42	31	47							
	Trinity Chapel, Protestant Episcopal, ...	15	17	9	10	6	16							
	St. Thomas' Church, Protestant Episcopal, ...	28	35	21	10	5	48							
	Griffintown Church, Protestant Episcopal, ...	31	28	6	6	6	47							
	St. Mary's Chapel, Current St. Mary's, ...	3	1	...	1	1	2							
	St. Paul's Church, Presbyterian, St. Helen street, ...	...	...	...	...	...	...						No Return.	
	Scotch Church, St. Gabriel street, ...	...	...	...	...	...	...						Do.	
	St. Andrew's Church, Presbyterian, ...	51	37	28	14	11	63							
	United Associate Church, Laguchetière street, ...	15	24	29	7	9	23							
	American Presby. Church, Great St. James' street, ...	10	6	2	7	...	9							
	French Presby. Church, Wesleyan Congregation, Great St. James' street, ...	39	28	18	18	15	34							
	Methodist New Connexion Church, ...	7	7	1	4	2	8							
	First Congregational Ch. St. Maurice street, ...	8	13	35	7	6	8							
	Second Congregational Ch. Gosford street, ...	6	1	10	1	...	6							
	Baptist Church, St. Helen street, ...	1	...	7	3	3	...	5						
	Wesleyan Methodist Congregations, ...	23	23	13	3	2	41							
	Jewish Church, ...	6	4	3	1	4	5							
	Montreal Garrison, ...	12	19	7	28	15	...	12						
	Hospital General, (Grey Nuns), ...	3	2	...	108	106	...	208						
	Lachine.	Catholic Church, ...	73	65	18	34	28	76						
		Protestant Church of England, ...	5	5	...	4	1	5						
		Scotch Presbyterian, ...	10	14	6	2	4	18						
		Ste. Anne du Bout de l'Isle, ...	16	14	11	4	5	21						
		St. Joachim de la Pointe Claire, ...	49	37	21	15	14	57						
		Ste. Geneviève, ...	59	50	25	28	15	66						
		Sault au Recollet, ...	52	50	18	22	32	48						
		St. Laurent, ...	53	57	21	21	27	62						
Pointe aux Trembles, ...		24	27	11	7	18	26							
Longue Pointe, ...		20	21	5	11	9	21							
St. Joseph de la Rivière des Prairies, ...	30	29	11	13	15	31								
		1835	1809	822	1090	1018	1761	225	1536	...				
Ottawa.	Petite Nation, ...	...	...	...	...	...	...						Do.	
	Notre Dame de Pitié de Grenville, ...	35	20	8	3	3	49							
	Hull, Aylmer, Church of England, ...	15	18	18	...	...	33							
	Gore Settlement, do. ...	13	8	8	...	...	21							
	Missions of St. Paul d'Aylmer, and others, Catholic, ...	55	52	22	13	8	86							
	Townships of Buckingham and Lochaber, Presbyterian, ...	1	...	3	1	...	...							
	Grenville and Chatham, Presbyterian, ...	44	40	35	1	5	78							
Ste. Anne du Grand Calumet, and others, ...	...	...	...	...	...	...						Do.		
		163	138	94	18	16	267	...	267	...				

GENERAL STATEMENT of Baptisms, &c.—(Continued.)

1845.

1845.

Counties.	Parishes.	BAPTISMS.		MARRIAGES.	BURIALS.		Increase.	Decrease.	Total Increase.	Total Decrease.	Remarks.
		Males.	Females.		Males.	Females.					
Vaudreuil.	Vaudreuil, Catholic, ...	77	57	24	28	26	80				No Return.
	Vaudreuil, Protestant, ...	8	6	4	1	3	10				
	Isle Perrot, ...	19	17	12	15	16	5				
	Rigaud, ...	105	124	31	26	27	176				
	Soulanges, ...	44	39	17	21	19	43				
	St. Polycarpe, ...	...	...	...	...	...	...				
	St. Ignace du Coteau du Lac, Catholic, ...	95	91	21	29	26	131				
	Coteau du Lac, Episcopal Congregation, ...	3	9	1	6	4	2				
St. Marthe, ...	13	10	2	11	7	5					
		364	353	112	137	128	452	...	452	...	
Lake of Two Mountains.	St. Scholastique, ...	125	117	31	34	39	169				Do.
	St. Andrews, Scotch Presbyterian, ...	4	2	...	2	3	1				
	St. Eustache, Catholic, ...	93	85	31	24	22	132				
	St. Eustache, Scotch Presbyterian, ...	1	1	...	...	...	2				
	St. Benoit, ...	87	94	27	41	39	101				
	Lac des Deux Montagnes, ...	23	24	7	21	23	3				
	Lachute, Scotch Presbyterian, ...	12	7	11	3	1	15				
	St. Hermas, ...	74	48	13	21	23	78				
	Associate Synod of the Secession Church, St. Eustache, ...	...	...	...	...	...	...				
	St. André d'Argenteuil, ...	58	42	20	16	12	72				
St. Raphael, ...	16	11	2	7	5	15					
		493	431	142	169	167	588	...	588	...	
Terrebonne.	St. Colomban, ...	14	13	3	5	3	19				Do.
	St. Jerome, ...	129	108	31	38	28	171				
	Terrebonne, ...	62	56	31	16	22	80				
	St. Rose, ...	60	46	19	36	28	42				
	St. Vincent de Paul, ...	54	50	22	23	23	58				
	St. Martin, ...	97	94	26	44	39	108				
	St. Anne des Plaines, ...	45	51	17	18	19	59				
	St. Thérèse de Blainville, Catholic, ...	109	73	26	46	36	100				
	St. Thérèse de Blainville, Scotch Presbyterian, ...	11	9	3	4	1	15				
	St. Augustin, ...	59	46	11	26	24	55				
	St. Martin, Church of England, ...	...	2	...	...	1	1				
St. Thérèse de Blainville, Eglise Evangelique, ...	3	2	...	...	1	4					
United Associate Congregation of New Glasgow, ...	4	5	1	3	3	3					
		647	555	190	259	228	715	...	715	...	
Leinster.	St. Jacques, ...	164	161	63	49	64	212				Do. Do.
	L'Assomption, ...	104	89	23	35	37	121				
	St. Sulpice, ...	22	16	6	10	12	16				
	Repentigny, ...	42	40	14	28	18	36				
	Lachenaie, ...	23	22	8	11	14	20				
	St. Henry de Mascouche, ...	66	59	24	23	20	82				
	St. Roch, ...	57	56	35	33	38	42				
	St. Lin, ...	73	81	20	24	24	106				
	St. Ours du St. Esprit, ...	71	69	15	26	17	97				
	Mascouche, ...	...	...	...	...	...	...				
	St. Grégoire de Rawdon, ...	...	...	...	...	...	...				
	Epis. Congregation of Church of England of Rawdon and parts adjacent, ...	23	26	11	5	4	40				
	La Conception de Rawdon, ...	24	25	8	14	12	23				
	Mission du Bienheureux Alphonse Rodriguez, ...	3	5	...	2	1	5				
Rawdon Circuit, Wesleyan Methodist, ...	10	8	4	...	...	18					
		682	657	231	260	261	818	...	818	...	

Appendix  
(R. R. R.)

## GENERAL STATEMENT of Baptisms, &amp;c.—(Continued.)

Appendix  
(R. R. R.)

1845.

1845.

Counties.	Parishes.	BAPTISMS.		MARRIAGES.	BURIALS.		Increase.	Decrease.	Total Increase.	Total Decrease.	Remarks.
		Males.	Females.		Males.	Females.					
Berthier.	Berthier, ... ..	121	112	34	58	60	115				No Return.  Do.
	St. Antoine de Lavaltrie, ...	38	26	13	10	11	43				
	St. Paul de Lavaltrie, ...	...	...	...	...	...	...				
	Ste. Elizabeth, ...	100	88	30	35	37	116				
	St. Thomas, ...	43	26	16	26	19	24				
	St. Marcel du Lac Maskinongé, ...	...	...	...	...	...	...				
	St. Cuthbert, ...	70	50	31	11	13	96				
	Lanoraie, ...	36	34	25	25	23	22				
	Lac Maskinongé, Kildare, ...	23	40	7	4	8	51				
	St. Barthelemi du Sablé, ...	51	46	12	15	22	60				
	Isle du Pads, ...	18	23	10	8	8	25				
	St. Ambroise de Kildare, ...	44	43	14	14	19	54				
	St. Gabriel de Rawdon, ...	26	23	8	14	13	22				
	St. Mélanie de Daillebout, ...	46	44	15	9	5	76				
St. Paul, ...	52	46	13	17	28	53					
St. Charles du Village d'Indus- trie, ...	61	75	15	27	32	77					
St. Felix de Valois, ...	56	55	22	14	20	77					
		785	731	265	287	318	911		911		
Richelieu.	St. Ours, ...	88	56	31	27	29	88				Do.
	St. Denis, ...	77	70	22	20	27	100				
	St. Charles, ...	45	33	13	11	10	57				
	Sorel, Catholic, ...	180	157	47	64	74	199				
	William Henry, Protestant, ...	...	...	...	...	...	...				
	Ste. Victoire, ...	22	8	1	3	2	25				
Congregational Church, Sorel,	3	1	...	...	...	4					
		415	325	114	125	142	473		473		
St. Hyacinthe.	St. Aimé, ...	117	85	28	41	35	126				Do.
	St. Hyacinthe, ...	147	164	46	41	69	201				
	St. Jude, ...	32	36	4	7	18	43				
	St. Damase, ...	86	61	31	20	32	95				
	St. Césaire, ...	157	135	40	46	36	210				
	St. Hugues, ...	60	56	13	15	23	78				
	St. Pie, ...	111	129	42	28	35	177				
	St. Paul, Yamaska Mountain, ...	...	...	...	...	...	...				
	St. Simon, ...	33	36	21	15	11	43				
	Ste. Rosalie, ...	46	46	22	15	13	64				
St. Dominique, ...	25	42	9	8	7	52					
St. Bernabé, detached from St. Jude, ...	27	28	13	8	16	31					
		841	818	269	244	295	1120		1120		
Rouville.	Ste. Marie de Monnoir, ...	106	104	43	51	43	116				Do.
	Caldwell and Christie Manors, ...	...	...	...	...	...	...				
	St. Jean Baptiste, ...	66	48	27	20	23	71				
	St. Mathias, ...	46	43	20	16	14	59				
	St. Athanase, ...	139	115	46	61	37	156				
	Présentation, ...	33	31	10	15	21	28				
	St. Hilaire de Rouville, ...	31	36	10	10	5	52				
	Episcopal Congregation, Chris- tieville, ...	4	3	2	1	...	6				
Ste. Brigitte, ...	25	19	3	6	8	30					
St. Grégoire, ...	66	55	21	28	20	73					
		516	454	182	208	171	591		591		
Verchères.	Verchères, ...	71	68	30	20	19	100				Do.
	St. Antoine, ...	39	42	12	14	24	43				
	Varenes, ...	85	95	43	28	35	117				
	Contrecoeur, ...	50	38	25	17	14	52				
	Belœil, ...	53	65	15	13	23	82				
	St. Marc, ...	27	30	9	10	16	31				
		325	333	134	102	131	425		425		

GENERAL STATEMENT of Baptisms, &c.—(Continued.)

1845.	Counties.	Parishes.	BAPTISMS.		MARRIAGES.	BURIALS.		Increase.	Decrease.	Total Increase.	Total Decrease.	Remarks.	1845.	
			Males.	Females.		Males.	Females.							
Chambly.	Chambly.	Chambly, Catholic, ...	...	...	...	...	...	...	...	...	...	No Return.		
		Chambly, Protestant, ...	22	12	11	23	9	2						
		Longueuil, ...	62	85	34	45	39	63						
		Boucherville, ...	71	73	26	33	39	72						
		St. Luc, ...	27	33	15	15	8	37						
		St. Jean, Catholic, ...	113	101	18	52	46	116						
		St. Johns, Protestant, ...	10	7	2	5	4	8						
		St. Johns, Wesleyan Methodist, ...	4	5	4	3	5	1						
		St. Johns, Garrison, ...	...	...	...	...	...	...						Do.
					309	316	110	176	150	299	...	299	...	
Huntingdon.	Huntingdon.	St. Constant, ...	81	57	25	30	27	81						
		Laprairie, Catholic, ...	105	98	48	48	31	124						
		Laprairie, Epis. Congregation, ...	14	12	5	14	1	11						
		Laprairie, Scotch Presbyterian, ...	2	3	1	...	...	5						
		Sault St. Louis, ...	40	39	8	30	43	6						
		Desserte de St. Philomène, Parish of Chateauguay, ...	54	42	17	13	10	73						
		Chateauguay, ...	51	51	29	18	19	65						
		St. Philippe, ...	43	47	24	20	23	47						
		St. Edouard, ...	123	105	41	38	26	164						
		Blairfradie, ...	62	53	21	22	20	73						
		St. Cyprien, ...	91	119	15	24	18	168						
		St. Valentin, ...	85	64	22	18	14	117						
		St. Remi, ...	68	78	36	31	47	68						
		Ouelletown, Wesleyan Methodist, ...	25	32	6	10	8	39						
		St. George, ...	117	116	40	22	21	190						
French Protestant, Grand Ligne, ...	3	13	3	1	3	12								
St. Jacques le Mineur, ...	47	35	17	12	11	59								
Henrysburg Circuit, ...	...	...	...	...	...	...						Do.		
Episcopal Congregation, Lacole and parts adjacent, ...	5	4	1	4	1	4								
			1016	968	359	355	323	1306	...	1306	...			
Beauharnois.	Beauharnois.	St. Clement, ...	108	102	34	45	36	129						
		St. Timothée, ...	80	86	32	44	37	85						
		St. Regis, ...	28	26	7	16	13	25						
		St. Amicet, ...	46	43	11	8	8	73						
		St. Isidore, ...	50	57	12	17	17	73						
		Ste. Martine, ...	117	91	23	38	29	141						
		Hinchinbrooke, ...	...	...	...	...	...	...						Do.
		Beauharnois, Presbyterian, ...	21	13	4	6	2	26						
		Protestant Episcopal Church, Chateauguay, Ormstown, ...	19	16	4	5	2	28						
		Ormstown, Presbyterian, ...	16	21	7	2	2	33						
		Georgetown, North and South, Presbyterian, ...	24	17	2	3	1	37						
		Hemmingford, ...	...	...	...	...	...	...						Do.
		Beach Ridge Mission, Presbyterian, ...	4	3	1	...	1	6						
		Dundee, ...	8	19	...	...	...	27						
		Seigniory of Beauharnois, Congregational Church, ...	10	7	1	1	2	14						
St. Timothée and Irish Mission to Beauharnois Canal, ...	36	23	3	...	...	59								
Sherrington Township, ...	...	...	...	...	...	...						Do.		
Epis. Congregation of Russelltown Flats and parts adjacent, ...	13	14	4	...	2	25								
			580	538	145	185	152	781	...	781	...			

