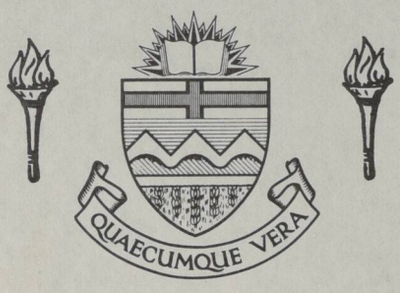
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Colonies

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1864–1866

Colonies

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COLONIAL BILLS.

NORTH AMERICA.

RETURN to an Address of the Honourable The House of Commons, dated 27 May 1864;—*for*,

"THE Titles and Dates of BILLS passed by the Legislatures of *Canada*, *Nova Scotia*, *New Brunswick*, *Newfoundland*, and *Prince Edward's Island* since the Year 1836, which have been Reserved by the Governors of those Colonies respectively for Reference to Her Majesty's Secretary of State for the Colonies, and of the Titles and Dates of BILLS so referred to which the Royal Assent was ultimately Refused; and COPY or EXTRACTS of the Terms in which such Refusal was conveyed."

Colonial Office,
25 July 1864.

FREDERIC ROGERS.

(*Viscount Bury.*)

Ordered, by The House of Commons, *to be Printed*,
26 *July* 1864.

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Note.—The Acts of which the titles are printed under the heads "Nova Scotia," "New Brunswick," "Newfoundland," and "Prince Edward Island," and possibly some of those of which the titles are printed under the heads "Upper Canada," "Lower Canada," and "Canada," were not, strictly speaking, "reserved" by the Governor for the signification of Her Majesty's pleasure, but contained clauses suspending their operation until Her Majesty's pleasure should be made known. As, however, the effect is the same in both cases, it is inferred that the Return is intended to comprise both classes of Acts.

RETURN of the Titles and Dates of BILLS passed by the Legislatures of *Canada*, *Nova Scotia*, *New Brunswick*, *Newfoundland*, and *Prince Edward Island*, since the Year 1836, which have been Reserved by the Governors of those Colonies respectively for Reference to Her Majesty's Secretary of State for the Colonies, and of the Titles and Dates of Bills so referred to which the Royal Assent was ultimately Refused; and COPY or EXTRACTS of the Terms in which such Refusal was conveyed.

UPPER CANADA.

No.	Date of Passing.	TITLE OF BILL.	REMARKS.
901	19 April 1836	An Act granting to His Majesty a Sum of Money for the Improvement of Roads and Bridges in the several Districts of this Province.	
902	9 March „	An Act to Loan 2,000 *l.* to the Welland Canal Company.	
903	19 April „	An Act for the Relief of John M'Millan.	
904	9 April „	An Act for the Relief of John Pearse, William Dumble, and William Hoar.	
905	31 March „	An Act to authorise the Payment to the Treasurer of the District of Ottawa of the Appropriation towards the Support of Common Schools in said District for the Years 1835 and 1836.	
906	8 April „	An Act to provide Additional Aid in Support of Common Schools in the several Districts of this Province.	
907	14 April „	An Act to Improve the Navigation of the Inland Waters of the District of Newcastle.	
908	15 April „	An Act granting a Sum of Money for improving the Hill at the River Rouge, and other purposes therein mentioned.	
909	16 April „	An Act granting a Sum of Money to complete the Payment of the War Losses.	
910	18 April „	An Act granting a Sum of Money in Support of the Provincial Penitentiary, and for other purposes therein mentioned.	
911	18 April „	An Act granting to His Majesty a Sum of Money for the Support of Lighthouses in this Province.	
912	18 April „	An Act granting 300 *l.* towards the Completion of a Lighthouse in Bois Blanc Island, in the Western District.	
913	18 April „	An Act granting to His Majesty the Sum of 100 *l.*, for the purpose of Repairing the Dwelling-house of the Lighthouse Keeper on Gibraltar Point, in the Home District.	
914	20 April „	An Act to raise a Sum of Money for the purpose of Completing a Steam Dredge for Deepening the several Harbours in this Province.	
915	19 April „	An Act to amend an Act passed in the First Session of the present Parliament, intituled "An Act granting a Sum of Money for the Erection of a Lighthouse on Gull Island, or such other Place as the Commissioners may select."	
916	19 Feb. „	An Act to allow Persons indicted for Felony a full Defence by Counsel, and for other purposes therein mentioned.	
1,062	4 March 1837	An Act to provide for the Disposal of the Public Lands in this Province, and for other purposes therein mentioned.	

UPPER CANADA—*continued.*

No.	Date of Passing.	Title of Bill.	Remarks.
1,063	4 March 1837	An Act to Increase the Capital Stock of the Bank of Upper Canada, and to Alter and Amend the Charter thereof.	
1,064	4 March „	An Act to secure the Independence of the Commons House of Assembly of this Province, and for other purposes therein mentioned.	
1,065	4 March „	An Act for Increasing the Capital Stock of the Commercial Bank of the Midland District.	
1,066	4 March „	An Act to Establish a Bank at Brockville, in the District of Johnstown.	
1,067	4 March „	An Act to Incorporate certain Persons under the style of "The Upper Canada Loan and Trust Company."	
1,068	4 March „	An Act to Incorporate sundry Persons under the style and title of "The President, Directors, and Company of the Bank of the Newcastle District."	
1,069	4 March „	An Act to Incorporate sundry Persons under the style and title of "The President and Directors of the Upper Canada Life Insurance and Trust Company."	
1,070	4 March „	An Act to Incorporate sundry Persons under the style and title of "The President, Directors, and Company of the Erie and Ontario Bank of the Niagara District."	
1,071	4 March „	An Act to Incorporate sundry Persons under the style and title of "The President, Directors, and Company of the Prescott Bank."	
1,072	4 March „	An Act to Incorporate sundry Persons under the style and title of "The President, Directors, and Company of the Prince Edward District Bank."	
1,073	4 March „	An Act Incorporating a Joint Stock Company under the style and title of "The President, Directors, and Company of the London District Bank.	
1,074	4 March „	An Act to Amend the Charter and Increase the Capital Stock of the Gore Bank.	
1,075	4 March „	An Act to Incorporate sundry Persons under the style and title of "The President, Directors, and Company of the Western District Bank."	
1,076	4 March „	An Act to Incorporate sundry Persons under the style and title of "The Niagara District Bank."	
1,077	4 March „	An Act erecting certain parts of the Counties of Halton and Simcoe into a new District by the name of "The District of Wellington."	
1,078	4 March „	An Act to Naturalise certain Persons therein named.	
1,079	4 March „	An Act to Authorise the Erection of certain Townships and other Territory heretofore forming part of the Newcastle District into a new District by the name of "The District of Colborne," with Peterborough for the District Town.	
1,080	4 March „	An Act to Incorporate sundry Persons under the style and title of "The President, Directors, and Company of the Freeholders' Bank of Upper Canada."	
1,147	11 May 1839	An Act to Dispose of the Lands commonly called "Clergy Reserves," and for other purposes therein mentioned."	Assent refused by Despatch, No. 20, of the 12th October 1839, page 20.
1,148	11 May „	An Act to Appropriate the Casual and Territorial Revenue, and for other purposes therein mentioned.	
1,149	11 May „	An Act to Regulate the Value at which Gold and Silver Coins shall pass current within this Province.	Assent refused by Despatch, No. 49, 9th December 1839, page 23.

UPPER CANADA—*continued.*

No.	Date of Passing.	Title of Bill.	Remarks.
1,150	11 May 1839	An Act to ascertain and provide for the Payment of all just Claims arising from the late Rebellion and Invasions of this Province.	Assent refused by Despatch, No. 20, of the 12th October 1839, page 20.
1,151	11 May „	An Act to authorise the issue of Bills of Credit - -	
1,152	11 May „	An Act to authorise the Purchase of the Private Stock in the Welland Canal on the part of this Province, and for other purposes therein mentioned.	
1,153	11 May „	An Act to afford further Facilities to negotiate Debenbentures for the Completion of certain Works.	
1,154	11 May „	An Act to make Provision for the Division of the intended new District of Colborne into two Counties.	
1,155	11 May „	An Act to enable His Majesty to make a Grant of Land to James FitzGibbon, Esq.	Assent refused by Despatch, No. 31, of the 27th October 1839, page 21.
1,298	10 Feb. 1840	An Act to impose Duties on certain Articles imported into this Province from the United States of America.	
1,299	10 Feb. „	An Act to make Provision for the Management of the Temporalities of the United Church of England and Ireland in this Province, and for other purposes therein mentioned.	
1,300	10 Feb. „	An Act to ascertain and provide for the Payment of all just Claims arising from the late Rebellion and Invasions of this Province.	
1,301	10 Feb. „	An Act to make Provision to indemnify Persons from Losses occasioned by the acts of Incendiaries, between the 4th day of December in the year of our Lord 1838, and the 1st day of January 1840.	
1,302	10 Feb. „	An Act to amend an Act passed in the 9th Year of the Reign of King George 4, c. 2, intituled, "An Act for the Relief of Religious Societies therein."	
1,303	10 Feb. „	An Act for the Relief of John Stewart.	
1,304	10 Feb. „	An Act to enable Her Majesty to make a Grant of Land to James FitzGibbon, Esq.	Assent refused by Despatch, No. 184, 22d July 1840, page 22.
1,305	10 Feb. „	An Act to Naturalise Elijah Nellis.	
1,306	10 Feb. „	An Act for altering and amending the Charter of the President, Directors, and Company of the Bank of Upper Canada, and for increasing the Number of Shares to be held in the Capital Stock of the said Company.	
1,307	10 Feb. „	An Act to increase the Capital Stock of the Gore Bank, and the Number of Shares to be held therein.	
1,308	10 Feb. „	An Act for altering and amending the Charter of the President, Directors, and Company of the Commercial Bank of the Midland District, and for increasing the Number of Shares to be held in the Capital Stock of the Company.	Assent refused by Despatch, No. 402, 19th July 1841, page 22.
1,309	10 Feb. „	An Act to Incorporate sundry Persons under the style and title of "The President, Directors, and Company of the Prince Edward District Bank."	
1,310	10 Feb. „	An Act to Incorporate the Farmers' Joint Stock Banking Company, under the style and title of "The President, Directors, and Company of the Farmers' Bank."	

LOWER CANADA.

No.	Date of Passing.	Title of Bill.	Remarks.
93	3 April 1839	An Ordinance to regulate the Currency of this Province	Assent refused by Despatch, No. 49, of 9 December 1839, page 23.

CANADA.