Appendix  
(R. R. R.)

Appendix  
(R. R. R.)

GENERAL STATEMENT of Baptisms, &c.—(Continued.)

Counties.	Parishes.	BAPTISMS.		MARRIAGES.	BURIALS.		Increase.	Decrease.	Total Increase.	Total Decrease.	Remarks.
		Males.	Females.		Males.	Females.					
Missisquoi.	St. Armand East, ... ..	15	19	5	7	1	26				
	St. Armand West, .. ..	6	2	4	2	3	3				
	Dunham, North, ... ..	...	...	1	...	1	...	1			
	Dunham, South, ... ..	3	3	3	...	1	5				
	Dunham Circuit, Wesleyan Methodist, ... ..	8	12	13	7	9	4				
	Dunham Circuit, Methodist New Connexion, ... ..	5	3	13	4	2	2				
	Stanbridge, Episcopal Congregation, ... ..	16	28	8	4	3	37				
	Stanbridge, Baptist Church, ... ..	1	...	8	...	1	...				
	Granby, ... ..	13	10	4	3	4	16				
	St. Jean Chrisostôme, and other Missions, ... ..	97	99	26	16	23	157				
	St. Bernard de Lacole, ... ..	67	61	19	8	4	116				
			231	237	104	51	52	366	1	365	...
Stanstead.	Stanstead, ... ..	...	...	...	...	...	...	...	...	...	No Return.
	Hatley, ... ..	...	...	...	...	...	...	...	...	...	Do.
	Henrysburgh, ... ..	...	...	...	...	...	...	...	...	...	Do.
	Potton Circuit, ... ..	...	...	7	...	2	...	2	...	...	
	Stanstead Circuit, Wesleyan Methodist, ... ..	1	1	7	3	4	...	5	...	...	
	Methodist New Connexion in Stanstead, ... ..	...	...	...	...	...	...	...	...	...	Do.
Methodist New Connexion Church, Bolton, ... ..	...	...	3	...	...	...	...	...	...		
		1	1	17	3	6	...	7	...	7	
Shefford.	Shefford, Protestant Episcopal, Shefford Circuit, Wesleyan Methodist, ... ..	13	8	6	6	3	12				
	Methodist, ... ..	7	7	10	3	2	9				
	Stukely, ... ..	4	8	2	1	1	10				
	Broome, Episcopal Congregation	3	3	3	2	1	3				
	Broome, Congregational Church	1	1	4	2	1	...	1			
	Abbottsford, Episcopal Congregation, ... ..	9	7	5	4	1	11				
		37	34	30	18	9	45	1	44	...	

RECAPITULATION of the above Statement for 1844.

Counties.	BAPTISMS.		MARRIAGES.	BURIALS.		Increase.	Decrease.	Total Increase.	Total Decrease.	Remarks.
	Males.	Females.		Males.	Females.					
Montreal, ... ..	1835	1809	822	1090	1018	1761	225	1536	...	
Ottawa, ... ..	163	138	94	18	16	267	...	267	...	
Vaudreuil, ... ..	364	353	112	137	123	452	...	452	...	
Two Mountains, ... ..	493	431	142	169	167	588	...	588	...	
Terrebonne, ... ..	647	555	190	259	228	715	...	715	...	
Leinster, ... ..	682	657	231	260	261	818	...	818	...	
Berthier, ... ..	785	731	265	287	318	911	...	911	...	
Richelieu, ... ..	415	325	114	125	142	473	...	473	...	
St. Hyacinthe, ... ..	841	818	269	244	295	1120	...	1120	...	
Rouville, ... ..	516	454	182	208	171	591	...	591	...	
Verchères, ... ..	325	333	134	102	131	425	...	425	...	
Chambly, ... ..	309	316	110	176	150	299	...	299	...	
Huntingdon, ... ..	1016	968	359	355	323	1306	...	1306	...	
Beauharnois, ... ..	580	538	145	185	152	781	...	781	...	
Missisquoi, ... ..	231	237	104	51	52	366	1	365	...	
Stanstead, ... ..	1	1	17	3	6	...	...	...	7	
Shefford, ... ..	37	34	30	18	9	45	1	44	—	
	9240	8698	3320	3687	3567	10918	227	10691	7	



Appendix  
(R. R. R.)  
1845.

SUPPLEMENTARY STATEMENT of Baptisms, Marriages and Burials, for the years 1841, 1842 and 1843, taken from the Registers deposited in the Prothonotary's Office, since the last Return for the year 1843.

Appendix  
(R. R. R.)  
1845.

COUNTIES.	PARISHES.	BAPTISMS.		MARRIAGES.	BURIALS.		INCREASE.	DECREASE.	TOTAL INCREASE.	TOTAL DECREASE.	REMARKS.
		Males.	Females.		Males.	Females.					
MISSISSAUGA.....	Scotch Church, Huntingdon, for the year 1841,....	33	34	14	1	...	66				
	Ditto do. do. 1842,....	67	77	30	5	3	133				
	Methodist New Connexion, Dunham Circuit, do. 1843,.....	34	40	6	2	...	72				
	Episcopal Congregation of Brome, do. 1843,.....	7	8	2	2	3	10				
	Congregational Church of Granby, do. 1843,.....	6	8	8	1	...	13				
	Protestant Missionary, Granby and Milton, do. 1843,.....	7	8	...	1	1	13				
	Congregational Church, Brome, do. 1843,.....	1	1	5	...	...	2				
		152	176	65	12	7	309	...	309	...	
TWO MOUNTAINS...	Scotch Church, St. Eustache, 1842,.....	5	5	2	...	...	10				
	St. Benoit, do. 1843,.....	72	83	30	45	50	60				
		77	88	32	45	50	70	...	70	...	
BEAUHARNOIS.....	Georgetown, do. 1843,.....	17	19	7	1	1	34				
	Established Church of Scotland, Dundee, do. 1843,.....	14	13	...	1	...	26				
	Presbyterian Church, do. Hemmingford, do. 1843,.....	18	17	6	2	2	31				
	Methodist New Connexion, Harrisburg Circuit, do. 1843,.....	2	3	1	2	2	1				
	Methodist Congregation, Russelltown Circuit, do. 1843,.....	22	26	3	6	...	42				
	Church of Scotland, Beauharnois and Chateauguay, do. 1843,.....	19	5	6	8	1	15				
		92	83	23	20	6	149	...	149	...	
STANSTEAD.....	Methodist Congregation, Potton Circuit, do. 1843,.....	5	2	4	3	1	3	...	3	...	
HUNTINGDON.....	Episcopal Congregation of Lacole, do. 1843,.....	13	9	5	3	1	18				
	Congregational Church, do. 1843,.....	...	1	...	...	...	1				
	Episcopal Congregation of Mascouche, do. 1843,.....	8	12	...	4	1	15				
	Methodist Congregation, Odelltown Circuits, do. 1843,.....	20	16	11	16	4	16				
	St. Rémi, do. 1843,.....	66	91	22	26	26	105				
	St. Philippe, do. 1843,.....	60	60	30	17	21	82				
		167	189	68	66	53	237	...	237	...	
OTTAWA.....	Mission, Buckingham, do. 1843,.....	54	40	13	...	2	92				
	Missions of Aylmer, Chelsea and St. François de Sales de la Rivière Gatineau, do. 1843,.....	48	61	28	10	4	95				
	Missions of St. Liguori des Allumettes, Ste. Anne du Grand Calumet, &c., do. 1843,.....	70	49	10	7	1	111				
		172	150	51	17	7	298	...	298	...	
LEINSTER.....	La Conception de Rawdon, do. 1842,.....	23	15	6	3	1	34				
	Episcopal Congregation of Rawdon, Kilkenny, &c. do. 1843,.....	23	14	12	6	4	27				
	La Conception de Rawdon, do. 1843,.....	24	31	1	6	9	40				
		70	60	19	15	14	101	...	101	...	
CHAMBLY.....	Episcopal Congregation of St. Johns, do. 1843,...	33	17	8	12	5	33	...	33	...	
ST. HYACINTHE...	St. Pie, do. 1843,.....	107	117	39	45	52	127				
	St. Simon, do. 1843,.....	40	35	9	18	10	47				
		147	152	48	63	62	174	...	174	...	

MONK, COFFIN & PAPINEAU,  
Prothonotary.

PROTHONOTARY'S OFFICE,  
Montreal, 5th March, 1845.

PROVINCE OF CANADA, DISTRICT OF MONTREAL.

1845.

1845.

COUNTY AND DISTRICT.		Area in Square Miles.	Births.	Marrriages.	Deaths.
County of Montreal, ... ..	Ten Parishes, ... ..	...	3644	822	2108
County of Ottawa, ... ..	Five Parishes, ... ..	...	301	94	34
County of Vaudreuil, ... ..	Seven Parishes, ... ..	...	717	112	265
County of Two Mountains, ... ..	Eight Parishes, ... ..	...	924	142	336
County of Terrebonne, ... ..	Eleven Parishes, ... ..	...	1202	190	487
County of Leinster, ... ..	Thirteen Parishes, ... ..	...	1339	231	521
County of Berthier, ... ..	Fifteen Parishes, ... ..	...	1516	265	605
County of Richelieu, ... ..	Five Parishes, ... ..	...	740	114	267
County of St. Hyacinthe, ... ..	Twelve Parishes, ... ..	...	1659	269	539
County of Rouville, ... ..	Seven Parishes, ... ..	...	970	182	379
County of Verchères, ... ..	Six Parishes, ... ..	...	658	134	233
County of Chambly, ... ..	Five Parishes, ... ..	...	625	110	326
County of Huntingdon, ... ..	Thirteen Parishes, ... ..	...	1984	359	678
County of Beauharnois, ... ..	Thirteen Parishes, ... ..	...	1118	145	337
County of Missisquoi, ... ..	Six Parishes, ... ..	...	468	104	103
County of Stanstead, ... ..	Four Parishes, ... ..	...	2	17	9
County of Shefford, ... ..	Two Parishes, ... ..	...	71	30	27
			17938	3320	7254

PROTHONOTARY'S OFFICE,  
Montreal, 8th March, 1845.

MONK, COFFIN & PAPINEAU,  
Prothonotary.

GENERAL STATEMENT and RETURN of the Baptisms, Marrriages and Burials in the District of Three Rivers, for the year 1843.

COUNTRIES.	PARISHES, SEIGNIOBIES, TOWNSHIPS OR CITIES.	BAPTISMS.		MARRIAGES.	BURIALS.		Increase of Population as ascertained by the difference between the Baptisms and Burials.	Total increase of Population per County.	REMARKS.
		Males.	Females.		Males.	Females.			
ST. MAURICE, ...	Three Rivers, Catholic, ... ..	98	102	49	55	45	100	631	
	Three Rivers, Protestant Episcopal, ... ..	9	8	2	2	2	13		
	Three Rivers, Methodist, ... ..	1	3	5	0	0	4		
	Pointe du Lac, ... ..	29	24	9	10	11	32		
	Ste. Anne d'Yamachiche, ... ..	94	83	28	30	37	110		
	St. Barnabé, ... ..	30	35	8	9	12	44		
	St. Antoine de la Rivière du Loup, ... ..	74	62	29	22	22	92		
	Protestant Congregation of Rivière du Loup, ... ..	4	4	...	...	...	8		
	Ste. Ursule, ... ..	42	43	25	12	13	60		
	St. Léon, ... ..	63	68	29	22	20	84		
St. Joseph de Maskinongé, ... ..	68	74	27	25	33	84			
CHAMPLAIN, ...	Cap de la Magdeleine, ... ..	43	32	11	13	12	50	378	
	Champlain, ... ..	29	33	8	14	8	40		
	St. François Xavier de Batiscan, ... ..	25	20	11	4	5	36		
	Ste. Geneviève de Batiscan, ... ..	49	39	19	11	9	68		
	St. Stanislas de Batiscan, ... ..	47	56	18	16	16	71		
St. Anne La Perade, ... ..	83	74	36	23	21	113			
NICOLET, ...	St. Pierre les Becquets, ... ..	65	58	22	14	12	97	692	
	St. Edouard de Gentilly, ... ..	47	49	24	11	6	79		
	Townships of Blandford, Maddington, &c. ... ..	104	99	22	22	18	163		
	Becancour, ... ..	88	57	23	26	19	100		
	St. Grégoire, ... ..	96	76	42	36	25	111		
St. Jean Baptiste de Nicolet, ... ..	123	96	39	41	37	141			
Protestant Congregation of Nicolet, ... ..	1	1	3	...	1	1			
YAMASKA, ...	St. Antoine de la Baie du Febvre, ... ..	85	83	30	35	26	107	424	
	St. François, ... ..	84	86	29	25	24	121		
	Presbyterian Congregational Church, St. Francis, ... ..	2	...	...	2	...	...		
	St. Michel d'Yamaska, ... ..	70	63	21	31	20	82		
	St. Guillaume, ... ..	30	19	8	17	12	20		
St. David, ... ..	67	61	23	19	15	94			
DRUMMOND, ...	Catholic Mission of Drummondville, ... ..	49	45	4	12	6	76	82	
	Protestant Congregation of Drummondville, ... ..	5	10	6	4	5	6		
Total, ... ..		1704	1558	610	563	492	2207	2207	

Appendix  
(R. R. R.)  
1845.

GENERAL STATEMENT and RETURN of Baptisms, Marriages and Burials in the District of Gaspé, for the year 1842.

Appendix  
(R. R. R.)  
1845.