88	18 Sept. 1841	An Act to regulate the Inspection of Flour and Meal.	
89	18 Sept. „	An Act to extend the Charter of the "City Bank," and to increase the Capital Stock thereof.	
90	18 Sept. „	An Act to Incorporate sundry Persons under the style and title of "The President, Directors, and Company of the Bank of the Niagara District."	
91	18 Sept. „	An Act to provide for the Freedom of Election throughout this Province, and for other purposes therein mentioned.	
92	18 Sept. „	An Act to Incorporate the Quebec Board of Trade.	
93	18 Sept. „	An Act to regulate the Inspection of Beef and Pork.	
94	18 Sept. „	An Act to establish a Company, to be called "The Haldimend Glassworks Company."	
95	18 Sept. „	An Act to renew the Charter of the Bank of Montreal, and to increase its Capital Stock.	
96	18 Sept. „	An Act for the Disposal of Public Lands.	
97	18 Sept. „	An Act to Incorporate the Montreal Board of Trade.	
98	18 Sept. „	An Act to extend the Charter of the Quebec Bank.	
99	18 Sept. „	An Act to regulate the Taking of Securities in all Offices in respect of which Security ought to be given, and for avoiding the Grant of all such Offices in the event of such Security not being given within a Time limited after the Grant of such Office.	
100	18 Sept. „	An Act to regulate the Currency of this Province.	
101	18 Sept. „	An Act to permit the Business of the Bank of Upper Canada to be carried on in Toronto as usual.	
102	18 Sept. „	An Act to authorise the Banks heretofore chartered by Acts of the late Province of Upper or Lower Canada to carry on their Business throughout this Province.	
133	12 Oct. 1842	An Act to make Provision for the Management of the Temporalities of the United Church of England and Ireland in the Diocese of Quebec in this Province, and for other purposes therein mentioned.	
134	12 Oct. „	An Act to impose a Duty upon Foreign Wheat imported into this Province.	
199	9 Dec. 1843	An Act for the Discouragement of Secret Societies -	Assent refused by Despatch, No. 189, of 27 March 1844, page 27.
200	9 Dec. „	An Act to repeal certain Acts therein mentioned, and to make Better Provision respecting the Admission of Land Surveyors and the Survey of Lands in Upper Canada.	
201	9 Dec. „	An Act for better securing the Independence of the Legislative Assembly of this Province.	
202	9 Dec. „	An Act to amend the Act incorporating the Bank of the Niagara District, by providing for the Extension of the Time limited for the Paying-up of the Stock of the said Bank.	

CANADA—*continued.*

No.	Date of Passing.	Title of Bill.	Remarks.
2	9 Dec. 1843	An Act to alter and amend certain parts of an Act therein mentioned relating to the Navigation of the River St. Lawrence, in so far as the same relate to the Port of Quebec.	
204	9 Dec. „	An Act for vesting the Market Block in the Town of Niagara in the Council of the said Town, and for other purposes.	
205	9 Dec. „	An Act for the better securing the Independence of the Legislative Council of this Province.	Assent refused by Despatch, No. 201 18th April 1844, page 27.
206	9 Dec. „	An Act to Incorporate the Church Societies of the United Church of England and Ireland in the Dioceses of Quebec and Toronto.	
207	9 Dec. „	An Act to Incorporate certain Persons carrying on the business of Banking in the City of Montreal, under the name of "La Banque du Peuple."	
314	29 Mar. 1845	An Act to dissolve the Marriage of Henry William Harris, Esq., with Eliza Walker, otherwise called Eliza Lock Walker, his now wife, and to enable him to marry again, and for other purposes therein mentioned.	Assent refused by Despatch, No. 458; 18th November 1845, page 28.
315	29 Mar. „	An Act to authorise to a certain extent the Seizure and Attachment of Official Salaries towards Payment of the Incumbent's Debts.	
316	29 Mar. „	An Act to provide a Legal Recourse to Her Majesty's Subjects in this Province having legal or just Claims upon the Executive Government thereof, and to enable Her Majesty the more effectually to do Justice in such cases.	
317	29 Mar. „	An Act to establish the Boundaries of the Lots and Gores of Land in the Sixth, Seventh, Eighth, Ninth, and Tenth Concessiars of the Township of Beverley, in the County of Holton.	
318	29 Mar. „	An Act 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 Estates and Property therein described, for granting Powers to the said Officers, and for other purposes therein mentioned."	
319	29 Mar. „	An Act to quiet the Title to Lands of Persons naturalised under the Statute of Lower Canada passed in the First Year of the Reign of his late Majesty King William the Fourth, and for other purposes therein mentioned.	
320	29 Mar. „	An Act to make further Provision regarding Aliens.	
426	9 June 1846	An Act to Incorporate a Company to extend the Great Western Railroad from Hamilton to Toronto.	
427	9 June „	An Act to amend an Act passed in the Eighth Year of Her Majesty's Reign, intituled "An Act to amend an Act passed in the Sixth Year of the Reign of his late Majesty King William the Fourth, intituled an Act to incorporate the City of Toronto and Lake Huron Railroad Company."	
428	9 June „	An Act for erecting a Suspension Bridge over the Niagara River at or near the Falls of Niagara.	
429	9 June „	An Act for supplying the City of Quebec and parts adjacent thereto with Water.	
430	9 June „	An Act to restore the Rights of Persons attainted for High Treason.	
431	9 June „	An Act to Incorporate the Wolfe Island, Kingston, and Toronto Railroad Company.	

CANADA—*continued.*

No.	Date of Passing.	Title of Bill.	Remarks.
432	9 June 1846	An Act to Incorporate the Peterborough and Port Hope Railway Company.	
433	9 June „	An Act to Incorporate La Banque des Marchands.	
434	9 June „	An Act to Incorporate the Montreal and Kingston Railroad Company.	
435	9 June „	An Act for Granting a Civil List to Her Majesty.	
436	28 July 1847	An Act to facilitate Commutation of the Tenure of Lands on Roture in the Queen's Domain into that of Free and Common Soccage, and to avoid the unnecessary Delays and Expense heretofore incidental to such Commutations.	
347	28 July „	An Act to extend the Time for taking the Oath and making the Declaration required of Persons naturalised in this Province.	
438	28 July „	An Act to increase the Capital Stock of the Quebec Bank, and to amend in part the Act to extend the Charter of the said Bank.	
439	28 July „	An Act to enable the Bank of Montreal to increase its Capital Stock.	
440	28 July „	An Act to enable the City Bank to increase its Capital Stock.	
441	28 July „	An Act to Incorporate the Woodstock and Lake Erie Railway and Harbour Company.	
442	28 July „	An Act to Incorporate the Bytown and Britannia Railway Company.	
443	28 July „	An Act to Incorporate the Carillow and Grenville Railway Company.	
444	28 July „	An Act to Incorporate the Lake St. Louis and Province Line Railway Company.	
445	28 July „	An Act to Incorporate the Montreal and Province Line Junction Railway Company.	
446	28 July „	An Act to Incorporate the Canada, New Brunswick, and Nova Scotia Railway Company.	
447	28 July „	An Act for Incorporating the Toronto and Goderich Railway Company.	
448	28 July „	An Act to Incorporate the District Bank of Quebec.	
578	25 April 1849	An Act to raise an Income of 100,000 *l.* out of the Public Lands of Canada for Common School Education.	
579	25 April „	An Act to repeal a certain Act therein mentioned, and make Better Provision for the Naturalisation of Aliens.	
580	25 April „	An Act to Incorporate the Queenston Suspension Bridge Company.	
581	25 April „	An Act to amend the Act relative to Savings Banks.	
582	25 April „	An Act to Incorporate the Toronto, Simcoe, and Lake Huron Union Railroad Company.	
583	25 April „	An Act to secure Titles to Real Estate to certain Persons naturalised under the Statute of Lower Canada, 1 Will. 4, c. 53.	
994	30 Aug. 1851	An Act to provide for the Establishment of a Church Society of the United Church of England and Ireland in each Diocese of that Church in Lower Canada, and for other purposes connected with the recent Division of the Diocese of Quebec.	
995	30 Aug. „	An Act to make Provision for the Management of the Temporalities of the United Church of England and Ireland in the Diocese of Montreal, and for other purposes therein mentioned.	

CANADA—*continued.*

No.	Date of Passing.	Title of Bill.	Remarks.
996	30 Aug. 1851	An Act to repeal so much of the Act of the Parliament of Great Britain passed in the 31st Year of the Reign of King George the Third, and chaptered 31, as relates to Rectories and the Presentation of Incumbents to the same, and for other purposes connected with such Rectories.	
997	30 Aug. „	An Act to Incorporate the Fort Erie and Buffalo Suspension Bridge and Tunnel Company.	
998	30 Aug. „	An Act to amend the Act for Granting a Civil List to Her Majesty.	
999	30 Aug. „	An Act to Reduce the Salaries attached to certain Judicial Offices in the Cases therein mentioned, and to Fix the Salaries of the Speakers of the Legislalative Council and of the Legislative Assembly.	
1,172	- -	An Act for the Relief of William Henry Beresford.	
1,758	10 June 1857	Bill, "An Act to Incorporate the International Bridge Company."	
2,413	18 May 1861	An Act to enable Frederick Chase Capreol, Esq., to dispose of certain Lands by Allotment, notwithstanding Chapter 95 of the Consolidated Statutes of Canada.	
2,553	9 June 1862	An Act to Incorporate the New Edinburgh and Waterloo Steam Ferry Company.	

NOVA SCOTIA.

1,651	Feb. 1836	An Act relating to the Fisheries, and for the Prevention of Illicit Trade in the Province of Nova Scotia and the Coasts and Harbours thereof.	
1,704	29 Mar. „	An Act to authorise the Lieutenant Governor to appoint Commissioners to run out the Boundary Line between Nova Scotia and New Brunswick.	
1,729	29 Mar. „	An Act to divide the County of Sydney, and to regulate the Representation thereof.	
1,737	12 Mar. „	An Act to Incorporate the General Mining Association.	
1,738	29 Mar. „	An Act to erect the County of Shelbourne into two separate and distinct Counties, and to regulate the Representation thereof.	
1,743	12 Mar. „	An Act for Deepening the East River of Pictou	Assent refused by Despatch, No. 52, of 31st August 1836, page 28.
1,808	21 Apr. 1837	An Act to enable Members of the House of Assembly about to leave the Province, or unable from indisposition to attend their duty, to resign their Seats therein.	
1,833	21 Apr. „	An Act to divide the County of Annapolis, and to Regulate the Representation thereof.	
1,837	21 Apr. „	An Act for the quiet of the Subjects in their Possession of Lands, Tenements and Hereditaments within this Province.	
1,881	17 Apr. 1838	An Act for attesting the Representation in General Assembly, as respects the County of Inverness.	

NOVA SCOTIA—*continued.*

No.	Date of Passing.	Title of Bill.	Remarks.
1,882	17 April 1838	An Act for regulating the Internal Postage of this Province.	
1,960	30 Mar. 1839	An Act additional to, and in further Amendment of, the Act concerning Cemeteries or Burial Grounds.	Assent refused by Despatch, No. 12, of 11th November 1839, page 30.
1,967	30 Mar. „	An Act to provide for the selection and appointment of Trustees of Lands, granted, reserved, or otherwise allotted, as School Lands, or for Schools in this Province.	Assent refused by Despatch, No. 4, of 23d September 1839, page 29.
1,968	30 Mar. „	An Act for settling Titles in a certain Tract of Land in Cape Breton, called "The Mire Grant."	
2,008	4 April „	An Act to provide for the Settlement of Equitable Claims upon Real Estate in certain cases.	Assent refused by Despatch, No. 12, 11th November 1839, page 30.
2,042	27 Mar. 1840	An Act for Incorporating the Trustees of the Queen's College at Horton.	
2,043	27 Mar. „	An Act to repeal the Tenth Clause of the Act for settling Titles in a certain Tract of Land in Cape Breton, called "The Mire Grant."	
2,044	27 Mar. „	An Act for limiting the Duration or Continuance of the General Assemblies.	
2,045	27 Mar. „	An Act to grant a Drawback on Foreign Wheat Flour in certain cases.	
2,046	27 Mar. „	An Act to appoint a new Board of Governors for Dalhousie College.	
2,158	10 April 1841	An Act for facilitating the Recovery of Seamen's Wages	Assent refused by Despatch, No. 71, of 30th August 1841, page 31.
2,172	29 Mar. „	An Act to Incorporate the General Mining Association.	
2,191	29 Mar. „	An Act to amend an Act for Incorporating the Trustees of the Queen's College at Horton.	
2,197	29 Mar. „	An Act for Incorporating the Trustees of the St. Mary's College at Halifax.	
2,274	19 Mar. 1842	An Act for regulating the Currency of the Province.	
2,288	19 Mar. „	An Act relating to the Courts of Probate, and to the Settlement and Distribution of the Estates of Deceased Persons.	
2,369	29 Mar. 1843	An Act to repeal the Act for settling Titles, in a certain Tract of Land in Cape Breton, called "The Mire Grant," and to substitute other provisions in lieu thereof.	
2,370	29 Mar. „	An Act to amend the Act for regulating Elections of Members to serve in General Assembly.	
2,461	29 Mar. 1844	An Act for granting a Colonial Duty of Impost for the support of Her Majesty's Government within this Province, on Flour and Molasses in certain cases.	
2,507	19 April 1844	An Act concerning the Registrars of Deeds in the County of Halifax, and the other Counties of the Province.	
2,714	30 Mar. 1847	An Act relating to the Crown Land Department of this Province - - - - - - - - -	Asssent refused by Despatch, No. 38, of 30th September 1847, page 31.
2,715	30 Mar. „	An Act in addition to, and alteration of, the Acts for establishing Regulations for the Disposal of Crown Lands within this Province - - - - -	
2,727	30 Mar. „	An Act to amend the Act relating to Marriage Licenses.	
2,813	11 April 1848	An Act to provide for the more accurate Audit and Inspection of Public Accounts in this Province, and for the appointment of certain Public Officers therein.	

NOVA SCOTIA—*continued.*

No.	Date of Passing.	Title of Bill.	Remarks.
2,815	3 April 1848	An Act to render the Judges of the Supreme Court, and the Master of the Rolls, independent of the Crown, and to provide for their removal.	
2,816	11 April „	An Act relating to the Crown Land Department of this Province.	
2,817	11 April „	An Act to commute the Crown Revenues of Nova Scotia, and to provide for the Civil List thereof.	
2,878	8 Mar. 1849	An Act for transferring the Crown Revenues of Nova Scotia, and providing for the Civil List thereof.	
2,908	31 Mar. „	An Act to incorporate the Roman Catholic Bishop in Halifax.	
2,909	31 Mar. „	An Act to authorise the Sale of the Court House and Jail Grounds at Shelbourne, and the purchase of a new Site therefor.	
2,986	28 Mar. 1850	An Act concerning Registrars of Deeds.	
3,031	28 Mar. „	An Act to divide the County of Cape Breton, and to regulate the Representation thereof.	
3,126	31 Mar. 1853	An Act to Incorporate the Nova Scotia Railway Company.	
3,127	31 Mar. „	An Act to authorize the construction of certain Railways in this Province.	
3,128	31 Mar. „	An Act to authorise a Loan for the Construction of certain Public Works within this Province.	
3,191	4 April 185	An Act to Incorporate the Governors of King's College, Windsor, and to repeal the Act for founding, establishing, and maintaining a College in this Province.	
3,538	24 Mar. 1858	An Act to extend the Operation of certain Grants of Land.	
3,579	7 May „	An Act to extend to this Province certain Provisions of Part Third of the Merchant Shipping Act, 1854.	
3,857	15 April 1861	An Act for assessing the City of Halifax for Railway Liabilities.	
4,017	29 April 1863	An Act to amend Chapter 32 of the Revised Statutes "of the Naturalization and Privilege of Aliens."	

NEW BRUNSWICK.

1,002	8 Mar. 1836	An Act for the quiet of His Majesty's Subjects, by limiting Actions and Suits of the Crown relating to Lands in this Province.	
1,003	16 Mar. „	An Act for the Naturalization of Aliens in this Province.	
1,077	1 Mar. 1837	An Act to incorporate sundry Persons by the Name of "The President, Directors, and Company of the St. George's Bank."	
1,078	1 Mar. „	An Act to incorporate sundry Persons by the Name of "The President, Directors, and Company of the Bank of Fredericton."	
1,079	1 Mar. „	An Act to repeal all the Laws now in force relating to the Establishment of a Tender to be made in all payments in the Province, and to make other provision for the same.	
1,080	1 Mar. „	An Act in addition to, and in amendment of, the Laws now in force for regulating Elections of Representatives to serve in General Assembly in this Province.	

NEW BRUNSWICK—*continued.*

No.	Date of Passing.	Title of Bill.	Remarks.
1,081	1 Mar. 1837	An Act for continuing the General Assembly in this Province in case of the demise of the Crown.	
1,082	1 Mar. „	An Act to erect part of the County of Gloucester into a separate and distinct County.	
1,156	9 Mar. 1838	An Act to incorporate sundry Persons by the name of the President, Directors and Company of the Miramichi Bank.	Assent refused by Despatch, No. 132, 3d January 1839, page 33.
1,157	9 Mar. „	An Act to increase the Capital Stock of the Chartered County Bank, and to amend the Act incorporating the same.	
1,158	9 Mar. „	An Act to amend the Laws relating to the Solemnization of Marriage.	
1,200	23 Mar. 1839	An Act to make perpetual "An Act for the support of the Civil Government in this Province."	
1,201	23 Mar. „	An Act to incorporate Sundry Persons by the name of "The President, Directors and Company of the Provincial Bank."	
1,258	31 Mar. 1840	An Act further to provide for a limited time for the Support of the Civil Government of the Province.	
1,386	29 Mar. 1842	An Act to limit the Duration of the Assembly, and for other purposes therein mentioned.	
1,387	29 Mar. „	An Act to increase the Representation of the County of Restigouche.	
1,388	29 Mar. „	An Act relating to the Mines and Minerals in the County of Gloucester.	
1,389	31 Mar. „	An Act to incorporate the Grand Falls Company.	
1,390	4 April „	An Act relating to Bankruptcy in this Province.	
1,431	27 Mar. 1843	An Act to facilitate the Negociation of a Loan to pay off the Public Debt.	
1,432	11 April „	An Act relating to the Collection of Duty on Timber and other Lumber.	Assent refused by Despatch, No. 184, 4th September 1843, page 33.
1,433	11 April „	An Act to establish Regulations for the future Disposal of Timber and other Lumber cut on Crown Lands.	
1,434	11 April „	An Act to improve the Law relating to the Election of Representatives to serve in the General Assembly.	
1,435	11 April „	An Act to repeal the several Acts now in force for establishing a Legal Tender in all Payments to be made in this Province, and to make other Provisions in lieu thereof.	Assent refused by Despatch, No. 197, of 14th October 1843, page 34.
1,478	13 April 1844	An Act to regulate the Management and Disposal of the Indian Reserves in this Province.	
1,479	13 April „	An Act for the Division of the County of Carleton into two Counties, and to provide for the Government and Representation of the new County.	
1,480	13 April „	An Act to enable Her Majesty's Government to carry into effect, within the Province, the Provisions of the 4th Article of the Treaty of Washington.	
1,481	13 April „	An Act to Incorporate the Aristook Boom Company.	
1,482	13 April „	An Act for the Relief of the Rev. Samuel P. Rice.	
1,530	27 Mar. 1845	An Act to facilitate the Settlement of the Crown Lands on the Military Road from Nova Scotia to the Canada Line.	
1,531	27 Mar. „	An Act to increase the Representation of King's County.	

NEW BRUNSWICK—*continued.*

No.	Date of Passing.	Title of Bill.	Remarks.
1,532	27 Mar. 1845	An Act to divide the County of Westmoreland into two Counties, and to provide for the Government and Representation of the new County.	
1,533	27 Mar. „	An Act relating to certain Fees.	
1,534	27 Mar. „	An Act to amend an Act to facilitate the Negociation of a Loan to pay off the Public Debt.	
1,535	14 April „	An Act to authorise a Return of Duties in certain Cases.	
1,536	14 April „	An Act to increase the Representation of the County of Northumberland.	
1,537	14 April „	An Act to authorise the Sale of certain Lands in the County of York, commonly called "The Hermitage," lately belonging to the Honourable William Odell, deceased, and to regulate the Disposal of the Proceeds thereof.	Assent refused by Despatch, No. 322, of 18th August 1845, page 35.
1,538	14 April „	An Act relating to the Election of Representatives to serve in the General Assembly.	
1,539	27 Mar. „	An Act to amend the Charter of King's College.	
1,540	14 April „	An Act to revise and continue an Act for the Naturalisation of Aliens in this Province.	
1,641	7 Mar. 1846	An Act to increase the Representation of the County at Albert.	
1,642	11 April „	An Act to Incorporate the Roman Catholic Bishops in New Brunswick.	
1,643	11 April „	An Act for the better Prevention of Illicit Trade.	
1,644	14 April „	An Act to Incorporate the New Brunswick Railway Company.	
1,645	14 April „	An Act to facilitate the making of a Railway from the City of Saint John through Fredericton and Woodstock to the Grand Falls of the River St. John, and from thence to the Boundary Line at the Province of Canada by the New Brunswick Railway Company.	
1,646	14 April „	An Act to amend an Act, intituled, "An Act to amend the Charter of King's College."	
1,647	14 April „	An Act relating to an Exchange of Lands in Fredericton with the Ordnance Department.	
1,718	23 Mar. 1847	An Act to facilitate the making of a Railroad from St. Andrew's, in the County of Charlotte, to Woodstock, in the County of Carleton, and Branches thereof.	
1,719	14 April „	An Act in relation to the Trade between the British North American Possessions.	
1,720	14 April „	An Act to repeal the Duties imposed upon Articles Imported into this Province, under the Act of the Imperial Parliament, intituled, "An Act to regulate the Trade of British Possessions Abroad."	
1,721	14 April „	An Act to regulate the Importation of Books, and to protect the British Author.	
1,722	14 April „	An Act to facilitate the making of a Railway across the Isthmus which connects the Provinces of New Brunswick and Nova Scotia, to open the Communication between the Waters of the Gulf of Saint Lawrence and the Bay of Fundy.	
1,723	14 April „	An Act to authorise the granting of a Tract of Land as a Mill Reserve to the Hon. John Robertson.	