COUNTIES.	PARISHES, SEIGNORIES, TOWNSHIPS, OR CITIES.	BAPTISMS.		MARRIAGES.	BURIALS.		Increase of Population by the difference between Baptisms and Burials.	Total per Counties Increase of Population.	REMARKS.
		Males.	Females.		Males.	Females.			
BONAVENTURE...	Ristigouche, Roman Catholic, ...	22	17	11	2	3	34	247	
	Carleton, Roman Catholic, ...	44	25	13	8	4	57		
	New Richmond, Protestant, ...	18	18	9	2	1	33		
	New Richmond, Roman Catholic, ...	20	17	5	1	2	34		
	Hamilton, Roman Catholic, ...	27	15	8	10	5	27		
	Cox, Protestant, ...	18	23	11	9	5	27		
	Cox, Roman Catholic, ...	19	23	5	6	1	35		
GASPE'.....	Perce', &c., ...	87	91	26	13	13	152		
	Gaspé Bay, &c., ...	10	9	2	4	2	13		
	Cape Cove, ...	7	2	2	1	...	8		173
	Total, ...	272	240	92	56	36	420	420	

BEBEE & WILKIE,  
P. P. C.

NEW CARLISLE, 14th October, 1843.

GENERAL STATEMENT and RETURN of Baptisms, Marriages and Burials in the County of Bonaventure, in the District of Gaspé, for the year 1843.

COUNTY.	PARISHES, SEIGNORIES, TOWNSHIPS, OR CITIES.	BAPTISMS.		MARRIAGES.	BURIALS.		Increase of Population by the difference between Baptisms and Burials.	Increase of Population.	REMARKS.
		Males.	Females.		Males.	Females.			
BONAVENTURE...	Ristigouche, Roman Catholic, ...	23	23	2	6	4	36	231	
	Carleton, do ...	44	48	21	9	5	78		
	New Richmond, do ...	9	8	5	4	4	9		
	Bonaventure, do ...	20	25	9	5	2	38		
	Paspébiac, do ...	25	23	9	7	8	33		
	Cox, Protestant, ...	26	25	16	7	7	37		
	Total, ...	147	152	64	38	30	231	231	

WILKIE & TREMBLAY,  
P. Q. B.

NEW CARLISLE, 31st December, 1844.

GENERAL STATEMENT and RETURN of Baptisms, Marriages and Burials in the County of Gaspé, for the year 1845.

COUNTIES.	PARISHES, SEIGNORIES, TOWNSHIPS AND CITIES.	BAPTISMS.		MARRIAGES.	BURIALS.		Increase of Population by the difference between Baptisms and Burials.	Total per Counties Increase of Population.	REMARKS.
		Males.	Females.		Males.	Females.			
GASPE'.....	Perce', &c. Catholic Mission, ...	99	103	26	57	46	99	126	
	Gaspé Basin, &c. Protestant Mission, ...	16	15	13	3	1	27		
	Total, ...	115	118	39	60	47	126	126	

WILKIE & TREMBLAY,  
P. Q. B.

PERCE', 2nd January, 1845.

Appendix (R. R. R.) 1845. GENERAL STATEMENT and RETURN of Baptisms, Marriages and Burials in the County of Bonaventure, in the District of Gaspé, for the year 1844. Appendix (R. R. R.) 1845.

COUNTY.	PARISHES, SEIGNORIES, TOWNSHIPS OR CITIES.	BAPTISMS.		MARRIAGES.	BURIALS.		Increase of Population by the difference between Baptisms and Burials.	Increase of Population.	REMARKS.
		Males.	Females.		Males.	Females.			
BONAVENTURE...	Ristigouche, Roman Catholic, ... ..	21	18	6	4	2	33		
	Carleton, do. ... ..	60	40	19	13	11	76		
	New Richmond, do. ... ..	22	11	1	3	4	26		
	New Richmond, Protestant, ... ..	4	2	1	0	0	6		
	Bonaventure, Roman Catholic, ... ..	20	13	22	7	2	24		
	Cox, &c. Protestant, ... ..	24	30	12	5	3	46		
	Paspébiac, Roman Catholic, ... ..	34	16	10	5	3	42		
	Total, ... ..	185	130	71	37	25	253	253	

WILKIE & TREMBLAY,  
P. Q. B.

NEW CARLISLE, 1st April, 1845.

GENERAL STATEMENT and RETURN of Baptisms, Marriages and Burials in the County of Gaspé, for the year 1844.

COUNTY.	PARISHES, SEIGNORIES, TOWNSHIPS AND CITIES.	BAPTISMS.		MARRIAGES.	BURIALS.		Increase of Population by the difference between Baptisms and Burials.	Total per Counties. Increase of Population.	REMARKS.
		Males.	Females.		Males.	Females.			
GASPÉ,.....	Percé, &c. Catholic Mission, ... ..	96	101	42	27	23	147		
	Percé, &c. Protestant Episcopal Congregation, ... ..	...	...	...	...	...	...		The Rev. Mr. Short, Pastor of that Congregation, has omitted to file his Register, according to law.
	Gaspé Basin, &c. Protestant Mission, ... ..	15	13	6	2	1	25		
	Total, ... ..	111	114	48	29	24	172	172	

WILKIE & TREMBLAY,  
P. Q. B.

PERCÉ, 21st February, 1845.

Appendix  
(S. S. S.)

26th March.

Appendix  
(S. S. S.)

26th March.

## FIRST REPORT.

THE SELECT COMMITTEE to which was referred the Petition of John Reid and Robert Shepherd, of the City of Montreal, praying payment of monies alleged to be still due to them as Contractors on the St. Lawrence Canal, and various other Petitions of a similar nature, have agreed to the following REPORT:—

YOUR Committee have examined the claims of Messrs. Reid and Shepherd, and find that they were Contractors on the St. Lawrence Canal during its construction; that they finished the work undertaken by them, but in the settlement for that work they were obliged to dissent from the view taken of it by the resident Engineer; they appealed from year to year to the Commissioners appointed to carry out that work, and could get no satisfactory arrangement, until the month of February, 1843, when it was agreed to leave their differences to the award of the Honorable the President of the Board of Works, and the Honorable Mr. Justice Jones, who was Chairman of the Commissioners during the time Reid and Shepherd were completing their contracts. With this arrangement Reid and Shepherd were perfectly satisfied, but, although Mr. Jones was at all times ready to enter upon the reference, Mr. Killaly could not get time (owing, your Committee take for granted, to pressure of business,) to take upon himself his share of the said reference; and although the said Reid and Shepherd, from time to time, urged upon the Commissioners the necessity of supplying the place of Mr. Killaly, no step was taken to that effect.

Your Committee have examined a number of witnesses, and feel that the investigation was one that required the evidence to be taken under oath, which would have been the case if the reference had been carried out, and a more satisfactory result might have been obtained.

Your Committee, after a most patient investigation, have come to the conclusion that there remains still due to Messrs. Reid and Shepherd, by the said Commissioners, for work done upon the said Canal, the sum of One thousand eight hundred and seventy-nine pounds, seven shillings and nine-pence, at least, which your Committee would recommend to be paid to them, together with interest from the 1st January, 1839.

All which is nevertheless humbly submitted.

GEO. SHERWOOD,  
Chairman.

26th March, 1845.

## MINUTES OF EVIDENCE.

GEORGE SHERWOOD, Esquire, in the Chair.

Saturday, 25th January, 1845.

Mr. William Miller called in; and being interrogated, answered:—Was employed by Reid and Shepherd in August 1835, as Book-keeper and Cashier; as Contractors they were obliged to furnish cement for the works, subject to the approval of the Engineer; they furnished samples of this material, which were approved of by Mr. Mills, the Engineer; when that

cement, to a large quantity, was furnished, it was condemned;—it lay by for a year or more, and afterwards was approved of and ordered to be used: the Contractors, after it was condemned, made every exertion to procure such of that material as might be approved of. In consequence of the delay owing to the condemnation of the cement, the Contractors met with much loss, inasmuch as many of their men, foremen and mechanics, including myself, were rendered idle,—I think the time was about a year; these Contractors had four teams of their own, and at times two hired ones; their own statement will show the exact time they were idle. The gross amount of loss, as appears in that statement, is the same as that taken from the books at the time, but the items I cannot now call to my recollection. Their teams, three clerks, three foremen, and some labourers and masons were partially employed during the idle time. The cost of the cement was 1 dollar, 61 cents, per barrel; the quantity furnished was about 8000 barrels.

Peter Shaver, Esquire, called in; and being interrogated, answered:—I am a Commissioner on the St. Lawrence Canal, and have been since its commencement in 1834. Samples of cement from Syracuse were furnished to Mr. Mills, the Engineer, by Messrs. Reid and Shepherd, which were approved of by the Engineer, and tried under the notice of the Commissioners at the time. These Contractors procured cement said to be of the same quality. Mr. Mills thought the cement furnished was not the same as the samples, and therefore condemned it; this same cement was afterwards approved of by Mr. Mills, and used in the works. I am aware that Reid and Shepherd suffered loss in consequence of the delay occasioned by the condemnation of the cement, by their men and others in their employ being idle. The Contractors were idle themselves, and continually complaining. Other Contractors (Hardy & Co.) were in the same position as Reid and Shepherd; preferred a claim to the Commissioners for losses amounting to £1,700, and were allowed £500; they had but one Lock, and Reid and Shepherd had two, consequently the establishment of the latter was much larger. The Commissioners had the power to pay damages. I thought that the claimants (Reid and Shepherd) had a right to be paid, but a majority of the Commissioners present disagreed with me. Towards the latter end, the Commissioners agreed to leave the claim to arbitration. It required four of the Commissioners to approve of the claim. Hardy & Co's claim was exactly similar. Messrs. Reid and Shepherd complained of not having justice done them in the measurement of Section 17. The Commissioners agreed that Mr. Fleming, Civil Engineer, should be employed to re-measure that part of the Section complained of. It was also agreed, that if the Engineer had been correct, the Contractors should pay Mr. Fleming; if not, that the Commissioners should do so.

Mr. Peter McKay called in; and being interrogated, answered:—I was a Contractor on the St. Lawrence Canal for Lock No. 4. I know that Reid and Shepherd could have got Hull cement for 6s. 3d. per

on what  
data was  
this sum  
made out?  
(S)

Appendix  
(S. S. S.)

26th March.

barrel; they were obliged to give 8s. 1d. for the Syracuse cement, and the barrel of the Hull cement contained 50 lbs. more, but Mr. Phillpotts preferred the Hull cement. Lock No. 3 was changed about a mile from where it was intended when the Contract was taken,—that mile was so much farther from the quarry. The additional expense this change put the Contractors to was, I think, £350. I had a similar claim, and was allowed rising of £300; but my Lock was not removed so far as Reid and Shepherd's.—I think the claim of £100 not too much for sunken breast-work under Lock No. 3, over and above what was allowed by the Commissioners, that is to say, for being obliged to use extra cement for 160 yards, at 12s. 6d. per yard.

Mr. Andrew Elliott called in; and being interrogated, answered:—I was foreman to Reid and Shepherd when they were Contractors for Locks on the St. Lawrence Canal; there was a dispute between them and the Engineer as to the quantity allowed for embankment at Lock No. 2. All the earth that was laid between the lock-pit and the river, except 125 yards, was replaced against the walls of the Locks; but I think that part of that embankment was taken to Section 17. I am certain that all that was excavated out of that lock-pit was either used in embankment for the Lock, or taken to Section 17.

Mr. Hawrison called in; and being interrogated, answered:—With reference to Section F. Messrs. Reid and Shepherd performed certain embankment for which I think they ought to be allowed fifty per cent, over the contract price, for all embankment over 350 feet. I would not have done the work for the amount of their claim (£350.) I think it a very moderate claim, it being for extra sloping of banks, removing of mounds, constructing of a pier across the bay, and embanking behind the pier. The cause of the extra sloping, I think, was an error in the Survey. I think that some arrangement was entered into between the Engineer and Isaac Reid, clerk to Reid and Shepherd, relative to the slopes. I think that the value of the work in excavating those slopes was five dollars per running yard.

Monday, 27th January, 1845.

Mr. Peter Fleming, Civil Engineer, called in; and being interrogated, answered:—The principal part of my testimony is contained in my Report herewith submitted, (See APPENDIX No. 1.) I was employed by Messrs. Carr & Co. to examine the embankment in Section No. 3, under the supposition that they had been allowed too little by the Engineers. I took measures, and found that a number of errors had been made by the Engineers. I made sections at the different places where the errors were, and reported the same to Messrs. Carr & Co. I understood from report that the difference had been settled by the Commissioners without another Survey. In the Report handed in, I have not embraced the alteration in the line of the Canal which was made afterwards. This calculation does not embrace stone laid on the outside of the embankment to support it; the stones taken from the excavation were placed on the outside of the bank: I refer to Section 17. I made experiments by dropping dry earth into boxes under water, and found that it lost 25 per cent. I understood that I went to measure the work with the knowledge of either the Commissioners or the Engineers. I did not ascertain the compression of the original level from actual measurement; and beg reference to my Report.

Thursday, 30th January, 1845.

Mr. John Shepherd called in; and being interrogated, answered:—I am a master builder and mason, and was foreman to Messrs. Reid and Shepherd during the construction of Locks Nos. 2 and 3, on the St. Lawrence Canal.

Q. What do you know about the wing walls?—There was an extension of the wing walls; the walls were thinner, but the work was quite as expensive; the extension was beyond the Contract, and ordered by the Engineer.

Q. Do you think that they could have afforded to construct those wing walls for the Contract price for the Lock, and paid themselves?—I should think not. If the walls had been deeper, they could have afforded to have done it at a less price. The coping of the wing walls, and the facing, were more out of proportion to the rubble work than it was in the original Lock.

Q. Was you aware that the Contractors cut the little brace above the lift of Lock?—Yes.

Q. Was it covered with coping in the same manner as the rest of the Lock?—It was.

Mr. Peter M'Kay again called in; and being interrogated, answered:—I am a mason. The testimony of John Shepherd, which has just been read to me, is correct. At one time there was an arrangement with the Engineer, Colonel Phillpotts, for a higher price of 2s. 6d for sending the Contractors a second time to the quarries.

The Hon. James Morris, Esquire, a Member of the Legislative Council, called in; and being interrogated, answered:—I am a Commissioner on the St. Lawrence Canal. A claim was preferred by Messrs. Reid and Shepherd in, I think, 1838, before the Commissioners, and a majority of them decided that their claim had been settled, with the exception of £150, which was tendered and refused; but it was, and still is, my impression, that they had higher claims than that amount. I was in a minority of two. My argument in favor of paying them more was, that Hardy was allowed £500, and Reid and Shepherd were allowed nothing, and that a Lock was removed for which they were not allowed, while others were. I think that they also preferred other claims in addition. Subsequently, at a meeting held at Kingston, the Commissioners agreed to leave the matter to arbitration.