NEW BRUNSWICK—*continued.*

No.	Date of Passing.	Title of Bill.	Remarks.
1,809	30 Mar. 1848	An Act to regulate the Importation of Books, and to Protect the British Author.	
1,810	30 Mar. „	An Act to extend the Provisions of an Act, intituled, "An Act to facilitate the making of a Railroad from St. Andrew's, in the county of Charlotte, to Woodstock, in the County of Carleton, and Branches thereof."	
1,811	30 Mar. „	An Act for the better Prevention of Illicit Trade.	
1,812	30 Mar. „	An Act relating to Immigration and the Care and Safe Keeping of the Children and Property of Deceased Emigrants.	
1,873	14 April 1849	An Act to vacate the Seats of Members of the Assembly in certain cases.	
1,874	14 April „	An Act for the Reduction of Judicial Salaries in this Province.	
1,875	14 April „	An Act in amendment of and in addition to an Act, intituled, "An Act in addition to an Act, intituled, an Act to extend the Privilege of solemnizing Marriage to all Ministers and Teachers of the several Religious Denominations in this Province."	
1,876	14 April „	An Act for the Adjustment of Claims of certain Purchasers of Crown Lands.	
1,877	14 April „	An Act further to facilitate the making of a Railroad from St. Andrew's to Woodstock, with a Branch to St. Stephen.	
1,878	14 April „	An Act in further Amendment of the Charter of the City of St. John.	
1,879	14 April „	An Act to Incorporate the St. John and Shediac Railway Company.	
1,880	14 April „	An Act to Incorporate the St. John Suspension Bridge Company.	
1,881	14 April „	An Act for the Relief of the Rev. Edward D. Very.	
1,958	26 April 1850	An Act for the more effective Auditing of the Public Accounts.	
1,959	26 April „	An Act to facilitate the making of a Railway from the Harbour of Shediac to the Bend of Petitcodiac.	
1,960	26 April „	An Act to consolidate and amend the Laws establishing the Value of Coins and a legal Tender within this Province.	
1,961	26 April „	An Act to Incorporate the Grand Falls Railway Company.	
1,962	26 April „	An Act for the Establishment and Regulation of Inland Posts within this Province.	
2,062	28 Mar. 1851	An Act to facilitate the Construction of the European and North American Railway.	
2,063	28 Mar. „	An Act to facilitate the Construction of a Railway from St. Andrew's to Quebec.	
2,064	30 April „	An Act further to facilitate the Construction of the European and North American Railway.	
2,065	30 April „	An Act in addition to and declaratory of the Meaning of the Acts now in force establishing a Legal Tender in this Province.	
2,066	30 April „	An Act to provide for the Establishment of Municipal Authorities in this Province.	

NEW BRUNSWICK—*continued.*

No.	Date of Passing.	Title of Bill.	Remarks.
2,067	30 April 1851	An Act to suspend the Operation of certain Provisions of the Militia Laws.	
2,068	30 April „	An Act to extend the Privilege of Solemnizing Marriage to all Ministers and Teachers of the several Religious Congregations in this Province.	
2,069	30 April „	An Act in Amendment of an Act, intituled "An Act for the better Prevention of Illicit Trade."	
2,070	30 April „	An Act to abolish the Fees now received by the Judges of the Supreme Court.	
2,143	7 April 1852	An Act for establishing a Tender in all Payments to be made in this Province, and for Consolidating and Amending the Laws relating to the Currency therein.	
2,144	7 April „	An Act to exclude certain Persons from serving as Members of the Legislative Council in this Province.	Assent refused by Despatch, No. 14, 24th June 1852, page 35.
2,146	7 April „	An Act to Incorporate the Albert Mining Company.	
2,176	30 March „	An Act to consolidate and amend the Laws relating to the Collection and Protection of the Revenue of this Province.	
2,227	29 Oct. „	An Act to repeal certain Acts of Assembly for facilitating the Construction of the European and North American Railway; and to make other Provisions for the Construction of the same, with Branches and Extensions.	
2,228	29 Oct. „	An Act in addition to and in further amendment of the Act to incorporate the European and North American Railway Company.	
2,230	14 April 1853	An Act to continue the Act suspending the Operation of certain Provisions of the Militia Laws.	
2,231	14 April „	An Act relating to the Coast Fisheries, and for the Prevention of Illicit Trade.	
2,232	3 May „	An Act to confirm the Conveyance of certain Land in the City of St. John, belonging to the Estate of a Lunatic.	
2,299	1 May 1854	An Act to amend the Acts relating to the European and North American Railway Company.	
2,449	12 April 1855	An Act relating to Mines and Minerals.	
2,457	12 April 1856	An Act for further facilitating the Making of Part of the St. Andrew's and Quebec Railway.	
2,458	12 April „	An Act in addition to and in amendment of the Act relating to the St. Andrew's and Quebec Railroad Company.	
2,520	1 May „	An Act relating to certain Exemptions from Duty -	Assent refused by Despatch, No. 70, 22d November 1856, page 35.
2,521	1 May „	An Act in addition to Chapter 23, Title III., of the Revised Statutes of Charlotte County Exemptions from Duties.	
2,707	13 April 1859	An Act to establish the University of New Brunswick.	
2,855	12 April 1861	An Act relating to the Naturalization of Aliens.	
2,935	23 April 1862	An Act relating to the Office of Commander in Chief.	
2,982	20 April 1863	A Bill relating to certain Exemptions from Duty at the Port of St. Stephen.	

NEWFOUNDLAND.

No.	Date of Passing.	Title of Bill.	Remarks.
71	6 May 1836	An Act for preventing the Mischiefs arising from the Printing and Publishing Books, Newspapers, and Papers of a like Nature, by Persons unknown, and to regulate the Printing and Publishing the same.	
96	25 Oct. 1838	An Act declaratory of the Value of the Dollar in this Colony, and to remove all Doubts of the same being a Legal Tender in certain Cases.	
9	22 May 1843	An Act to abolish the Oaths now by Law taken by Members of the Legislature of this Colony, and to substitute the Oath of Allegiance instead thereof.	Assent refused by Despatch, No. 152, 25th March 1844, page 36.
28	29 April 1844	An Act to provide for the Establishment of an Academy at St. John's.	
29	29 April „	An Act to prevent the Importation and Circulation of Spurious Copper Coin within this Colony and its Dependencies, and to make Provision for a good and sufficient Copper Coinage therein.	Assent refused by Despatch, No. 201, 8th February 1845, page 36.
42	23 April 1845	An Act to continue and amend an Act passed in the Fourth Year of the Reign of Her present Majesty, intituled "An Act to regulate the Packing and Inspection of Pickled Fish for Exportation from this Colony."	
58	23 June 1846	An Act to raise by Loan a sum of Money for the Rebuilding and Improvement of the Town of St. John's.	Assent refused by Despatch, No. 7, 27th July 1846, page 37.
71	23 April 1849	An Act to repeal certain Duties of Customs.	
105	30 April 1850	An Act to provide for the Vacation of Seats of Members of the House of Assembly in certain cases, and for the Election of Members in their stead.	
121	31 May 1851	An Act to improve the Copper Currency of this Island.	
126	31 May	An Act to authorise the issue of Treasury Notes, and for the Reduction of the Public Debt of the Colony.	
139	14 June 1852	An Act to amend the Act for the Establishment and Regulation of Inland Posts.	
150	15 June 1853	An Act for regulating the Appropriation of Packet Postage in this Colony.	Assent refused by Despatch, No. 41, 6th January 1854, page 37.
184	4 Aug. 1855	An Act to repeal and amend certain Parts of an Act passed in the Fourteenth Year of the Reign of Her Majesty, intituled "An Act to authorise the Issue of Treasury Notes, and for the Reduction of the Public Debt of the Colony."	
204	12 May 1856	An Act for establishing the Legal Value of certain British and other Coins in this Colony.	
248	10 May 1858	An Act to provide for the Appointment of Surveyors of Shipping in this Island, and for other Purposes connected therewith.	

NEWFOUNDLAND—*continued.*

No.	Date of Passing.	Title of Bill.	Remarks.
273	14 May 1860	An Act to amend an Act passed in the Seventh Year of Her Majesty's Reign, intituled "An Act to make Provision for the Disposal and Sale of Ungranted and Unoccupied Crown Lands within the Island of Newfoundland and its Dependencies, and for other Purposes;" and to make Provision for granting Mining Licenses, Leases, and Grants of Mineral Lands, and for other Purposes.	
275	14 May „	An Act to provide for the Protection of Property wrecked on the Coast of Newfoundland.	
299	27 Mar. 1862	An Act for the better securing the Independence of the House of Assembly of this Colony, by disabling certain Persons from being elected thereto, or of Sitting or Voting therein as Members.	
304	27 Mar. „	An Act to declare the Intention or Meaning of the Words "British Sterling" and "Sterling," and "Pounds, Shillings, and Pence," introduced into any Acts passed since a Legislature was granted to this Colony in the Year 1832.	

PRINCE EDWARD ISLAND.

451	20 April 1837	An Act for levying an Assessment on all Lands in this Island.	
452	20 April „	An Act to enable the Proprietors or Shareholders of a Company, called "The Bank of British North America," to sue and be sued in the Name of any one of the Local Directors, or of the Manager or Agent for the Time being of the said Company in this Island.	
484	9 Mar. 1838	An Act to alter and amend an Act passed in the Sixth Year of the Reign of His late Majesty, intituled "An Act to consolidate and amend the Election Law."	
519	25 April 1839	An Act for the Relief of certain of the American Loyalists and Disbanded Provincial Troops, and their Representatives.	Assent refused by Despatch, No. 9, 31st October 1839, page 38.
540	29 April 1840	An Act to authorise the Appointment of Coroners in King's and Prince Counties.	
542	29 April „	An Act to authorise the Erection of a Building near Charlotte Town, as an Asylum for Insane Persons, and other Objects of Charity, and to provide for the future Maintenance of the same.	
556	29 April 1841	An Act to authorise the Appointment of Coroners in Prince and King's Counties.	
582	16 April 1842	An Act to authorise the Issue of a Copper Coinage in this Colony, and to prohibit the Circulation of base Coppers.	Assent refused by Despatch, No. 58, 31st December 1842, page 38.
584	16 April „	An Act to alter, and in addition to, an Act made and passed in the Tenth Year and Reign of His late Majesty King George the Fourth, relating to the laying out and altering of Highways, and for other Purposes therein mentioned.	
602	15 April 1843	An Act relating to the Fisheries, and for the Prevention of Illicit Trade in Prince Edward Island, and the Coasts and Harbours thereof.	
610	15 April „	An Act in further Amendment of an Act passed in the Tenth Year of the Reign of King George the Fourth, intituled "An Act to regulate the laying out and altering of Highways, and to provide a Mode for obtaining a Compensation for those who may thereby be injured, and to cause those who are benefited thereby to contribute towards their Formation."	

PRINCE EDWARD ISLAND—*continued.*

No.	Date of Passing.	Title of Bill.	Remarks.
611	15 April 1843	An Act to authorise the issue de novo of certain Writs under the Road Compensation Acts, in certain Cases.	Assent refused by Despatch, No. 89, 4th December 1843, page 39.
632	30 March 1844	An Act for raising a Fund for the Encouragement of Agriculture, to be expended in the erection of Lime Kilns, and the burning of Lime.	Assent refused by Despatch, No. 115, 18th September 1844, page 39.
648	17 April 1845	An Act to suspend a certain Clause in the Land Assessment Act relating to the cancelling of Treasury Notes.	Assent refused by Despatches, Nos. 134 and 136 of the 1st and 18th August 1845, page 40.
699	April 1847	An Act to repeal certain Duties and Customs set forth in a certain Act passed in the Session of Parliament holden in the Eighth and Ninth Years of Her present Majesty's Reign, intituled "An Act to regulate the Trade of the British Possessions Abroad, so far as the same relate to this Colony."	
712	- -	An Act to extend the Provisions of the Act relating to the Settlement of Township Boundary Lines.	
725	4 May 1848	An Act for laying further an Assessment on all Lands in this Colony, and for the Encouragement of Education.	
726	4 May „	An Act to repeal so much of the Land Assessment Act now in force, as relates to the cancelling of Treasury Notes.	
727	4 May „	An Act to incorporate a Mutual Fire Insurance Company.	
780	2 May 1849	An Act to provide for the Payment of the Civil List, and to alter the Appropriation of a certain Sum of Money raised by the present Land Assessment Act.	
813	23 April 1851	An Act for shortening the Language used in Acts of the General Assembly.	
814	15 May „	An Act for establishing the Rates in Currency at which Rents reserved in Sterling shall henceforth be paid in this Island.	Assent refused by Despatch, No. 35, 29th November 1851, page 41.
828	11 Feb. 1852	An Act providing for the Payment of the Civil List of Prince Edward Island, and for commuting the Crown Revenues thereof.	
869	3 April „	An Act for the Encouragement of Education, and to raise Funds for that Purpose by imposing an additional Assessment on Land in this Island, and on Real Estate in Charlottetown and Common, and Georgetown and Common.	
872	16 April 1853	An Act relating to certain Lease and Monetary Obligations entered into before the passing of the Currency Act.	
892	1 May 1854	An Act to incorporate sundry Persons by the Name of "The President, Directors, and Company of the Bank of Prince Edward Island."	
897	10 May „	An Act relating to certain Lease and Monetary Obligations entered into before the passing of the Currency Act.	
913	17 April 1855	An Act to impose a Rate or Duty on the Rent Rolls of the Proprietors of certain rented Township Lands in Prince Edward Island, in order to defray the Expenses of any Armed Force which may be required on Account of the Withdrawal of the Troops, and for the further Encouragement of Education.	Assent refused by Despatch, No, 13, 17th November 1855, page 41.

PRINCE EDWARD ISLAND—*continued.*

No.	Date of Passing.	Title of Bill.	Remarks.
914	17 April 1855	An Act to Incorporate sundry Persons by the Name of "The President, Directors, and Company of the Bank of Prince Edward Island."	
915	17 April „	An Act to secure Compensation to Tenants in Prince Edward Island, and thereby to promote the Improvement of the Soil.	Assent refused by Despatch, No. 13, 17th November 1855, page 41.
935	17 April „	An Act to naturalize James Searle Mann.	
962	14 April 1856	An Act to increase the Number of Members to serve in the General Assembly, and to consolidate and amend the Laws relating to Elections.	
997	1 April 1858	An Act relating to the Fishery Reserves in this Island.	Assent refused by Despatch, No. 15, 20th October 1858, page 43.
1,046	2 May 1860	An Act to enable the Controller of Navigation Laws in this Island to grant and issue Fishery Licenses to Citizens of the United States, for Vessels built in Prince Edward Island and owned by them.	
1,053	2 May „	An Act to naturalize Rachel Nichols Gibson.	
1,100	29 April 1861	An Act to repeal certain Parts of the Act consolidating the Election Laws, and to make other Provisions in lieu thereof.	
1,105	17 April 1862	An Act to give Effect to the Report of the Commissioners on the Land Question.	
1,106	17 April „	An Act to facilitate the Operation in certain Particulars of the Award or Report made by certain Commissioners, to settle and adjust Differences respecting some of the Township Lands of this Colony - -	Assent refused by Despatch, No. 120, 9th August 1862, page 44.
1,127	17 April „	An Act for the Naturalization of Aliens - - -	Assent refused by Despatch, No. 124, 20th September 1862, page 46.
1,130	18 April 1863	An Act to Incorporate the Union Bank of Prince Edward Island.	
1,136	22 April „	An Act to Incorporate the Grand Orange Lodge of Prince Edward Island, and the subordinate Lodges in connection therewith.	Assent refused by Despatch, No. 33, 21st September 1863, page 46.
1,137	22 April „	An Act to authorise the Government to sell the Military Barracks in Charlottetown.	
1,145	22 April „	An Act to Incorporate sundry Persons by the Name of "The President, Directors, and Company of the Farmer's Bank of Rustico."	
1,148	2 May 1864	An Act for settling the Differences between Landlord and Tenant, and to enable Tenants on certain Townships to purchase the Fee-simple of their Farms.	

COPIES or EXTRACTS of DESPATCHES conveying the Disallowance of certain Reserved Bills contained in the foregoing Schedule.

Upper Canada.

UPPER CANADA.

Lord *John Russell* to Sir *George Arthur*.

(Extract.)

(No. 20.)

Downing-street, 12 October 1839.

YOUR Despatches, No. 110, No. 135, and "Separate," relate to the Bill passed by the Provincial Legislature, intituled (No. 1147), "An Act to dispose of the Lands commonly called the 'Clergy Reserves.'" As Her Majesty has, for the reasons which I shall hereafter state to you, been advised to withhold Her assent from this Bill, it is unnecessary that I should further advert to the very clear and detailed statement which accompanies it, than to thank you for the exertions you have made to place Her Majesty's Government in possession of all the information which could be required for the full consideration of this important question.

The delay which accidentally occurred in the transmission of the Address from the Legislative Council and House of Assembly, contained in your despatch of the 27th July last, would have prevented a compliance, before the termination of the last Session, with the provision of the Constitutional Act of 1791, which requires that the Bill should be laid before Parliament for 30 days before the Royal Assent is given. But another and more fatal difficulty has been found to present itself to the confirmation of this Bill by the Crown. The Bill proposes, under the authority of the 41st and 42d sections of the 31 Geo. 3, c. 31, to repeal the clauses of that Act relating to the clergy reserves, and to the making provision for the Protestant clergy, and to provide that the land shall be sold, and the purchase-money be paid into the hands of the Receiver General of the province, to be appropriated by the Imperial Parliament for religious purposes. The effect of the Bill is, therefore, to refer to the Imperial Parliament the solution of the question relating to the clergy reserves. It appeared to Her Majesty's Government that very strong objections existed to this delegation to Parliament by a subordinate authority of the power of legislation, and that the more proper mode of attaining the object in view would have been, not by Bill as is proposed, but by an Address from the Legislature of the province to the three estates of the realm, praying them to undertake the decision of the question. In the correctness of this view of the case, Her Majesty's Government are confirmed by the opinion of the law officers of the Crown, who have reported that, although the Bill passed does not exceed the legal competency of the Provincial Legislature, yet that Her Majesty ought not to assent to such a Bill, the principle which it involves being quite novel, and one which might lead to very inconvenient consequences.

Under these circumstances, Her Majesty's Government have had no course open to them but to advise Her Majesty to withhold Her assent from this Bill. I need hardly state that it is with regret Her Majesty's Government have witnessed the failure of this attempt to effect a settlement of this important matter. They trust, however, that this failure is but temporary, and that the opportunity will, at no distant period, be found for arriving at a wise and satisfactory

factory adjustment of a question which, from circumstances beyond their control, has been unfortunately so long delayed. Upper Canada.

The next reserved Bill to which I have to advert is that intituled (No. 1148), "An Act to appropriate the Casual and Territorial Revenue, and for other Purposes therein mentioned."

Your Despatch, No. 118, of the 18th of May, anticipates the objection which Her Majesty's Government have to urge against this Bill. It excludes from the protection of the Civil List, granted in exchange for the revenues ceded by the Crown, the provision hitherto made for the support of the clergy. It is hardly necessary that I should state to you that with such an omission Her Majesty could not be advised to assent to a Bill of this nature. It involves, as you have observed, a departure from the conditions on which Lord Glenelg proposed that the casual and territorial revenues should be surrendered; conditions which could not be departed from without a violation of the faith of the Crown, which is pledged to the maintenance of the clergy from these revenues under the arrangement of 1834.

The transfer of this charge to the fund derived from the clergy reserves offers, under the present state of that fund, no equivalent which, with a view to the interests of the parties, the Crown could be advised to accept.

On these grounds Her Majesty withholds Her assent from this Bill.

The third Bill to be considered is that intituled (No. 1150), "An Act to ascertain and provide for the Payment of all just Claims arising from the late Rebellion and Invasions of this Province."

To this Bill, in its present form, I fear that Her Majesty's assent cannot be given.

Her Majesty's Government readily concur in the propriety of the measure which it is the object of the Bill to effect; but they cannot undertake the obligation which, if it were sanctioned, would be imposed upon them by the Preamble of the Bill, of providing ultimately for the payment of this indemnity from the British Treasury. Such a principle Her Majesty's Government are not prepared to recognise; neither, if it were otherwise, would it be of any avail unless with the previous sanction of Parliament.

Should a similar Bill be passed for this important object, free from the objection which I have pointed out, Her Majesty will be ready to concur in the enactment of it.