Peter Shaver, Esquire, again called in; and being interrogated, answered:—The testimonies of the Hon. James Morris, and of John Shepherd and Peter M'Kay, which have just been read to me, are correct. I was present on the wing walls with the Engineer, and Mr. Longley, one of the Commissioners, for the purpose of examining the work; and I believe there is a Resolution in the Books of the Commission, instructing the Engineer to pay the full value of the work (the Contract price) as contracted for on the main body of the Lock No. 2.

Mr. William Miller again called in; and being interrogated, answered:—I am aware that all the cut stone for the body of the Locks was quarried, and delivered at the Locks, before the orders for the extension of the wings were given. After the plans for the extension of the wings were delivered to Reid and Shepherd, I drew out a statement to the foreman for the getting out the cut stone, and he returned to the quarry and got them out. After the stone for the body of the Lock was quarried, the shanties were pulled down, and the men taken away; and when the new order for

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the extension of the wings was given, it was an extra expense to open another quarry, the old one being full of water. I think that 2s. 6d. extra, for getting out the stone for the extension of the wing walls, was a reasonable charge for opening a quarry, building houses, blacksmith's shop, &c.

Tuesday, 4th February, 1845.

Mr. Peter Fleming again appeared, and handed in to the Committee, a "Comparative view, shewing the quantity of excavation and embankment on each station, and the excess of the embankment by the sign "+, and the contrary by the sign —," correcting a previous one forming part of the Report submitted on the 27th January last. (See APPENDIX No. 2.)

Mr. Andrew Elliott called in; and being interrogated, answered:—I was foreman to Messrs. Reid and Shepherd, and conducted the work contracted for by them on Section No. 12. I think the item of embankment, as charged by the Engineer, to be incorrect, and that the actual number of yards was nearly double that credited the Contractors by the Engineers. I calculate that two horses with carts will remove 30 yards per day. There were 797 days work performed by two carts and horses, equal to 1594 days work for cart and horse at 15 yards per day. I have been engaged for a number of years on Canals, and I think that the above calculation is a low one. The price of embankment was 1s. 3d. per yard. In my opinion, Section No. 12 was a favorable job, and the horses and carts employed were of the best description: I never saw men work better on a line of Canal. There was an alteration made in the embankment, the stakes being removed and the base made broader. The embankment was measured by Messrs. Samuel Keefer and Wells; I was present at the measurement, and thought they appeared to take sufficient pains and trouble in the measuring of the work. I think, however, that Messrs. Reid and Shepherd could not be correctly informed of the measurement of the work until the completion of the job. The embankment was measured from time to time, or once a month: I was not aware that the result of the monthly measurements was generally made known to the Contractors. Reid and Shepherd did extra work, viz:—one surface drain, some small stone drains, and removing some banks that were built too high by Mr. Truax. I consider that that Section was the best job on the whole line of the Canal, and would not have hesitated to have given a considerable sum in advance for the contract. From my calculation, I make the amount of work of the item of embankment 23,910 yards, but by the estimate made by the Engineers, I find only about 12,800 yards allowed. I was on Section 17, and was aware that at several times portions of the embankment had slid off into the river. What I saw measured by the Engineers was embankment. I think it would have been more correct to have measured where the earth was excavated, than the embankment built under water.

Friday, 7th February, 1845.

J. B. Mills, Esquire, a Civil Engineer, called in; and being interrogated, answered:—With respect to claims for work on Locks Nos. 2 and 3, my explanation will be found in the Letter contained in my Report under date, Cornwall, 26th May, 1836, in which the

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payment is regulated for the difference between the original Locks and those made subsequently. There was a piling machine furnished by Reid and Shepherd, (cost £25) which they should receive pay for, if it does not appear in the final estimates.

Tuesday, 18th February, 1845.

Alexander McLean, Esquire, of Cornwall, called in; and being interrogated, answered:—I know Locks Nos. 2 and 3, on the St. Lawrence Canal, and believe that the stone of which the same are composed were taken from Cameron's and Cutler's quarries: Cameron's quarry is distant about four miles from Cornwall, and Cutler's between six and seven miles. I think that Mr. Crawford drew the stone for Locks Nos. 5 and 6, from Mr. Cameron's quarry. The distance that Reid and Shepherd had to draw their stone to Lock No. 2, was two and a half miles farther than that of Mr. Crawford to Locks Nos. 5 and 6. The distance of Lock No. 3 from Cameron's quarry is one mile farther than Locks Nos. 5 and 6.

Mr. William Tennant called in; and being interrogated, answered:—I am a master mason by trade, and was a Government Overseer under the Commissioners on Locks Nos. 2 and 3 of the St. Lawrence Canal. I think that the wing walls were more expensive in building than the Locks themselves, there being the same front of cut stone and coping, and the backing being much less. When the backing in such a job as that is reduced from the original plan, it is always expected (and it is right that it should be so) that an increase of price will be allowed. I have been allowed an increase under similar circumstances.

Mr. Peter McKay again called in; and being interrogated, answered:—Messrs. Reid and Shepherd obtained the stones for the wings of Locks Nos. 2 and 3, from Cameron's quarry, in consequence of Cutler's quarry being at that time full of water.

George Crawford, Esquire, called in; and being interrogated, answered:—Claim No. 1 had been referred to me formerly as an arbitrator, and I awarded to Messrs. Reid and Shepherd a certain sum. I know that the cement used in Locks Nos. 2 and 3, as well as in all the other Locks on the Canal, proved bad; and that the cement from Selina was at first condemned, and afterwards allowed to be used. I consider that if the Engineer had persisted in condemning the cement, he would have been justified in so doing. I know that an arbitration was held between Reid and Shepherd and the Contractors for the delivery of the cement referred to, when damages to nearly the sum of £300 were allowed to the former on account of detention and loss of time; I cannot say up to what particular time, or whether they were allowed what was right for a season. I cannot say that the arbitrators allowed for detention from the date of condemnation and date of approval. I am aware that J. Hardy & Co., who were the Contractors for Lock No. 1, were allowed the sum of £500, but I cannot say what for. A change was made in the original plan of Lock No. 2, by which it was estimated that a difference of 1000 yards would be made in the backing; and an agreement was entered into between the Contractor and the Engineer, that 17s. 6d. per yard, should be allowed. It is my impression that a subsequent measurement proved that there was not a difference of 1000 yards: what was stated as the real difference was allowed to him, which was something less than 888 yards, and thought a liberal allowance. In reference to the masonry in the exten-

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tion of the wing walls in Locks Nos. 2 and 3, I had a claim of the same description as Reid and Shepherd. An estimate of the value of the masonry was made by Colonel Phillpotts: Reid and Shepherd were paid according to that estimate: I also was paid.—I made a valuation, in connection with Colonel Phillpotts, of the amount that ought to be paid, but this was afterwards rejected, and I received payment according to Colonel Phillpotts' own estimate. I considered myself entitled to more, but acquiesced in the amount, as the Commissioners had been very liberal to the Contractors on the Canal. The difference between the estimate made by Colonel Phillpotts and myself, and that on which I was afterwards paid, was £70, on either one or two Locks,—does not recollect which. I am aware that extra expense is incurred by returning to the same quarry, or by opening a new one; such expense was incurred by all the Contractors on the Canal. I returned to the same quarry, paid this extra expense, and made no claim for it. My contract price for Locks was 31s. per yard, but I do not recollect what I was allowed extra for wing walls of Lock No. 6. I was allowed two-thirds of the 1000 yards extra for Lock No. 5, which was only two-thirds finished. The bottom of No. 5 was thick like the rest. I received for the stone to complete the Lock, 3s. per foot, including coping: I finished that Lock and the Guard Lock, subsequently, under a contract with the Board of Works, taken from the report of Colonel Phillpotts. I think the extreme length of the Lock was 300 feet; the coping was four feet wide, and fourteen inches thick: I was quite willing to complete my contract at the contract price. Mr. Keefer was in charge of the works from Section No. 12 to the head of the Long Sault. I was present at a settlement between the Paymaster of the Commissioners and one of the parties, either Mr. Reid or Mr. Shepherd.

Thursday, 27th February, 1845.

Thomas A. Begh, Esquire, Secretary to the Board of Works, called in; and being interrogated, answered:—I cannot produce the final estimates on the Contracts of Messrs. Reid & Shepherd with the Commissioners of the St. Lawrence Canal without authority from His Excellency the Governor General. The books of the Commissioners now in possession of the Board of Works have been once or twice before the Committee, and were produced by me: I thought those books contained the final estimates.

J. B. Mills, Esquire, Civil Engineer, again called in; and being interrogated, answered:—With reference to the cement on which Reid & Shepherd claim damages, from the knowledge I now possess, I consider it was bad; it was used on the Canal, and was proved to be so. I objected to it at first, but it was afterwards used by the authority of others. I consider that the delay which took place, in consequence of the time lost in trying the cement, does not entitle them to any claim. I left the Canal in July, 1836. The same cement was afterwards approved of by Colonel Phillpotts and Judge Wright. There was a change in the position of Lock No. 3. By reason of this change, I consider that Reid & Shepherd sustained very trifling expense, if any; they were obliged to draw a portion of their material to a greater distance, and the remainder a much shorter. I consider that the removal of the Locks was of very little consequence, and the claim of £350 altogether too much; they had not to reload the material. With reference to Section 17, I understood that the difference had been settled by the Commissioners. I consider that the expense of refilling where the bank

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slides, ought to be allowed by the Commissioners. I condemned the cement delivered in 1835: I do not use cement without testing it. A person qualified, and who has had experience in testing, could not be a judge of cement at first sight, without an experiment. I think that cement laid down for six months, and found to be good, ought to be a pretty good criterion to go by. I think I saw some cement which appeared to be good in the Spring of 1836, taken from Lock No. 2. An allowance was made to Mr. Wilkinson. I allowed Mr. Anderton for detention; each claim however is necessarily governed by circumstances. I think that in the estimate of excavation of Lock No. 2, all the earth must be accounted for, except that allowance for shrinkage. I think that Lock No. 3 was removed from one quarter to three quarters of a mile. Their lumber came by the river, and their return boats would have to be towed as much more as the difference between the two sites of Locks. I believe that a certain sum was allowed Mr. McKay for a change of Lock.

Friday, 28th February, 1845.

J. B. Mills, Esquire, again called in; and being interrogated, answered:—I am not prepared to say what the difference is in the number of yards of masonry between the original plan of the Locks and the one on which they are now built. If the work in the wing walls is of the same kind, I see no reason why Reid & Shepherd should not be allowed the contract price. I think that the cut stone and coping in Locks Nos. 2 and 3, were delivered at the Lock sites. In cases where extra work is done, for which the contractors pay, the difference should be allowed to them, and vice versa. I believe that in the spring, the water rose to a very considerable height at Wood's Creek, at the Section No. 3; but I do not recollect that, from that cause, Reid & Shepherd lost any lumber. I think it possible that the Lock pits might have been filled with ice; but I think it unlikely that there was such an accumulation of it as to interfere with the work. The sum of £25, was ordered to be paid to Reid & Shepherd by the Commissioners, which ought to have appeared in the final settlement. When drawing a line of Canal, the plan generally adopted is to put down stakes 100 feet apart, or less, as the case may be; cross sections are generally taken at these points, and the embankments and excavations are calculated from these cross sections,—the calculation of the work is also based on them: the work done on the St. Lawrence Canal has been calculated in this manner. Estimates of work done are only supposed to approximate to the true amount. We intend that the final estimate shall be correct.

Tuesday, 4th March, 1845.

George Crawford, Esquire, again called in; and being interrogated, answered:—Messrs. Reid & Shepherd were allowed the sum of £278 for a season's delay, in consequence of the non-delivery of the cement, and not for the difference in the quality; this amount was in full of all damages against the Contractor for the delivery of the cement to the Petitioners, up to the 9th December, 1835. The Contractors could not build the Locks during the winter. From the time of the submission to arbitration, until the cement was approved of by the Engineer, the masonry could not be built, provided the approval of the cement took place about the 1st



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May, as I believe it did. I recollect perfectly well that at the arbitration, the loss of time of clerks and teams for a winter, and removal to and from the quarry, were considered. If any loss was sustained by Reid & Shepherd by which they have a claim upon the Commissioners, it must have been much less than £1250: for that amount, I could build a Lock. In reference to the claim for laying sunken breast at Lock No. 3, I consider that the extra cement used could not exceed 100 barrels. Mr. Reid acknowledges that the Commissioners allowed them something on the extra cement: the cement was worth 8s. 1d. per barrel. In reference to claims on Locks Nos. 2 and 3, the difference between the quantity and the 1000 yards, is allowed, I therefore do not consider this claim to be well founded, provided that the measurement is correct, and that they were allowed their Lock contract price for the rubble measurement. I was similarly situated with regard to my Locks, and a similar deduction took place. I consider that they should have been paid their claim for masonry, in the extension of the wing walls, on Locks Nos. 2 and 3, at the same rate as the rest of the Lock. I consider that the charge for the expense of getting out stone for the extension of the wing walls is much too high, but I think that something should be allowed: the sum of £50 ought to be a liberal allowance. If they were allowed their Lock contract price, with the addition of the thirty per cent. they would be well paid, without the extra charge for getting out the stone. It is my opinion, when, by a mistake of the Engineer, the sub-contractor is overpaid, that the Contractor himself should not be the loser, and that such amount should not be deducted from his estimate: I am aware of a similar case in which a Contractor was paid.

Wednesday, 5th March, 1845.

*Samuel Keefer, Esquire, Civil Engineer, called in; and being interrogated, answered:—*I consider the claim No. 8, on Section 17, of Reid & Shepherd, without foundation. I took the original levels on which the calculation is based, and I am sure they are correct. I was Assistant Engineer on the Canal under the Commissioners, and laid out the principal part of the work; during the progress however, of this part of the work, it was not under my supervision. My brother and I had charge of the work under Colonel Phillpotts; if any mistake has arisen, it must have been made either by my brother or by myself, who were the Assistant Engineers. I have understood that the line of Canal on Section 17, was altered, which would necessarily require an alteration in the calculations; and they were altered. The data on which the calculations of the quantities are founded, are the cross sections. I do not consider that by the alteration the Contractors were injured. In reference to claim on Section 12, the work was executed under my directions. Before the Contractors, Messrs. Reid & Shepherd, commenced work, I carefully took the levels upon this Section as it then stood, the former Contractor having failed. The quantities embraced in the estimate I made from calculations founded on those levels, after the work was completed, and I fully believe that all the measurements and calculations are correct; and if Reid & Shepherd have received the amount of the estimate I consider them paid in full. I consider that Reid & Shepherd have assumed a wrong basis for the foundation of their claim No. 13; and that the Report of Benjamin Wright, referred to by them, dated 2nd August, 1837, is not a proper document for the Contractors to found a claim upon, because the quantities therein given were merely the result of rough calculations made out, for the information of the Board, of the progress of the work. If the Contractors dispute my measurements, I would be

glad that they produce me their measurements, and I will be most happy to go into an investigation with them. Data of measurement could not be had at the present time, except from the papers belonging to the Commissioners. I do not remember whether Section 12, was completed in 1837.