The next reserved Bill is intituled (No. 1151), "An Act to authorise the Issue of Bills of Credit," and to this Bill it has been judged necessary that the Royal Assent should be withheld. The confirmation of it would have thrown into circulation an amount of small inconvertible paper money to the extent of 250,000 *l.* Her Majesty's Government are decidedly of opinion that such a step would be attended with most injurious effects on the currency and the monetary transactions of the province, and on the value of private property. But anxious as they would be to concur in any financial measure which could be adopted for meeting the present exigencies of the province, they feel that the value of any such measure is to be weighed not solely by consideration of present efficiency, but by the future effects which may be produced on the permanent welfare of the Colony. In this instance that present relief would, in their opinion, be attended not only with much immediate, but, from its nature, with much permanent evil; and they cannot, therefore, at such a risk, agree to this mode of sustaining for a time the transactions of the local treasury.

(No. 31.)

Sir, Downing-street, 27 October 1839.

I HAVE to acknowledge the receipt of your Despatch, No. 194, of the 24th of September, together with a separate despatch of the same date, on the subject of the Bill passed by the Legislature of Upper Canada, on the 11th May last, intituled (No. 1155), "An Act to enable Her Majesty to make a Grant of Land to James FitzGibbon, Esquire."

 Having

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Having considered the whole of the circumstances connected with this enactment, I have felt it my duty to advise the Queen not to confirm it, and Her Majesty has been pleased to withhold Her assent from the Bill accordingly.

I have, &c.
(signed) *J. Russell.*

Sir G. Arthur,
&c. &c. &c.

(No. 184.)

Sir, Downing-street, 22 July 1840.

I HAVE had under my consideration a reserved Bill passed by the Legislative Council and Assembly of Upper Canada, during the last Session (No. 1304) intituled, " An Act to enable Her Majesty to make a Grant of Land to James FitzGibbon, Esquire," which, with other Acts and reserved Bills was transmitted to me in your Despatch, No. 2, of 2d March last.

This Bill is substantially the same as No. 1155, which was passed in 1839, and upon which, in my despatch of the 27th October last, I announced Her Majesty's decision that, consistently with the terms of the Act of Upper Canada for the alienation of waste lands of the Crown, and with the principles on which that Act proceeded, Her Majesty could not authorise the proposed compensation to Colonel FitzGibbon to be made in the form of a grant of land.

Having again considered the whole of the circumstances connected with this enactment, I have felt it my duty to advise the Queen not to confirm this reserved Bill, No. 1304; and Her Majesty has been pleased to withhold Her assent from the Bill accordingly.

Her Majesty's Government cannot be parties to any departure from the general rule that meritorious public services should be remunerated in money, because in that case there is an effectual security against improvident grants, which is wanting when such remunerations are made not in money but in land.

I have, &c.
(signed) *J. Russell.*

Sir George Arthur,
&c. &c. &c.

Lord *John Russell* to Lord *Sydenham.*

(Extract.)

(No. 402.)

Downing-street, 19 July 1841.

I RECEIVED your Lordship's despatch of the 27th May 1840, marked " Confidential," on the 17th of June in that year; and on the 20th of the same month I referred for the consideration of the Lords Commissioners of Her Majesty's Treasury the various reserved Bills alluded to in that despatch, of which a list* is subjoined. They are the Bills for increasing the capital stock of the Bank of Upper Canada, of the Gore Bank, and of the Commercial Bank of the Midland District; and the Bills for incorporating the Prince Edward District Bank and the Farmers' Bank. It was not till the 18th of May in the present year that I was in possession of the opinion of the Lords Commissioners on the subject of these Bills.

* 1306, 1307, 1308, 1309, 1310.

Her Majesty has been advised not to confirm the Bills in question, because three of them authorise the banks to continue and extend their issues of notes for sums under the value of 1 *l.*, and because the Bills for establishing new companies have been framed without regard to the precautionary conditions for which it has appeared to Her Majesty's Government to be expedient to stipulate, with a view to the protection of the public and the proper regulation of banks in all charters or acts of incorporation for banking companies in the colonies.

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(No. 49.)

Sir, Downing-street, 9 December 1839.

With reference to my Despatch, No. 28, of the 28th October last, I have now the honour to convey to you the decision of Her Majesty's Government on the Ordinance No. 93, which was included on Schedule C. in that Despatch.

This Ordinance for the regulation of the currency of the province, has been under the consideration of the Lords Commissioners of the Treasury, together with an Act passed for a similar object by the Council and Assembly of Upper Canada, and reserved by the Lieutenant Governor for the signification of Her Majesty's pleasure.

I enclose for your information and guidance an extract of a Minute passed by their Lordships on the 22d ultimo, stating that, for the reasons therein given, they could not advise the confirmation of these laws. Enclosure.

Having submitted this report to the Queen, I am commanded by Her Majesty to communicate it to the Special Council, as explanatory of the reasons which it will not be in Her Majesty's power to confirm this Ordinance, which has a suspending clause. This report is likewise explanatory of the principles by which it is necessary that the legislation of the British North American Provinces on the subject of currency should be governed, in order to establish that uniformity which it is indispensable to maintain on matters of this kind between the laws in force throughout the various members and dependencies of the British Empire.

I have, &c.

The Right Hon. C. P. Thomson, &c. &c. &c. (signed) *J. Russell.*

Enclosure.

Copy of Treasury Minute of 22d November 1839.

My Lords have under consideration an Ordinance passed by the Governor and Special Council on Lower Canada on the 3d April last, entitled, "An Ordinance to regulate the Currency of the Province," and an Act passed by the Legislative Council and Assembly of Upper Canada in the month of May last, entitled, "An Act to regulate the Value at which Gold and Silver Coin shall pass current within the Province," which enactments having been reserved for the signification of Her Majesty's pleasure, as they shall relate to the currency and circulating medium in those Colonies, have been referred for the opinion of my Lords' Board, as to the directions it may be advisable for Her Majesty in Council to give thereon.

My Lords observe that these enactments provide for fixing the comparative rates of value between British sterling money and the local currency and money of account of the respective provinces; for giving currency as legal tenders of payment to certain foreign coins, as well as to the coins of the United Kingdom, and for the prevention and punishment of attempts to circulate counterfeit or spurious coins; and that in the case of Lower Canada a reference is made to arrangements for calling in and receiving such imperfect or other coins now in circulation, as will not be legally current under the provisions of the Ordinance.

My Lords have much satisfaction in remarking, that the attention of the legislative authorities in the Canadian provinces has been thus turned to the state of the local currency, and that the tendency of both the measures now before them is the introduction of a sound, and intrinsically valuable circulating medium and standard of value, and the assimilation of the currency to that of this country, without depriving the inhabitants of the provinces of the accommodation and convenience that may attend the use of foreign coins of ascertained value.

My Lords, however, observe, that the rates assigned by these enactments to the different coins to which it is proposed to give currency in the respective provinces are not accurately fixed with reference to the comparative values of the coins, and are consequently such as would, in both cases, defeat the objects of the enactments. On this ground, therefore, my Lords are of opinion that it would be inexpedient that either the Ordinance of the Lower

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Province, or the Act of the Upper Province should be permitted to come into operation. In addition also to this conclusive reason for withholding Her Majesty's confirmation of both these enactments, the Act of the Upper Province would be liable to objection as regards the great variety of coins comprised in the Schedule (A.), and thereby constituted a legal tender, and as regards the limitation of the duration of the Act; for my Lords consider it to be desirable that the legalized tender should only extend to such coins as are constantly in circulation and well known, and consequently of ascertained fineness, and liable to frequent examination, but that coins which are obsolete, or little known in the province, be left to pass as bullion only; and as it is always desirable to abstain, as far as possible from proceedings that may tend to unsettle the currency, it appears to my Lords that the prospective limitation of the duration of an enactment of this description would be inexpedient.

The clause also, in the Ordinance of the Governor and Council of Lower Canada, which purports to empower Her Majesty to direct that coins current under previous provincial enactments, but to which no current value is assigned by the Ordinance, may be called in and re-coined into British gold and silver coins, with a proviso that the actual expense only of such re-coinage shall be borne by the province, would be objectionable, as the mode of effecting any such re-coinage must be regulated by the existing laws of this country relating to the subject.

Adverting to these several considerations, my Lords conceive it will be proper to cause a copy of this Minute to be forwarded to Lord John Russell, in order that his Lordship, if he does not see reason to dissent from the opinions of this Board, may convey instructions to the officers administering the governments of the respective provinces to apprise the local Legislatures of the objections which have prevented the confirmation of these enactments; and my Lords having before them a statement explanatory of the discrepancies in the valuations of the coins provided for by the Ordinance and by the Act, which must interfere prejudicially with their circulation, and showing the comparative rates it would be necessary to adopt to obviate those discrepancies, they will further cause the Secretary of State to be furnished with a copy of this statement, in order that it may likewise be communicated to the Canadian Governments.

My Lords at the same time deem it advisable to suggest for the consideration of Lord John Russell, whether the principal objects of the Ordinance and the Act now in question, might not be more properly attained by the issue, as in the case of the West Indian Colonies, of proclamations by Her Majesty fixing the comparative rates at which the doubloon, the dollar, the eagle of the United States, and any other coins usually circulating in the Canadian Provinces, should pass current with reference to the British sovereigns or pound sterling; and likewise fixing with reference to the value of the sovereigns the Canadian currency as indicated both by the Ordinance and by the Act, the currency rate at which, on the principles developed in the statement, that and other coins both British and Foreign, should circulate and be a legal tender of payment. My Lords also apprehend that if this course were adopted, it would only be necessary for the local governments and legislative authorities to consider whether any further legislative enactments are required to protect Her Majesty's Canadian subjects from the fraudulent circulation of forged or counterfeit coins, or whether the existing laws may, in this respect, be sufficient.

(No. 93.)

STATEMENT relative to the Metallic Currency of Upper and Lower Canada.

THE Ordinance passed in Lower Canada, after reciting that the rates and value assigned to the several coins therein mentioned are inconsistent with each other, and in many cases erroneous, and that it is highly desirable to establish a legal proportion between the pound sterling, as represented by the British sovereign and the pound currency of the province, and, as far as circumstances will permit, to assimilate the currency thereof to that of the mother country, but without injuriously affecting the interests of any party to any existing contract, proceeds to enact that a certain Act, passed in the 48th of Geo. 3, entitled, "An Act for better regulating the Weight and Rates at which certain Coins shall pass current in the Province, &c.," shall be suspended during the time this Ordinance shall be in force.

The Ordinance then enacts that the pound currency shall be such that the pound sterling, as represented by the British sovereign, of the weight and fineness now fixed by the laws of the United Kingdom, shall be equal to and pass for 1 *l.* 4 *s.* 4 *d.* currency.