Friday, 7th March, 1845.

Mr. McDonald, Civil Engineer, called in; and being interrogated, answered:—The excavation of Lock pit amounted to 15,080 yards; a portion of this was removed to Section 17, another portion was used for puddling, another for embankment by men employed by the Government, and some portion, without removal, remains where it was placed as embankment. Colonel Phillpotts then decided that it was better to have the embankment made by contract, and Reid & Shepherd were employed to make it. I was ordered to take levels to ascertain the quantity of work which would be done by them; and after they had done, I found it to be 5611 yards. This work was done under contract apart from the first contract. Mr. Reid was present when the measurement took place, I know that there were five trenches dug, about six feet deep and four feet wide; these trenches were dug by days' work, and were about eighty feet long,—the earth taken out of them was placed either in the embankment or in the puddling. I know that a great deal of excavation was used in embankment without a second removal. I think that the quantity that was removed to Section 17, and that which remained as embankment without removal, comprised all that was excavated from the Lock pit, beyond what was used as puddle and embanked by our own men. I recollect the digging for the dry wall. In regard to Section 17, Colonel Phillpotts' Report is correct; he founded it principally upon my measurements: I was confident at the time that they were correct, and I think so still. With respect to the wing walls on Locks Nos. 2 and 3, I think that Reid & Shepherd are entitled to the same amount as they received for the Lock, if not more, and that depends upon the proportion which the rubble work bears towards the cut stone. I think that, as a general rule, when a mistake is made by an Engineer, and a large sum actually paid a Sub-contractor (recognized by Commissioners,) the Contractor, upon the mistake being discovered, should not be compelled to repay the amount so paid: the Commissioners should be accountable for the mistakes of the Engineers. In the matter of the amount paid Bowron, it arose in consequence of the Chief and Assistant Engineers having instructed me, previous to their leaving the work, to return the amount of embankment made to a certain station pointed out by them, where an alteration has been made in the line of the Canal, as if no alteration had taken place; but it was actually found that, after measurement, the bank on the new line did not amount to the quantity which would have been in the embankment had the line not been changed,—by this the Contractors were overpaid. This was some time before Bowron gave up work, and in the spring or forepart of the summer of 1837, I made a re-survey of the Section, and then discovered the mistake, and that Bowron had been overpaid a sum of money, I believe about £500. Of this circumstance I informed Messrs. Reid & Bowron, as soon as the measurement took place. Bowron continued at the work for some time afterwards. It was my impression that that sum was deducted from the estimates of that Section, contracted for by Reid & Shepherd, and sub-let to Bowron. Mr. Peter Fleming made the survey in the fall subsequent. I am not personally aware that any money was paid to Reid & Shepherd touching this matter.

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Saturday, 8th March, 1845.

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*Samuel Keefer*, Esquire, again called in; and being interrogated, submitted the following statement:—

(Copy.) No. 4. For removal of Lock No. 3, £350.

See Colonel Phillpotts' Report, 25th May, 1838; (p. 254) adopted by Commissioners. Quotes Mr. Mills, who says that the Lock was moved the *breadth* of Mr. Smith's farm ( $\frac{1}{4}$  mile,) which *increased* the hauling of the face stones that much, but *diminished* that of the backing and timber to the same extent, besides the *advantage* of a much *better landing* for the latter materials. I think the change of site would not have affected tenders originally. I think the claim inadmissible. (Signed,) S. K.

No. 5. For cement in sunken breast, 160 cubic yards, 12s. 6d.—£100.

See Colonel Phillpotts' Report, 26th June, 1839, (page 301) "considers the claim most unreasonable." The masonry was of the *same class as the backing of the Lock*, required in cut stone, and was passed for at the contract price, with thirty per cent added. But as an extra quantity of cement was used, probably 40 barrels, he allows that number at 8s. 1d. per barrel, £16 3s. 4d. and recommends that amount being paid. The Commissioners ordered that 8s. 1d. per barrel, on 71 $\frac{1}{2}$  barrels be allowed. I do not know why the latter sum was not allowed. In the estimates for Locks 2 and 3, there are 20 $\frac{1}{2}$  barrels allowed altogether, at 8s.—£8 4s. 0d.: but in my opinion this is a sufficient allowance. (Signed,) S. K.

No. 7. Extension of wing walls, Locks 2 and 3, 1944 $\frac{1}{2}$  yards at 4s. 4 $\frac{1}{2}$ d.—£425 7s. 2d.

See Col. Phillpotts' Report, 2nd July, 1839, at length. *Every yard in the extension of the Wings has been paid for at the contract price, with thirty per cent added*, as may be seen on reference to the estimates; but when the cut stone in the extension exceeds or falls short of the proportion due to the body of the Lock, 3s. per square foot of face, which is equivalent to 12s. per cubic yard, has been added or deducted, as the case required. I think this is all the contractors are entitled to, because it is the full value of the work. (Signed,) S. K.

The last remark explains the deduction of 297 $\frac{3}{4}$  cubic yards at 12s.—£178 13s. 0d. In regard to the claim of £243 1s. 3d. being 2s. 6d. per cubic yard, on 1944 $\frac{1}{2}$  yards of masonry, for extra expense in getting out materials, see Col. Phillpotts' Report, 25th May, 1838. He states that the Contractors had to go to the quarry to get stones to complete their Lock according to the *original plan*, and therefore were not obliged *solely* by the extra work in the wings to do so.

No. 12. Section F.—£350. For extra work in forming pier, removing mounds, and for extra carting.

I never heard of this claim before; it appears to be recently set forth, for I always considered the Contractors were quite satisfied with their final estimate. They had a person employed upon the work who took good care that I should not forget the items of extra work mentioned; and I beg to refer to my final estimate on this section, to shew that I have not only allowed (according to measurements made at the time) for every item claimed by the Contractors, but also for excavation of surface drains, making trench drains, in

the slope, extra sloping or dressing of banks, and for carrying stones to section No. 2. I am confident the Contractors are paid in full for all they have done.

(Signed,)

S. KEEFER.

Montreal, 7th March, 1845.

Mr. Keefer then said:—In reference to claim No. 7, I beg to explain further that the contractors received upon the body of the Lock their contract price, and 30 per cent added; besides a certain sum for compensation, in consequence of the Lock having fallen short in measurement of the 5000 yards, which it is said the original Lock would measure, which amounts to from 3s. 6d. to 4s. per cubic yard, upon the actual measurement of the present main body of the Lock,—the aggregate of the whole being from 40s. 10d. to 41s. 4d. per cubic yard. The latter addition of 3s. 6d. to 4s. per cubic yard, (as I understand the estimates) had not been allowed on the extension of the wings, and my opinion is that it ought not, for, without it, the Contractors have received 37s. 4d. per cubic yard, as being the Engineer's value of the work at the time. In fact, all the masonry done in the Province since that time, of the same, or even of a superior class, has been done at a less price,—in no case exceeding 32s. 6d., but generally averaging 30s. for masonry laid in cement of the class alluded to.

Was it just to allow more than this?

APPENDIX No. 1.

ST. LAWRENCE CANAL, Lock No. 2:  
24th October, 1837.

Messrs. REID & SHEPHERD,—Before I could examine Section 17, of the St. Lawrence Canal, regarding the quantity of work done upon it by you as Contractors, or by your Sub-contractor, I found it would be necessary to be provided with certain plans and sections relative thereto; all which were readily obtained, in consequence of your application at the Canal Office; at least the liberty was granted for myself to take copies of those I deemed necessary to begin my investigations, and which consisted of a plan of the line now executed within Section 17, and also the transverse levels or Sections of the same, taken previously to any work being done here.

These plans having every mark and appearance of accuracy and minuteness, I was attentive to make the copies of them equally so.

It being a first and necessary step to compare the actual measured length of the Section in question; with the stated length by the plan, I was much disappointed in this operation to find the latter exhibited about one hundred and forty feet less than the actual measurement; also, in comparing the distances expressed, as the multipliers of the respective Sections, I found the sum of them, which should have made the true length, less by fifty feet, and this difference being wanting in the multiplier of the Section, at Station No. 454, showed an error on same of 5379.51 cubic yards—thus, in attempting to verify the dimensions of the Plan and Section which I had copied, with considerable labour and attention, I found to be quite useless as a true guide to enable me to proceed in forming any estimate of the Section referred to.

On stating these discrepancies to Captain Phillpotts, he proposed a mutual survey of the Section, and from

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which the data of calculation would be the same; to which I agreed, and attended the Canal Surveyors in their operations, and from them noted each observation, as reported at the instant, from which I have been enabled to complete the Sectional dimensions of the embankment as it now stands—for these were taken upon Sectional lines, parallel between themselves, and through points of the central line of Canal assumed by them as true for the old Sections—whereby those new levels being thus conjoined to the old, afforded the elements for the calculation of both excavation and embankment. From this data, I have carefully calculated both the excavation and embankment so based, entirely as those Engineers had assumed and marked out by measurement; the result of which calculation I give as follows:

Content of the excavated prism of the Canal within Section 17, .....	} 98.240 c. yards.
Content of embankment within the same Section, .....	} 140.741 c. yards.

The above results of embankment and excavation differ somewhat from the same of the Canal engineers, which difference seems to have arisen chiefly from their adopting the distance upon a curved line instead of a straight line, although the latter was marked out by them, as I understood, for mutual calculation; the other I had not in my possession, and for reasons hereafter to be stated, I would not have admitted; which induces me to adopt the above as a correct result, as far as calculation warrants; on the other hand, I do not consider that the quantity due to embankment, as above stated, is all that is due to its construction, or even what is absolutely now contained in it.

This alleged diminution, or that which should be allowed over the result of this measurement, a part of this allowance would arise from the consolidation, or *shrinkage*, of the part from excavation; and another from the consequent compression of the surface upon which the embankment rests, or *sinkage*; a third from the action of the river, rains, &c. or *wastage*; and a fourth, from a *want of sufficient dimensions* given to ascertain the true quantity at present contained in the embankment.

With regard to the first of the above-mentioned allowances or diminution of embankment,—namely shrinkage, is well known to all practical persons to be a common consequence while forming an embankment; but this consolidation takes place in a greater or less degree in different soils; and, respecting the degree of consolidation which would be due to the excavation which has partly constructed this embankment, I am of opinion that 10 per cent. is an equitable allowance for *shrinkage on heavy work*, such as this is.

Next, *sinkage*, or that due to the compression of surface upon which a heavy embankment rests, depends also upon the hardness or softness and depth of soil liable to be altered by pressure. The situation of the embankment in question, deserves particular attention in this respect, as a considerable part of it, and the deepest, is built over a bottom, either on the margin or within the bed of the St. Lawrence, and this wholly consisting of a soft alluvial soil.

To ascertain the actual compression of this part, has been an object to you of much expense under my inspection, by opening shafts and pits into the embankment. On several of these I found considerable difference, which would be due to the compression of surface; but as they were chiefly within the former bed of the river, and the points upon which they were taken might not exactly correspond to the former points of level, with which they should be compared, it became

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a matter of some uncertainty as to the exact differences, which, united to the difficulty arising from the frequent rains to keep those pits open for the shortest time, prevented me from making a regular mode of estimation of this allowance; indeed, an examination by shafts or pits is both a difficult and expensive operation, which to be complete would require them to be on each side of the embankment, besides in the middle.

Nevertheless, the effect of compression will always, on a soft bottom, become a very considerable item composing a heavy embankment; and when not provided for in the first levels, a proper allowance becomes due, as ascertainable under the circumstances of the case when the work is completed. For this object I have calculated the extent of surface within the bed of the river covered by the embankment, which I find to be about 19,511 square yards; upon which extent, I am of opinion, that four inches depth for compression of surface would be a very moderate allowance; and which depth, I am persuaded, would be found much less than the actual compression, could this be found conveniently and without an extraordinary expense. Upon the remainder of bottom, covered by the embankment without the bed of the river, containing 16,055 square yards, I would only reckon one inch in depth, which is no more than allowance for decomposition of the loose and fibrous sod or turf, and other vegetable matter on the surface, below which, the levels were not likely to have been taken. Thus, the whole allowance for sinkage will only be about  $2\frac{1}{8}$  inches in the whole extent covered by embankment.

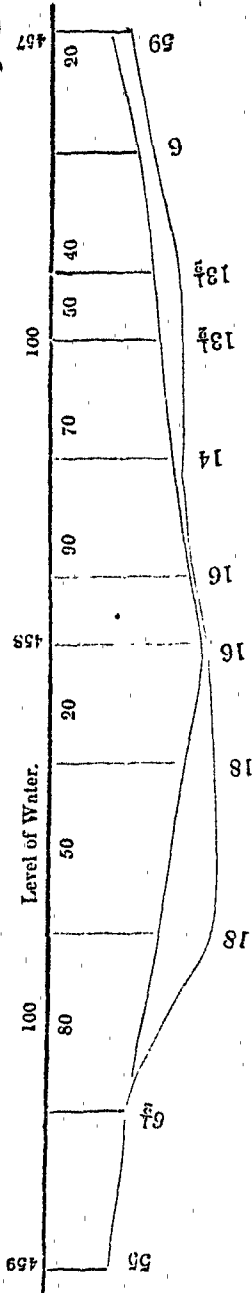
We now come to take into consideration the effects of the river St. Lawrence, upon the part of this embankment which has been exposed to its action; also loss from the ice and rains, which have together caused many slips, both great and small throughout; but more especially when the embankment is placed in deep water, and the operations of them, as causes of wastage, are going on at this moment in no small degree; and evident to all, they have made considerable inroads upon the embankment treated of, and the total wastage of which cannot now be ascertained from any actual measurement; but, when we take into account the time, since 1834, which this embankment has been exposed to the above-mentioned diminishing causes of its bulk, it would be contrary to all observation and experience not to conclude that a considerable portion of the embankment must be allowed for, under the head of wastage, the amount of which I would adjudge, three thousand cubic yards, and this quantity, if resolved to have been lost from the faces of the embankment presenting to the river, and being only within the water, would only amount to  $\frac{1}{100}$  cubic yards to each square yard of surface so exposed. A quantity, which, in all probability, is much below the actual quantity now dispersed beyond our estimation; or, in other form, this would be about 6 inches deep upon same faces, an extent of 19,000 square yards surface.