	£.	*s.*	*d.*
The old eagle of the United States, weighing 11 dwts 6 grs. -	2	13	4
New eagle of - - - ditto, - - - 10 dwts. 18 grs. -	2	10	–
Old Spanish doubloon, Mexican and Columbia doubloon, coined in the years 1826, 1827 and 1828, 17 dwts. 9 grs. - - -	3	17	8
French 40-franc piece, coined before the commencement of the present year - - - - - - - - - - -	1	18	7

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The above-mentioned cases, and multiples and subdivisions thereof, being of proportionate weight, to be a legal tender to any amount by tale, so long as such coins shall not want more than two grains of the weight hereby assigned to them, deducting one half-penny currency for each quarter of a grain any such coin shall want of such weight, and shall be in any case a legal tender by weight in sums exceeding 20 *l.* currency; and in any payment above that sum, the payer may pay or the receiver insist on receiving coins by weight, at the following rates:—

British gold coins, United States gold coins coined before July 1834	94 *s.* per oz.
Ditto coined since July 1834	93 *s.* „
French gold coins	93 *s.* 1 *d.* „
Doubloons	89 *s.* 5 *d.* „

The Ordinance then enacts that the Spanish milled dollar, the dollar of the United States and of the several States of South America and Mexico, coined before 1st January 1839, and not weighing less than 17 dwts. 4 grs., shall pass for five shillings each, and shall be a legal tender, by sale, to any amount; as shall also any silver coins, being subdivisions of such dollars for proportionate sums; but the subdivisions of such dollars, being less than quarters thereof, shall be a legal tender for 50 *s.*, and no more, provided that the governor, lieutenant-governor, or person administering the government may by proclamation extend the provisions of this section, and the section preceding it, to any gold or silver coins of the weights and denominations above referred to, but of later dates, which, having been assayed at the Royal Mint, shall be found to be equal in fineness to those above-mentioned or referred to respectively.

It is further enacted that all silver coins of the United Kingdom shall pass at the following rates:

	s.	*d.*
British crown	6	–
British half-crown	3	–
British shilling	1	3
British sixpence	–	7½
British groat	–	5

The crowns and half-crowns to be a legal tender to any amount; but the shillings, sixpences, and groats to be a legal tender to the amount of 50 *s.* currency, and no more.

The copper penny of the United Kingdom, or any other which Her Majesty may cause to be coined, of not less than five-sixths of the weight of such copper penny, shall pass for one penny currency, and the halves and quarters thereof for proportionate sums, and such copper money to be a legal tender to the amount of 1 *s.* currency, and no more.

In the preamble of this Ordinance it is directed that it is desirable that the currency of the provinces should be assimilated, as far as circumstances will permit, and without injuriously affecting existing contracts, to that of the mother country.

With this intention it is also enacted that the British sovereign shall be rated at and pass current for 1 *l.* 4 *s.* 4 *d.* currency; and the gold coins of the United States of America, of France, and of the several States of Mexico and South America are rated according to their respective weights and fineness in exact proportion to the sovereign.

In so far as relates to the relative value of the gold coins, the intention of the Ordinance is thus successfully accomplished. But the Ordinance proceeds to enact that the dollar of the United States of America, and of Columbia and Mexico, shall pass current and be a legal tender at the rate of 5 *s.* currency, and that the silver coins of Great Britain shall pass current at the several rates of 6 *s.* for the crown, 3 *s.* for the half-crown, 1 *s.* 3 *d.* for the shilling, 7½ *d.* for the sixpence, and 5 *d.* for the fourpenny-piece.

Now these several rates are neither consistent with each other nor with the rates assigned to the gold coins. The dollar, the British crown and half-crown are undervalued. The British shilling, sixpence, and groat are overvalued, not only with reference to the gold coins, but likewise with reference to the crown and half-crown.

The dollar is rated in the Ordinance according to the proportion of gold to silver adopted at the mint of the United States, which proportion is about 1½ per cent. below that which obtains in the general market of the commercial world. The ground for adopting the United States proportion would seem to be, an apprehension that while the two metals are valued by law in the United States in the proportion of 16 to 1, their proportionate value in England and in the general market of the world is nearly 15¾ to 1, and that if the latter proportion were adopted the gold coins would soon leave the colony, and be exported to the United States.

It is, however, conceived that the over-valuation of gold in the United States may safely be disregarded, as its effect in that country must be to make gold the only practical standard, and to establish a premium on silver equal to the difference between the legal proportions in the United States and the market proportions elsewhere; in which case little or no inconvenience would be experienced in the Colonies with respect to their exchange with the United States, if the market proportions were adopted.

On what principle the crown and half-crown are undervalued, and the shilling, sixpence and groat overvalued in relation to the sovereign is not so apparent. It is, indeed,

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enacted that shillings, sixpences and fourpenny pieces, shall be a legal tender only to the extent of 50*s.* currency, but this limitation would not prevent the exclusion of the superior coins from circulation. It would still be the interest of the holder of gold coins, dollars, crowns and half-crowns to exchange those coins for shillings and sixpences, and to export them to Great Britain for that purpose. It would be the interest of the banks to pay all notes of lower denomination than 50*s.* currency with British shillings and sixpences; for the larger notes they would be exposed to an inconvenient demand for gold in consequence of the over valuation of British silver coin.

If the proper proportions had been observed in the rates assigned to the several coins by this Ordinance, they would have been respectively as follows:—

	£.	*s.*	*d.*
Sovereign	1	4	4
United States old eagle	2	13	4
Ditto new eagle	2	10	–
Doubloon	3	17	8
French 40 franc piece	1	18	7
Dollar	–	5	1
British crown	–	6	1
Ditto half-crown	–	3	$-\frac{1}{2}$
Shilling	–	1	$2\frac{6}{10}$
Sixpence	–	–	$7\frac{3}{10}$
Groat	–	–	$4\frac{86}{100}$

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(No. 1149.)

By the Act passed in this Province on the 11th of May 1839, all former Acts for regulating the rates and value of gold and silver coins in the province are repealed.

It is then enacted that the gold coins mentioned in a schedule annexed to the Act shall be deemed a legal tender, at the rates and value set opposite to them respectively in the schedule: Provided that whenever the said coins shall not be of the full weight set opposite to them, and also in case of payment of any sum over 25*l.*, the said coins shall be paid by weight at the following rates:—

	s.	*d.*	
British gold	at 4	9	per dwt.
French gold	at 4	8	per dwt.
Spanish, Mexican and Columbian gold	at 4	6	per dwt.

and all other coins at the rates deduced from the rates and weights set forth in the schedule.

The rates for the undermentioned gold coins in the schedule are respectively as follows:—

	dwts.	grs.	£.	*s.*	*d.*
Sovereign — weight	5	$2\frac{2}{3}$	1	4	4
United States old eagle „	11	6	2	13	$3\frac{3}{4}\frac{60}{100}$
Ditto new eagle „	10	18	2	10	–
Doubloon „	17	9	3	17	$8\frac{40}{100}$
French 40 franc „	8	7	1	18	$6\frac{44}{100}$

According to these weights and rates the sovereign would not be a legal tender if its weight should be less than 5 dwts. $2\frac{2}{3}$ grs.

This coin when first issued from the mint should weigh 5 dwts. 3·274 grs.

By a proclamation, dated 1st July 1817, the current weight was fixed at 5 dwts. $2\frac{3}{4}$ grs., being $\frac{524}{1000}$ under the full weight.

By a subsequent proclamation, dated 6th February 1821, the current rate was altered to 5 dwts. $2\frac{1}{2}$ grs., being $\frac{774}{1000}$, or about $\frac{3}{4}$ of a grain under the full weight.

In fixing the current weight of the sovereign at 5 dwts. $2\frac{2}{3}$ grs. in the Upper Canada Act, it is apprehended that the proclamation of the 6th February 1821 was overlooked.

The weight and fineness of all the various gold coins enumerated in the schedule annexed to the Act, appear to be taken from a table of foreign coins made out in the United States of America, in pursuance of an Act passed by Congress on the 21st June 1834. In the United States Act it is enacted, that it shall be "the duty of the Secretary of the Treasury to cause assays of the aforesaid gold coins made current by this Act, to be had at the mint of the United States at least once in every year, and to make report of the result thereof to the Congress."

This enactment was, no doubt, deemed necessary in order to guard against any alteration that might be made in the weight or fineness of any of the various coins made current by the Act.

The Upper Canada Act is not equally guarded in this respect.

It is further enacted by the Upper Canada Act in question, that the silver coins specified in a schedule annexed to the Acts, pass current, and be a legal tender at the rates and value set opposite to them in the schedule. Provided, that British shillings and sixpences shall not be a legal tender for any payment above 10*l.*, and provided also,

that

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that the said silver coins shall not be a legal tender if reduced in weight above 1-25th of the proper weight of such silver coins.

The following are the rates at which the silver coins specified in the schedule are to pass current, and are to be a legal tender :—

	s.	*d.*
Spanish, Mexican, Columbian and United States dollar - -	5	–
British crown - - - - - - - - - - -	6	–
British half-crown - - - - - - - - - -	3	–
British shilling - - - - - - - - - -	1	3
British sixpence - - - - - - - - - -	–	$7\frac{1}{2}$
French crown - - - - - - - - - -	4	$8\frac{1}{2}\frac{8}{10}$

The rates and value assigned to the gold coins of Great Britain, France, the United States, Mexico, and South America, by the Act, are very nearly the same as those adopted in the Act passed by the Legislature of Lower Canada.

The rates and value assigned to the dollar, and to British silver coins, are exactly the same in both Acts, but, according to the Upper Canada Act, shillings and sixpences are to be a legal tender to the extent of 10 *l.*; in the Lower Canada Act the limitation is 40 *s.*

The observations on the Lower Canada Ordinance are equally applicable to the Act of the Upper Province. In both the rates and value assigned to the different coins specified in the Acts are erroneous and inconsistent with each other.

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Lord *Stanley* to Sir *Charles Metcalfe*.

(Extract.)

(No. 189.)

Downing-street, 27 March 1844.

Her Majesty's assent will not be given to the Bill, No. 199, for the discouragement of Secret Societies. The Queen cannot be advised to concur in an enactment, placing any class of Her Majesty's subjects beyond the protection of the law, and depriving them, without a previous conviction for crime, of the privileges to which all British subjects have a common title. You have, as I understand, adopted every necessary measure to restrain demonstrations calculated to disturb the public peace; and, much as I regret the existence of the societies against which this Bill is aimed, it appears to me more safe, more just, and more constitutional to rely on the executive government for the prevention of their possible excesses, and on their leaders' good sense and loyalty, acting on the advice which I am sure you will tender to them in a friendly spirit, for their ultimate dissolution, than to encounter the evil by legislation, affording a too ready precedent of severity and violence for imitation in future times and on other occasions.

(No. 201.)

Sir, Downing-street, 18 April 1844.

I have received from Her Majesty's attorney and solicitor general, a report dated the 9th instant, on the Bill passed by the Council and Assembly of Canada on the 9th December 1843, and reserved by you for the signification of Her Majesty's pleasure thereon, entitled (No. 205), "An Act for the better securing the Independence of the Legislative Council of this Province."

In that report it is stated that the proposed Bill appears very materially to interfere with the power vested in Her Majesty by the Act of the Imperial Parliament of the 3d and 4th year of Her Majesty's reign, c. 25, in reference to the appointment of the members of the Legislative Council.