The last defalcation for which I think allowance upon the embankment should be made, is for that arising from a want of sufficient dimensions, by which the full content of the embankment would be found.

In this respect, I find the result from calculation as above stated defective, inasmuch as the Sections have not been made of sufficient number to afford a full result, especially at that part where embankment and water are the deepest; but also, which are wanting throughout all the part within the bed of the river. It is evident and well known, that all results from calculation of solid excavation are only approximation, but such may be more or less approximate by arrangement of, or by number of dimensions. It is clear in the

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manner of parallel sections, as generally practised, that the calculations include only, within straight lines between them, and consequently on convex surfaces, on which the sections are much apart, there will be, between every two, a spherical segment excluded by such measurement, and the same in a concave surface, in this below, and of the other above. In applying this by example, we shall at once see the deficiency in point of dimensions of the embankment.

I take for this example, and illustration of defective application, the sections, Nos. 457, 458, and 459, at the deepest part of the embankment and river; here the depths of water

No. 457, No. 458, No. 459,  
F. F. F.

are 5-90, 16—, 5-50. It is evident by these depths, that a considerable hollow or concavity is formed between 457 and 459, but on which no intermediate depths have been taken to show its contour at bottom, but by which the calculation is limited to find only what part of the embankment is above the straight lines joining the three points, without including all that may be below these straight lines.

To show the defectiveness

of such dimensions, which have been used for the results above stated, I have taken the intermediate and actual depths and shewn them by annexed draught on margin, on which the red wash shews the quantity lost on the longitudinal Section, and which evidently must point a great part lost under the embankment. It is clear, had these Sections been taken at half the distance, or fifty feet instead of one hundred, as they almost uniformly are here, without regard to form of surface, the calculation from these additional Sections would have given a much greater result on the embankment as well as excavation, for the same defectiveness in number of Section diminishes both. This appears from the latter having been formed by two great convex surfaces, and the other one concave, and thereby, either not admitting that compensation which might happen upon a more varied surface and be sufficiently near for general estimate; but as in this case arises very different for one Section, in which the errors happen to be all upon one side; and I am convinced from the configuration of the bed on which the embankment now stands, as shown by the few Sections taken upon it, that many smaller or larger concavity of bottom has been entirely omitted, or which could not come within calculation from the want of more or double the number of Sections. Such omission, in my opinion, is a very culpable neglect or inadvertency regarding the interests of those persons who hazard their labour and property upon the supposed intelligence and accuracy of engineers. It must appear that there is little or no data by which the quantity due to the

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alleged omission of more Sections, can be exactly ascertained but from the example above given, for one place only would warrant an ample allowance; but supposing this is the greatest cavity, (which is very contrarily asserted by many who pretend to know the former state of the river here,) I should limit this allowance to 3000 cubic yards, a quantity which would not make much embanking in cavities of the magnitude and figure of the one at No. 458, especially in those of similar bottoms, and under the same system of measurement.

Before finishing remarks upon the practice of measurement as followed by the Engineer upon Section 17, I am obliged to observe another which is a defect in principle, but which has been urged or maintained by the same Engineer as a proper cause of difference betwixt the results of their calculation of embankment, and my own. It appears that the line of Canal upon the Section 17 was first marked out in a curved direction, and upon this curve, the cross sectional lines for ascertaining the excavation and embankment were laid off as normals to this curve, that is, they were laid out perpendicular to a curved line, instead of being perpendicular to a straight line between the extremities of the Section.

I have already observed, that the latter, as well as all other methods of correct principle for calculating solid measure, become in application upon all irregular figures as will arise from variable surface, to give merely approximations of estimate; but the result may be made to approximate more or less to the true content as the same in number of dimensions; but the other, or by relating the cross sections perpendicularly to a curved line, produces a series of solid figures, the measurement or given dimensions of which are inapplicable to find a correct result, as neither affording a mean measure nor compensation in the calculation, and therefore quite inadmissible as an approximating rule, and in which a multiplicity of dimension would not amend; but as this is a subject of a very elementary consideration in Geometry, further remark is unnecessary.

The following is a statement which would arise from the allowances being added to the result, from measurement as estimated above:—

	Cubic Yards
Content of Embankment according to the measurement made by Canal Engineers,.....	140.741
Shrinkage on 98,240 c. yds. Excavation, at 10 per cent.....	9.824
Sinkage on 19,511 sq. yards of surface within the River, covered by Embankment, at 4 inches depth,.....	2.168
Sinkage on 16,055 sq. yards of surface under Embankment out of river, at 1 inch depth,....	.446
Allowance for Wastage, from Sept. 1834, considered to be equal to 6 inches depth on 19,000 sq. yards, the extent of the faces of the Bank within the river,.....	3.000
Allowance for defective measurement, as explained in above report,.....	3.000
	159.179

The next object of estimation on my part, is the quantity of excavation which has been carried above 350 feet. To make this estimation perfectly intelligible, as a matter of accurate calculation, I have annexed a comparative statement or table, by which the quantity of embankment under or above excavation is seen on each Section by inspection; and also what part of the excavation has been carried over 350 feet. The distance of 350 feet, however, by this, is only reckoned parallel to the axis of Canal, and therefore not including any for the breadth of Canal; and consequently, less than the true distance carried, and somewhat unfavorable to the contractor.

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It must appear that the excess of excavation at the several points, supposes that the embankment opposite had been wholly made from the excavation, as the excess expressed is over what would have done this; but this has not been altogether the case; for at the upper extremity 6096 yds. is acknowledged to have been employed from Lock Pit, No. 2, to make part of this embankment, according to the original or curved line, on

account of soil wanting in excavation; but since the moving of line more northerly the excavation, as appears, now afforded an excess, even on supposing as by table that it only had supplied the embankment, consequently this 6096 yards, or rather its equivalent of excavation, must also have been removed over 350 feet, and therefore to be added to the other.

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COMPARATIVE VIEW,—Shewing the quantity of Excavation and Embanking on each Station, and the excess of the Embanking by the sign +, and the contrary by the sign —.

Number of Station.	Excavation in Cubic Yards.	Embankment in Cubic Yards.	Difference or + or - of Excavation.	Quantity carried over 350 feet.	Quantity put Embankment, making equal excess of Excavation above embankment carried over 350 feet.
445	1613	422	- 1191	1191	} +6096
446	4458	3059	- 1399	804	
447	5230	5824	+ 594		
448	6581	6056	- 525	40	
Correct for Curvature.	485	485	+ 485		
449	6908	5499	- 1409	1409	
450	7084	5532	- 1552	1552	
451	7644	4597	- 3047	3047	
452	7649	3739	- 3910	}	
453	6438	5074	- 1364		
454	4684	7461	+ 2777		
455	2521	10115	+ 7594		
456	1951	9385	+ 7434		
457	1045	11509	+10464		
458	none.	15006	+15006		
459	665	12814	+12149		
460	762	11967	+11205		
461	2364	7660	+ 5296		
462	3342	3613	+ 271		
463	5139	1495	- 3644		
464	5932	1305	- 4627		2695
465	5747	1300	- 4447		4447
466	4513	1541	- 2972		2972
467	2888	1965	- 923		687
468	2183	2163	- 20		
469	899	1155	+ 256		
	98240	140741			18844
		To which add 6096		6096	
		Total carried over 350 feet is		24740	
				Cubic yards	

As requested by you, I shall now put together the above results into the form of Estimate, and according to the prices, with other additional quantities given me at the Canal office.

To the difference of.....159,179 Embanking, and.....98240  
of Excavation,.....60939  
To amount filled and cut below bottom in Canal office,.....10316 71255 @ 9d. £2672 1 3  
To excavation in prism of Canal,.....98,240  
Benchg. allowed in Canal office,..... 2499  
To embankg. moved, allowed in Canal office,..... 5192 105931 @ 6½d. 2868 19 3½  
To embankment from excavation from above table,.. 24740 @ 3d. 411 15 0  
Loose stone, allowed in Canal office,..... 542 @ 10d. 22 11 8  
Stones blasted, do do do 253 @ 1s. 4d. 10 4 0  
Grubbing, do do do 20 0 0  
Total amount supposed finished, to the proper dimensions expressed by sections, } £5905 11 2½

It may be proper to observe regarding the above statement, that there is not included any measurement or allowance for that which has been put upon top and face of embankment as an excess for the subsiding of it, nor for any additional height whatever, which may be upon it beyond the proper dimensions as shewn by the Sections, nor is there any allowance of deduction for any part not completed to the same dimensions with the plans copied at Canal office. One of them appeared as made purposely to shew the dimensions of the extra cutting upon north side of Canal, which was taken to complete the embankment. On examining this plan, I found it entirely exceptional to this purpose, or for ascertaining the content of excavation, from the few Sectional lines upon it, these being too few, not only in respect of surface, but also insufficient for the horizontal figure; and consequently, I would regard any calculation derived from this plan as much defective in quantity, besides the want of dimensions of the additional excavation which has since been made on both extremities of the plan. Further, any comparative view of the entire excavation, and entire embankment, respecting their content as respectively, result from dimensions of Sections and Plan above-mentioned, I would

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hold as leading to a false conclusion, inasmuch as this would be below the truth, and for the reasons I now and have heretofore explained.

Along with this Report you will receive an estimate presumed to be calculated at the same time as my own, (signed by Geo. Keefer, Asst. Engineer, 19th October, 1837,) and of the final statement of work done; but in this estimate, I believe, excepting 8 per cent upon the excavation, there is no farther allowance whatever made.

In large works such as the St. Lawrence Canal there

will happen many unforeseen circumstances and omissions even under the most experienced in direction, which all may require a fair and considerate arrangement between parties interested; such as compression of bottom, and wastage, within the bed of a river such as the St. Lawrence, or soft alluvial soil, on which embankments are constructed; and not less should be neglected in such arrangements, the want of sufficient dimensions requisite to give a true result in the quantity of the labourers' work.

PETER FLEMING,  
Civil Engineer.

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APPENDIX No. 2.

COMPARATIVE VIEW,—Shewing the quantity of Excavation and Embankment on each Station, and the excess of the Embankment by the sign +, and the contrary by the sign —.

Number of Station.	Excavation in Cubic Yards.	Embankment in Cubic Yards.	Quantity of Excavation to make this Embankment.	Difference + or - of Excavation.	Quantity carried over 350 feet.	Quantity put Embankment, making equal excess of Excavation above Embankment, carried over 350 feet.
445½	1613	422	464	-1149	523	+6096
446	4458	3059	3365	-1093		
447	5230	5824	6406	+1176		
448	6581	6056	6661	-80		
Correct for Curvature.	485	485	533	+533	1858	
449	6908	5499	6049	-859		
450	7084	5532	6085	-999	2587	
451	7644	4597	5057	-2587		
452	7649	3739	4113	-3536	1297	
453	6438	5074	5581	-857		
454	4684	7461	8207	+3523		
455	2521	10115	11126	+8605		
456	1951	9385	10323	+8372		
457	1045	11509	12660	+11615		
458	none.	15006	16506	+16506		
459	665	12814	14095	+13430		
460	762	11967	13164	+12402		
461	2364	7660	8426	+6062		
462	3342	3613	3974	+632		
463	5139	1495	1644	-3495		
464	5932	1305	1436	-4496		
465	5747	1300	1430	-4317		
466	4513	1541	1695	-2818		
467	2888	1965	2161	-727		
468	2183	2163	2379	+196		
469	899	1155	1271	+372		
	98240	140741				13559
					6096	
				To which add		
				Total carried over 350 feet is	19653	Cubic yards.

PETER FLEMING.

MONTREAL, 30th January, 1845.

*Why was not Col. Phillips report on this, inserted along with it? It contained a complete refutation of Flemings deductions & statements - see appendix to Journal vol 11 part 1. 1839.*



# IMPORTS AND EXPORTS.

IMPORTS and EXPORTS at the Port of ST. JOHN'S, for the year 1843.

DESCRIPTION.	QUANTITY.	VALUE IN STERLING.		
		£	s.	d.
IMPORTS.				
Apples, ...	7115½ bushels, ...	376	3	10
Apples dried, ...	2103 pounds, ...	14	1	4
Apples dried, ...	18 bushels, ...	3	6	10
Apple sauce, ...	36 gallons, ...	2	4	7
Ashes, ...	139½ barrels, ...	475	16	3
Arrowroot, ...	23 kegs, ...	53	15	10
Beef, salted, ...	10 pounds, ...	0	3	6
Books and Papers, ...	388 boxes, ..	2362	5	9
Beef, fresh, ...	4080 pounds, ...	18	16	2
Butter, ...	1476½ do. ...	218	19	11
Buckwheat, ...	455 bushels, ...	34	14	11
Buckwheat Flour, ...	2252 pounds, ...	8	4	6
Bricks, ...	33845 No. ...	18	1	11
Brandy, ...	4½ gallons, ...	1	12	8
Beans, ...	2½ bushels, ...	0	5	8
Bottles, ...	115½ dozens, ...	5	15	9
Beef, salted, ...	35 barrels, ...	41	6	2
Bird Seed, ...	27 barrels, ...	39	12	7
Burr Blocks, ...	750 No. ...	145	15	2
Boats, ...	1 No. ...	16	8	9
Basswood Plank, ...	4 pieces, ...	0	3	8
Buffalo Robes, ...	3708	1612	2	9
Cheese, ...	107272 pounds, ..	799	4	1
Cattle, ...	1879 head, ...	5586	3	1
Clocks and Watches, ...	456 boxes, ...	923	9	9
Cider, ...	402½ barrels, ...	90	2	11
Codfish, fresh, ...	84100 pounds, ...	160	10	6
Carrriages, ...	33 No. ...	236	3	9
Corn, Indian, ...	352 bushels, ...	38	7	9
Corn Meal, ...	223 do. ...	48	8	8
Corn Meal, ...	4½ barrels, ...	2	3	7
Corn Brooms, ...	2056½ dozens, ...	526	0	0
Cotton Wool, ...	21 bales, ...	103	14	11
Cotton Goods, ...	1169 boxes, ...	3233	3	6
Corks, ...	29 bags, ...	131	5	7
Coffee, green, ...	70209 pounds, ...	1038	16	4
Coffee, roasted, ...	268780 do. ...	4172	13	3
Candles, Tallow, ...	32 boxes, ..	32	16	1
Candles, Lard, ...	74 do. ...	67	5	5
Candles, Wax, ...	75 do. ...	80	19	1
Candles, Sperm, ...	1019 do. ...	1492	11	9
Cocon, ...	649 pounds, ...	21	2	10
Calf Skins, Raw, ...	534 No. ...	44	13	8
Crackers, ...	1½ barrels, ...	0	14	5
Candy, ...	20 boxes, ...	17	4	9
Coal, ...	16 tons, ...	9	17	3
Cordage, ...	5 bales, ..	9	1	4
Cordials, ...	2 gallons, ...	0	13	0
Clover Seed, ...	7 barrels, ...	38	12	0
Chocolate, ...	2 boxes, ...	2	6	2
Cement, ...	225 barrels, ...	46	4	8
Drugs, ...	389 boxes, ...	1678	13	0
Dye Woods, ...	373 barrels, ...	142	12	1
Dates, ...	12 frails, ...	11	5	3
Essences, ...	3 boxes, ...	15	1	8
Flour, Wheat, ...	728 barrels, ...	644	8	1
Furniture, ...	66 lots, ...	562	19	8
Fancy Goods, ...	1589 packages, ...	4225	4	5
Furs and Skins, ...	2 boxes, ...	4	18	8
Fruit, Fresh, ...	2389 do. ...	1014	12	11
Figs, ...	1 keg, ...	5	16	1
Figs, ...	7 tierces, ...	38	9	0
<i>Carried forward,</i> ...		32748	9	5

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(T. T. T.)

IMPORTS and EXPORTS at the Port of ST. JOHN'S, &c.—(Continued.)

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(T. T. T.)

1845.

1845.

DESCRIPTION.	QUANTITY.		VALUE IN STERLING.		
			£	s.	d.
<i>Brought forward,...</i>			32748	9	5
Figs, ...	40	drums, ...	4	17	0
Fish, Pickled, ...	1	barrel, ...	2	9	3
Glassware, ...	3723	boxes, ...	1714	3	1
Garden Seeds, ...	19	do. ...	175	18	9
Ginger, Preserved, ...	56	do. ...	75	12	0
Gluc, ...	3	do. ...	5	1	0
Hardware, ...	937	do. ...	3284	7	10
Horses, ...	60	No. ...	901	3	3
Hams, ...	5220	pounds, ...	48	10	8
Hemp, ...	53	bales, ...	143	2	2
Hides, Raw, ...	15873	No. ...	5527	11	11
Hats, Beaver, ...	6 <sup>5</sup> / <sub>2</sub>	dozen, ...	46	19	8
Hats, Leghorn, &c., ...	88	do. ...	225	4	2
Hats, Palm Leaf, ...	1703 <sup>1</sup> / <sub>2</sub>	do. ...	372	3	7
Hats, Silk, ...	11	do. ...	50	9	11
Hat Bodies, ...	136	No. ...	17	11	6
Hemlock Boards, ...	1000	pieces, ...	6	15	0
Hemlock Plank, ...	25	pieces, ...	0	6	9
Honey, ...	1026	pounds, ...	24	16	10
Honey, ...	1575 <sup>1</sup> / <sub>2</sub>	gallons, ...	117	3	3
Hogs, Live, ...	8	No. ...	3	14	6
Hops, ...	151	bales, ...	821	8	5
Herrings, ...	84	cwt. 1 qr. 18 lbs.	56	19	0
Ink, ...	44	kegs, ...	79	17	0
Leather, ...	1182	rolls and boxes, ...	6419	17	9
Leather Manufactures, ...	77	boxes, ...	555	2	7
Lard, ...	5722	pounds, ...	72	5	11
Lemon Syrup, ...	221	boxes, ...	57	13	11
Linen Manufactures, ...	7	do. ...	14	10	11
Leeches, ...	9	tubs, ...	69	2	2
Molasses, ...	246	hogsheads, ...	1629	2	4
Medicine, ...	92	boxes, ...	512	7	9
Machinery, ...	6	lots, ...	243	16	5
Mutton, Fresh, ...	5515	pounds, ...	14	6	4
Mahogany, ...	14687	feet, ...	279	0	10
Marble, ...	39	boxes, ...	99	18	11
Musical Instruments, ...	6	boxes, ...	26	8	8
Medals, ...	4040	No. ...	54	5	5
Madder, ...	2	casks, ...	43	6	6
Nuts, ...	532 <sup>1</sup> / <sub>2</sub>	bags, ...	418	14	7
Oysters, ...	578	barrels, ...	392	2	9
Oysters, ...	211	kegs, ...	74	9	8
Oats, ...	230	bushels, ...	7	3	9
Oil, Palm, ...	86	casks, ...	488	12	8
Oil, Olive, ...	3	barrels, ...	16	7	4
Oil, Olive, ...	31	baskets, ...	18	15	7
Oil, Lard, ...	81	barrels, ...	295	12	8
Oil, Sperm, ...	52	do. ...	355	3	2
Oil, Camphine, ...	59	do. ...	204	2	9
Orange Peel, ...	53	pounds, ...	0	7	11
Ochre, ...	4	casks, ...	7	10	9
Oil Cake, ...	24	tons, 2 cwt.	39	12	2
Pork, Fresh, ...	28936	pounds, ...	207	18	5
Pork, Salted, ...	3478	barrels, ...	7767	4	1
Foultry, ...	536	No. ...	21	15	6
Potatoes, ...	717	bushels, ...	38	8	11
Prints, ...	17	boxes, ...	133	3	8
Peas, ...	11	bushels, ...	0	19	4
Plants and Trees, ...	81	boxes, &c., ...	186	14	0
Portraits, ...	2	No. ...	24	18	9
Prunes, ...	16	boxes, ...	17	16	10
Pine Boards, ...	2800	pieces, ...	22	1	0
Pine Plank, ...	100	do. ...	1	11	6
Pickles, ...	27	boxes, ...	6	11	9
Pitch, ...	2	barrels, ...	0	8	2
Preserves, ...	8	boxes, ...	8	9	5
Quicksilver, ...	1	flask, ...	14	2	11
Rye, ...	2174	bushels, ...	257	7	8
Rice, ...	863674	pounds, ...	1721	16	11
Raisins, ...	1803	boxes, ...	551	1	8
Raisins, ...	2	hogsheads, ...	7	13	0
Raisins, ...	108	barrels, ...	23	9	8
<i>Carried over,</i>			£ 69878	11	3



IMPORTS and EXPORTS at the Port of ST. JOHNS, &c.—(Continued.)

1845.

1845.

DESCRIPTION.	QUANTITY.		VALUE IN STERLING.		
			£	s.	d.
<i>Brought over,</i> ...	...	...	69878	11	3
Rosewood, ...	520	feet, ...	45	14	11
Rum, ...	16	casks, ...	214	13	0
Spirits, ...	5	gallons, ...	0	14	4
Sheep, ...	658	head, ...	198	5	11
Stoves, ...	83	No. ...	142	10	2
Starch, ...	126	boxes, ...	48	9	8
Starch, ...	3	casks, ...	5	18	10
Silk Goods, ...	27	boxes, ...	451	8	5
Sugar, Muscovado, ...	8870	pounds, ...	112	9	9
Sugar, Refined, ...	2273	do. ...	49	13	5
Soap, ...	383	boxes, ...	193	12	9
Segars, ...	329	do. ...	1190	1	9
Socks, Woollen, ...	658	pairs, ...	22	14	7
Spermaceti, ...	8	barrels, ...	55	15	4
Spices, ...	1370	boxes, ...	566	13	10
Spring Water, ...	19	do. ...	7	3	6
Sponge, ...	228	pounds, ...	7	0	8
Snuff, ...	3365½	do. ...	103	19	10
Sand, ...	8	tons, ...	1	4	7
Saleratus, ...	190	barrels, ...	278	8	5
Tallow, ...	182346	pounds, ...	2101	4	6
Tobacco, Manufactured, ...	576414	do. ...	6810	11	4
Tobacco, Leaf, ...	7143	do. ...	64	3	11
Type, ...	15	boxes, ...	34	12	11
Turpentine Spirits, ...	366	barrels, ...	774	16	11
Tamarinds, ...	21	kegs, ...	6	14	7
Tea, ...	293876	pounds, ...	22131	15	3
Turtle, ...	5	No. ...	3	4	2
Veneers, ...	69	boxes, ...	600	5	0
Vinegar, ...	206	barrels, ...	188	18	9
Wheat, ...	37	bushels, ...	7	18	8
Whiskey, ...	5	barrels, ...	14	18	11
Wine, ...	324	boxes, &c., ...	343	11	5
Wine, ...	11	hogsheds, ...	30	13	7
Wine, Sherry, ...	1	cask, ...	3	3	6
Wire, ...	16	rolls, ...	13	6	9
Whetstones, ...	703	boxes, ...	106	19	9
Woollen Manufactures, ...	28	do. ...	442	9	10
Wax, ...	2220	pounds, ...	110	8	1
Yeast, ...	70	hogsheds, ...	30	5	8
Specie, ...	104	boxes, &c., ...	107395	8	5
			55083	15	11
			£ 162479	4	4
<i>Bonded for Warehousing at Montreal and Quebec.</i>					
Hides, Raw, ...	3786	No. ...	1980	9	7
Pork, Salted, ...	188	barrels, ...	386	6	0
Segars, ...	2	cases, ...	156	5	0
Tea, ...	153463	pounds, ...	12038	3	3
Tobacco, Manufactured, ...	76791	do. ...	725	5	0
Tobacco, Leaf, ...	5962	do. ...	26	5	10
Total Imports,...			£ 177791	19	0

EXPORTS.	QUANTITY.	VALUE IN STERLING.
		£ s. d.
Ashes, ...	496	barrels, ... 2136 18 10
Apples, ...	12	do. ... 4 18 7
Ash Plank, ...	301	pieces, ... 12 7 9
Balsam, Canada, ...	31	casks, ... 112 14 8
Buffalo Robes, ...	7	No. ... 9 9 0
Castorum, ...	57½	pounds, ... 13 8 5
Clover Seed, ...	100	do. ... 2 9 6
Eggs, ...	8550	dozens, ... 95 5 3
Flax Seed, ...	30316	bushels, ... 6315 9 10
Flour, ...	570	barrels, ... 659 16 3
Furniture, ...	6	lots, ... 57 10 8
Glass, Broken, ...	26	casks, ... 50 15 6
Carried forward,...		£ 9471 4 3

IMPORTS and EXPORTS at the Port of ST. JOHNS, &c.—(Continued.)

DESCRIPTION.	QUANTITY.		VALUE IN STERLING.		
			£	s.	D.
<i>Brought forward,</i>			9471	4	3
Grass Seed, ...	74	bushels, ...	17	16	0
Gum Senegal, ...	2	cases, ...	20	10	11
Hemlock Timber, ...	3000	feet, ...	33	5	9
Horses, ...	486	No. ...	3024	0	3
Herrings, ...	1	barrel, ...	0	14	9
Iron, Scrap, ...	86½	tons, ...	91	16	3
Iron, Hoop, ...	1½	cwt. ...	1	9	3
Iron, Bars, ...	46	cwt. ...	16	15	5
Iron, Pig, ...	45½	tons, ...	150	1	9
Iron, Sheet, ...	470	boxes, ...	284	6	7
Laths, ...	22	bundles, ...	0	14	9
Machinery, ...	1	lot, ...	14	7	7
Mackerel, ...	3	barrels, ...	3	7	6
Oysters, ...	2½	do. ...	1	0	6
Oil, Tamarack, ...	1	do. ...	12	6	7
Pork, Salted, ...	3	do. ...	6	15	0
Pine Plank, ...	208914	pieces, ...	3994	14	7
Pine Boards, ...	14574	do. ...	264	7	3
Pine Scantling, ...	3189	do. ...	51	17	8
Pine Joists, ...	78	do. ...	2	8	1
Pine Logs, ...	8000	No. ...	1672	1	9
Pine Lumber, ...	89390	feet, ...	296	10	2
Pine Clapboards, ...	2115	pieces, ...	19	8	4
Porter, ...	1	cask, ...	1	4	8
Rags, ...	180	bales, ...	232	10	10
Salt, ...	8348	bushels, ...	424	15	9
Salmon, ...	52½	barrels, ...	116	16	5
Salmon, ...	26	tierces, ...	89	10	8
Soda, Ash, ...	10	casks, ...	44	1	0
Shingles, ...	142	packs, ...	50	9	11
Stoves, ...	25	No. ...	43	15	4
Type, ...	22	boxes, ...	147	18	11
Wheat, ...	2978	bushels, ...	671	8	6
Beaver Skins, ...	384	pounds, ...	95	5	1
Bear Skins, ...	34	No. ...	10	15	10
Cat Skins, ...	12	do. ...	0	11	3
Fox Skins, ...	1299	do. ...	193	1	10
Fisher Skins, ...	270	do. ...	77	5	8
Lynx Skins, ...	365	do. ...	68	7	11
Martin Skins, ...	2927	do. ...	414	7	5
Mink Skins, ...	613	do. ...	40	12	4
Muskrat Skins, ...	5017	do. ...	62	9	10
Otter Skins, ...	173	do. ...	64	11	0
Raccoon Skins, ...	126	do. ...	2	12	0
Merchandize, ...		valued at, ...	1440	0	4
Specie, ...	64	boxes, ...	23744	13	5
			36606	8	5
Total Exports, ...		£	60351	1	10

W. MACRAE,  
Collector.

CUSTOM HOUSE, ST. JOHNS,  
5th January, 1844.

PORT OF ST. JOHNS.

WILLIAM MACRAE, Esquire, Collector.

RETURN exhibiting the aggregate numbers, quantities and values of the various articles IMPORTED at the Port of St. Johns, during the year ended 5th day of January, 1845, and shewing the amount of Duties collected thereon.

ARTICLES IMPORTED.	Number or quantity.	Value at the place of Importation.			Amount of Duties.			REMARKS.
		Currency.			Currency.			
		£	s.	d.	£	s.	d.	
Ashes, ... ..	barrels, ...	32	103	4	7	9	9	0
Bacon and Hams, ... ..	cwt. ...	362.20	57	9	4	17	17	1
Beef, Fresh, ... ..	do. ...	9.0.7	6	10	0	2	4	1
Beef, Salted, ... ..	do. ...	13.4	2	5	0	0	10	10
Biscuit or Bread, ... ..	... ..	...	244	0	3	12	4	0
Books and Papers, ... ..	... ..	...	3236	16	5	379	7	11
Boots and Shoes, ... ..	pairs, ...	3862	704	3	2	81	6	5
Buck Wheat, ... ..	quarters, ...	7	0	8	9	0	3	3
Butter, ... ..	cwt. ...	23.0	6	11	0	1	13	6
Calves, under one year old, ... ..	...	2	1	10	0	0	12	2
Candles, Sperm, ... ..	lbs. ...	43109½	3051	5	6	506	7	8
Candles, Tallow, ... ..	do. ...	38319	614	10	4	70	18	11
Carriages, ... ..	No. ...	54	671	18	0	57	17	1
Cattle, over 4 years, ... ..	do. ...	260	1706	10	0	316	6	8
Cattle, under 4 years, ... ..	do. ...	271	1065	15	0	164	17	2
Cheese, ... ..	cwt. ...	226.3.17	224	2	1	103	10	7
Cider, ... ..	gallons, ...	14416	125	0	11	10	14	10
Coals, ... ..	tons, ...	16	15	13	6	1	6	9
Cocoa, ... ..	cwt. ...	19.0.8	55	9	7	3	18	7
Coffee, Green, ... ..	do. ...	472.3.24	758	17	5	680	18	8
Coffee, Ground, ... ..	do. ...	12.2.0	29	7	6	32	3	10
Coffee, Roasted, ... ..	do. ...	2221.0.22	4362	2	7	893	14	5
Coin, ... ..	...	...	68819	10	0	0	0	0
Cordage, ... ..	cwt. ...	38.3.14	142	7	2	16	8	8
Corks, ... ..	gross, ...	11434	627	11	9	72	9	0
Corn Brooms, ... ..	dozen, ...	3889½	1235	11	8	105	16	6
Clocks and Watches, ... ..	...	...	2322	15	11	269	8	11
Cotton Manufactures, ... ..	...	...	3322	8	9	385	13	7
Cotton Wool, ... ..	...	...	1053	3	1	52	13	2
Drugs, ... ..	...	...	2669	14	3	133	9	7
Dye Wood, ... ..	...	...	245	1	2	20	18	9
Earthenware, ... ..	...	...	24	18	7	2	2	7
Feathers, ... ..	lbs. ...	2040	104	5	0	8	18	2
Fish, Fresh, ... ..	cwt. ...	317.2.19	89	12	6	0	0	0
Fish, Salted, ... ..	do. ...	395.0.26	229	2	11	48	1	8
Fish, Pickled, ... ..	barrels, ...	3	5	7	5	0	14	7
Flour, Wheat, ... ..	do. ...	747	773	10	0	90	17	8
Fruit, Fresh, ... ..	...	...	3016	9	8	150	16	6
Fruit, Preserved, ... ..	...	...	1124	10	0	96	1	10
Furs and Skins, ... ..	...	...	3773	6	9	322	9	1
Furniture, ... ..	lots, ...	40	522	15	8	44	19	0
Glass, ... ..	...	...	4985	15	1	976	19	8
Gums and Rosins, ... ..	barrels, ...	26	28	5	8	1	8	10
Garden Seeds, ... ..	...	...	248	0	0	0	0	0
Hardware, ... ..	...	...	9888	17	7	1143	15	3
Hats, ... ..	No. ...	879	433	11	10	50	1	3
Hemp, ... ..	lbs. ...	120630	1525	6	5	76	5	4
Hides, Raw, ... ..	No. ...	39713	15540	11	1	777	0	6
Honey, ... ..	lbs. ...	4675	45	2	7	3	17	3
Honey, ... ..	gallons, ...	977	89	17	5	7	13	7
Horses, ... ..	No. ...	45	854	10	0	82	2	6
Hops, ... ..	lbs. ...	13228	252	18	2	211	5	10
India Rubber Manufactures, ... ..	...	...	3686	8	5	315	0	3
Ink, ... ..	...	...	109	18	2	9	7	9
Lambs, ... ..	No. ...	1	0	7	6	0	1	3
Lard, ... ..	cwt. ...	19.1.11	37	2	6	8	10	11
Leather, ... ..	sides, ...	103754	25953	3	6	2217	18	10
Leather Manufactures, ... ..	...	...	1120	17	0	130	1	11
Linen ditto, ... ..	...	...	36	9	9	4	4	6
Lumber and Wood, ... ..	feet, ...	181420	2073	8	9	103	13	5
Maize or Indian Corn, ... ..	quarters, ...	3	0	15	0	0	2	10
Marble, ... ..	feet, ...	713	172	19	4	14	16	1
Meal, ... ..	lbs. ...	10984	46	10	5	6	16	4
Meat, Fresh, ... ..	cwt. ...	22.1.14	19	0	0	5	8	11
Medicines, ... ..	...	...	950	12	11	81	8	11
Molasses, ... ..	cwt. ...	91.0.6	56	16	2	24	18	8
Musical Instruments, ... ..	...	...	269	16	1	23	1	1
Oakum, ... ..	cwt. ...	184.2.27	173	19	5	20	1	9
Oysters, ... ..	barrels, ...	666	569	7	6	0	0	0
Oysters, ... ..	kegs, ...	90½	45	2	6	0	0	0
Oil, Fish, ... ..	gallons, ...	23977½	2428	6	0	364	4	11
Oil, other kinds, ... ..	gallons, ...	15650½	1915	2	8	163	13	1
Oil, Olive, ... ..	baskets, ...	251	207	18	0	17	15	3
Oil, Palm, ... ..	casks, ...	60	812	5	9	40	12	3
Paper Manufactures, ... ..	...	...	1469	2	9	169	16	1
Carried forward, ... ..	...	...	£ 183193	19	1	12312	7	8

IMPORTS at the Port of St. Johns.—(Continued.)

1845.

1845.

ARTICLES IMPORTED.	Number or quantity.	Value at the place of Importation.			Amount of Duties.			REMARKS.
		Currency.			Currency.			
		£	s.	d.	£	s.	d.	
<i>Brought forward,</i> ...	£ ...	183193	19	1	12312	7	8	
Pickles, ...	...	3	14	3	0	6	5	
Pitch and Tars, ...	barrels, ... 81	11	11	4	0	19	9	
Pork, Fresh, ...	cwt. ... 42.0	4	0	0	1	1	11	
Pork, Salted, ...	do. ... 4038.2.24	5113	11	3	1228	8	9	
Potatoes, ...	bushels, ... 42½	7	12	6	0	13	0	
Peas, ...	quarters, ... ½	0	10	0	0	1	5	
Poultry, ...	...	1	8	6	0	4	2	
Rice, ...	lbs. ... 364538	2308	12	1	115	8	8	
	{ 14605 imp }							
Rum, ...	gallons, ... { 17522 old 5300 o.p. }	1817	2	9	1993	15	7	
	38925	466	19	8	39	18	1	
Saleratus, ...	lbs. ... 1½	1	4	0	0	4	6	
Salt, ...	barrels, ... 1½	704	10	4	28	16	8	
Seeds, ...	No. ... 38	13	0	0	4	12	5	
Sheep, ...	...	894	13	4	176	1	3	
Silk Manufactures, ...	...	214	1	5	82	19	3	
Snuff, ...	lbs. ... 6705	1045	14	0	120	14	6	
Soap, ...	do. ... 67948	705	15	1	60	6	0	
Spices, ...	do. ... 38795							
	{ 3147 imp }							
Spirits, ...	gallons, ... { 3774 old }	309	19	7	421	0	7	
	33	6	10	0	6	3	9	
Spirits and Cordials, Sweetened, ...	do. ... 144	0	0	0	17	10	5	
Spirits, over proof, ...	do. ... 5279	73	12	5	6	7	4	
Starch, ...	lbs. ... 4911	164	19	2	82	15	8	
Sugar, Refined, ...	do. ... 3.2.8	5	15	0	3	2	3	
Sugar, Unrefined, ...	cwt. ... 2	2	10	0	0	12	2	
Swine and Hogs, ...	No. ... 670450	10121	5	0	506	1	3	
Tallow, ...	lbs. ... 368722	33704	4	1	7476	17	2	
Tea, ...	do. ... 748331	12983	15	3	8496	5	3	
Tobacco, Manufactured, ...	do. ... 52485	442	13	6	283	15	5	
Tobacco, Unmanufactured, ...	do. ... 143	13	8		12	5	5	
Trees and Plants, ...	...	1959	8	11	167	8	10	
Turpentine Spirits, ...	gallons, ... 22725	441	6	3	50	19	1	
Types, ...	lbs. ... 3862	845	6	0	42	5	4	
Varnish, ...	gallons, ... 2155	3	2	0	0	9	5	
Vegetables, ...	...	524	15	9	44	16	10	
Vinegar, ...	gallons, ... 27580	1	10	0	0	2	9	
Wheat, ...	quarters, ... ½	1622	1	3	139	2	0	
Wood Manufactures, ...	...	128	3	0	19	16	5	
Wines, ...	gallons, ... 357	1189	1	9	138	3	6	
Woollen Manufactures, ...	...	9447	16	7	808	19	8	
All other articles not enumerated, ...	...							
<i>Bonded for Warehousing in Quebec and Montreal.</i>		270629	9	3	34892	0	6	
Brandy, ...	gallons, ... 1964	186	15	0				
Corn Brooms, ...	dozens, ... 50	15	12	6				
Chocolate, ...	boxes, ... 20	9	0	0				
Coffee, Roasted, ...	cwt. ... 45.0.20	101	4	0				
Coffee, Green, ...	do. ... 152.1.10	319	18	3				
Candles, Sperm, ...	boxes, ... 19	29	13	9				
Flour, Wheat, ...	barrels, ... 500	500	0	0				
Pepper, ...	boxes, ... 37	11	4	0				
Pork, Salted, ...	cwt. ... 17629.2.8	22512	3	9				
Rice, ...	lbs. ... 6010	37	11	3				
Tobacco, Manufactured, ...	do. ... 71279	860	10	5				
Tea, ...	do. ... 77720	7276	6	6				
		302489	8	8				
<i>For the use of H. M. Forces.</i>								
Books and Papers, ...	boxes, ... 4	182	10	0				
		£ 302671	18	8	34892	0	6	

PUBLIC PRINTING and STATIONERY  
MAR 19 1865  
DOCUMENTS LIBRARY

W. MACRAE, Collector.

CUSTOM HOUSE, ST. JOHNS,  
21st January, 1845.

PUBLIC PRINTING and STATIONERY  
MAR 19 1865  
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Appendix  
(T. T. T.)

ACCOUNT of GOODS EXPORTED at the PORT of ST. JOHNS, for the year ended 5th

Appendix  
(T. T. T.)

January, 1845.

1845.

ARTICLES EXPORTED.	Quantity Exported.	VALUE IN CURRENCY.		
		£	s.	d.
<i>To the United States.</i>				
Ashes, ...	barrels,...	993	4935	0
Ale, ...	do. ...	3	3	4
Brandy, ...	pipes, ...	27	207	0
Balls, ...	No. ...	1	25	0
Butter, ...	kegs, ...	77	169	8
Castorim, ...	lbs. ...	115	29	10
Clover Seed, ...	bushels, ...	8	10	0
Carrriages, ...	No. ...	13	395	0
Eggs, ...	dozen, ...	11552	149	0
Flax Seed, ...	bushels, ...	21738	5554	2
Furniture, ...	lots, ...	1	100	0
Fish, white, ...	1/2 barrels, ...	10	10	0
Glass, broken, ...	casks, ...	3	2	10
Grass Seed, ...	bushels, ...	16	4	16
Horses, ...	No. ...	418	5069	10
Hay Seed, ...	bushels, ...	261	65	5
Herrings, ...	barrels, ...	3	3	0
Herbs, ...	hhds. ...	36	65	0
Iron, scrap, ...	300 & 46 1/2 tons.		805	0
Iron, bars, ...	tons, ...	44	84	0
Iron, pig, ...	do. ...	158	853	15
Iron, sheet, ...	boxes, ...	687	667	11
Iron, hoop, ...	hills, ...	40	10	0
Machinery, ...	lots, ...	1	15	0
Oats, ...	bushels, ...	125	6	5
Pine Logs, ...	No. ...	20000	4687	10
Pine Plank, ...	pieces, ...	100395	3594	18
Pine Plank, ...	feet, ...	55361	1118	13
Pine Boards, ...	pieces, ...	5614	138	0
Pine Clapboards, ...	do. ...	257293	363	0
Pine Timber, ...	feet, ...	28000	210	0
Pigs, ...	No. ...	2	1	0
Rags, ...	bales, ...	386	661	1
Salmon, ...	barrels, ...	48	104	5
Salmon, ...	tierces, ...	14	64	12
Salmon Trout, ...	barrels, ...	12	30	0
Salt, ...	bushels, ...	10410	583	8
Soda Ash, ...	casks, ...	2	6	0
Spring Water, ...	boxes, ...	220	30	10
Socks, woollen, ...	dozen, ...	90 1/2	16	0
Sheep, ...	No. ...	15	4	0
Wine, ...	boxes, ...	3	5	8
Beaver Skins, ...	lbs. ...	536	195	15
Bear Do. ...	No. ...	24	8	0
Cat Do. ...	do. ...	58	6	3
Deer Do. ...	do. ...	2	0	6
Fisher Do. ...	do. ...	78	14	10
Fox, Red, Do. ...	do. ...	707	193	1
Fox, Cross, Skins, ...	do. ...	47	17	10
Lynx Do. ...	do. ...	327	81	15
Lutis Do. ...	do. ...	3	1	2
Martin Do. ...	do. ...	2298	561	7
Muskrat Do. ...	do. ...	8918	132	13
Mink Do. ...	do. ...	283	24	16
Otter Do. ...	do. ...	124	59	12
Raccoon Do. ...	do. ...	32	6	18
Rabbit Do. ...	do. ...	99	0	5
Wolf Do. ...	do. ...	5	0	15
Merchandize ...	valued at		2598	7
Specie, ...			34760	2
			117250	0
		£	152010	2
				11

W. MACRAE,  
Collector.

CUSTOM HOUSE, ST. JOHNS,  
21st January, 1845.