It is consequently not competent to the Queen, in point of law, to assent to this Bill. In the absence of any other reasons this, of course, would be a conclusive and insuperable objection to the ratification and final enactment of it by Her Majesty; that ratification will consequently be withheld, and the Bill will not take effect as law in the Province of Canada.

Sir Charles Metcalfe, &c. &c. &c. (signed) *Stanley.*

Canada.

(No. 458.)

My Lord, Downing-street, 18 November 1845.

In reference to the correspondence enumerated in the margin on the subject of Mr. Harris' Divorce Bill, I have now to communicate to your Lordship the accompanying copy of a report from the law officers of the Crown, from which it appears that if the Bill were confirmed by Her Majesty the courts of law in this kingdom would not consider such an Act as a valid divorce, but that Mr. and Mrs. Harris would still retain, in point of law, their conjugal relation towards each other within this kingdom, and wheresoever else beyond the limits of Canada the law of England prevails.

Under such circumstances, it will, of course, be impossible that Her Majesty in Council could be advised to confirm and finally enact this Bill.

I have, &c.

Lord Metcalfe, &c. &c. &c.

(signed) *Stanley.*

Nova Scotia.

NOVA SCOTIA.

Lord *Glenelg* to Sir *C. Campbell.*

(Extract.)

(No. 52.)

Downing-street, 31 August 1836.

Enclosure 1.
Enclosure 2.

The Act, No. 1743, for deepening the East River of Pictou, has been brought under the consideration of the Lords of the Treasury. I transmit for your information a copy of the correspondence that has passed between this department and the Treasury, from which you will learn the grounds on which their Lordships are of opinion that the Act cannot properly be confirmed, and the course of proceeding which they think advisable, in order to obviate the inconvenience of which the withholding of Her Majesty's assent might otherwise be productive.

Concurring in and adopting the views of their Lordships, I have humbly advised His Majesty to withhold His assent from the Act in question, and I have to desire that you would suggest to the Council and Assembly the re-enactment of it with the alteration and omissions suggested by their Lordships.

Enclosure 1.

James Stephen, Esq. to *A. Y. Spearman*, Esq.

(Extract.)

Downing-street, 6 August 1836.

The Act for deepening the East River of Pictou, contains a clause of which the following is a copy:

"Provided always, and be it further enacted, that nothing in this Act contained shall extend, or be construed to extend, to sanction the original grant or letters patent of the said mines, minerals, ores, seams or veins of ores, minerals or mineral substances to His Royal Highness the Duke of York and Albany, or to operate as an assent to the validity of such grant on the part of the General Assembly of this province, or to give any force, validity or effect whatever to the said grants or letters patent; but the right of the inhabitants therein, or any of them, either collectively or individually, shall be and remain in force, anything in this Act to the contrary notwithstanding."

The grant to the late Duke of York having been made on the advice of a former Board of the Treasury, Lord Glenelg wishes that their Lordships should consider how far the confirmation of this Act by His Majesty in Council would be consistent with the authority which their Lordships may attribute to that grant.

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Enclosure 2.

A. Y. Spearman, Esq. to *James Stephen*, Esq.

(Extract.)

Treasury Chambers, 25 August 1836.

I AM commanded to desire that you will state to Lord Glenelg with respect to the Act "for deepening the East River of Pictou," that the reference therein to the grant to His late Royal Highness the Duke of York, appears to my Lords to be wholly unnecessary as regards the purposes contemplated by the Act, since it would seem to be quite sufficient that the preamble of the Act should refer in general terms to the occupation by the Mining Association of the coal mines on the banks of the river; and my Lords conceive that it would be inexpedient on various considerations that the Act should be assented to in its present shape.

In order, however, to prevent any unnecessary delay in the attainment of the useful object for which the Act is intended to provide, my Lords would suggest that in signifying the disallowance of it to the Lieutenant Governor of Nova Scotia, he might be apprised, that if the Act were altered by the recital in the preamble, of the occupation of the mines by the Company, without adverting specifically to the lease from His late Royal Highness the Duke of York, the grant to whom is, as Lord Glenelg is aware, at present the subject of litigation in this country, and by the omission of the subsequent clause relating to that grant, the objection to it in its present form would be removed, and that if the local Legislature should see fit to pass a new Act thus amended, the Lieutenant Governor might be authorised to assent to its being carried into immediate effect.

(No. 4.)

Sir, Downing-street, 23 September 1839.

AMONG the subjects which have come under my review since I received the charge of this department, my attention has been especially directed to the pending question relating to the school lands in Nova Scotia. Various circumstances have prevented Her Majesty's Government arriving at a decision on this important subject at an earlier moment. The Act (No. 1967) passed by the Assembly during their last Session for the appointment of trustees for school lands, was only received on the 5th ultimo, and much time has necessarily been occupied in weighing the representations against the confirmation of that Act, which have been submitted by the Bishop of Nova Scotia, and in obtaining the opinions of the law officers of the Crown on those points of law in which the question was involved.

Those representations and opinions have been fully considered; I am now enabled to communicate to you the views of Her Majesty's Government on this subject.

The real points which Her Majesty's Government have had to determine have been the value and extent of the claims which have been preferred by the Bishop of Nova Scotia, on behalf of the Society for the Propagation of the Gospel, to the possession of these lands for the use of schoolmasters of the Established Church. The decision of the Crown as to the confirmation or disallowance of the Act recently passed by the provincial Legislature has necessarily been dependent, in a great degree, on the success or failure of that claim; and I shall proceed, therefore, in the first place, to explain to you the opinions which have been formed on those points by Her Majesty's Government, after a most careful examination of the whole subject.

The claim advanced by the Bishop of Nova Scotia extends to the whole of the lands set apart for educational objects, whether already appropriated to those purposes, or already vested by the Provincial Act of 1766 in the hands of trustees for the use of schools. Her Majesty's Government are of opinion that the Society for the Propagation of the Gospel, although not possessed of a strictly legal right, have established an equitable claim to that portion of the land which is already occupied and improved, and they consider that the Society should be left in the entire and unreserved possession of it for the purposes to which it is at present dedicated. Setting aside any other considerations the Society, in connection with the Established Church of England and Ireland, have, by the extent and efficiency of their arrangements for dispensing the benefits of education throughout the province, entitled themselves to the full enjoyment of this property.

You will have collected from what I have now stated, that it is not my intention to advise Her Majesty's Government to assent to the Act passed in the last session of the provincial Legislature, entitled "An Act to provide for the

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Selection and Appointment of Trustees of Lands granted, reserved or otherwise allotted as School Lands, or for Schools in this Province." The legal opinions which have been taken on this Act, confirm the doubt which was entertained by the Government as to the competency of the local Legislature to exercise this jurisdiction over the lands in question. The Act passed is open to the strong objection that it extends to all lands originally reserved or granted for the purposes of schools, which must be plainly improper, so far as relates to lands vested in trustees appointed from time to time by the Governor. Even if the claim of the Society had been altogether rejected, still the property not having been found to be with them, would devolve on the Crown, and be disposable by the Crown, and not by the local Legislature. But independently of what I have already stated, it appears to me that the Act is liable to this other grave objection, that it seeks by a direct exercise of power to enforce a settlement of a question embodying many important points of proprietary right and equitable consideration, which could only be satisfactorily arranged, after a full examination of the grounds on which the claims of the parties were founded; at the same time I should wish it to be distinctly understood that Her Majesty's Government do not express any dissent from the general views which the Legislature appear to entertain, were they to be applied to a matter on which they could be allowed to operate, with justice to the Crown and fairness to other parties.

Should the provincial Legislature undertake the settlement of rules for the application of future grants, Her Majesty's Government will readily concur in the provisions of this Act for the management of any lands which may hereafter, from time to time, be devoted to educational purposes.

I will even go further to meet the views of the Provincial Legislature. With reference to the unoccupied portion of the lands already granted, Her Majesty's Government are not prepared to admit the claim of the Society. Neither are they prepared to state the mode of appropriation which it would be just and proper to adopt with regard to this portion of the lands. I entertain strong doubts whether in departing from the view taken by the Society, as to their equitable title to these lands, also, it might not be proper, in a certain degree, to qualify that dissent and to admit their claim to a portion of them. Her Majesty's Government feel every disposition to meet the views of the Society and to aid their exertions for this great public object, and it would prove highly satisfactory to them, if by mutual concessions on the part of the parties interested, this embarrassing question could be satisfactorily arranged. I would therefore suggest for your consideration, whether it might not be practicable to relieve the Government from the further discussion of this question by the appointment of a commission, which might distinguish those lands upon which the care and the funds of the Society had been bestowed, from those which had been left altogether waste and unprofitable. Upon the report of such commission might be founded some measure in the provincial Legislature, with the concurrence of the Government, by which a partition of these reservations should be made, leaving one portion for the support of the schoolmasters of the Society, and the other to the purposes of education generally. Some such arrangement, provided it were so clearly defined as not to lead to litigation, although it would not meet the claims of either party, might be accepted by both as a means of reconciling those differences which cannot be protracted without injury to the province generally, and more particularly to that important object which all parties have in view.

I have, &c.

Sir C. Campbell, &c. &c. &c. (signed) *J. Russell.*

Lord *John Russell* to Sir *C. Campbell.*

(Extract.)

(No. 12.)

Downing-street, 11 November 1839.

THE Act, No. 1960, in further amendment of the Act relating to cemeteries, provides for the exchange of a piece of land belonging to the Master General and Board of Ordnance, which the Commissioners of Public Cemeteries are desirous of possessing. The Ordnance department had this subject under

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under their consideration in the month of February last, for on the 11th of that month they addressed a communication to my predecessor, stating the conditions upon which they were willing to accede to the proposed exchange; and I find that his Lordship transmitted a copy of that communication to you for your guidance in his Despatch of the 3d March last.

Having referred the Act, No. 1960, to the consideration of the Master General and Board of Ordnance, they have informed me they consider it necessary that it should embrace the terms specified in their letter of the 11th February.

The Act in question, which has a suspending clause, will, therefore, not receive Her Majesty's confirmation until it shall have been amended in the manner pointed out.

The Act, No. 2008, providing for the settlement of equitable claims upon real estate in certain cases, has formed the subject of a protest by parties who are entitled to estates in reversion or remainder, but who would, under the operation of this Bill, be deprived of their interest in property, on account of the tenant for life not having actively interfered to prevent the unlawful occupation of the land by trespassers, it being impossible for persons so entitled in reversion or remainder to take any effectual steps against such trespassers until they should become entitled to the actual possession.

Having consulted the law officers of the Crown on the validity of this objection, and they having reported it to be insuperable, and that the Bill contains many other objectionable clauses, I cannot advise Her Majesty to allow it to pass into a law by the Royal confirmation.

Lord *John Russell* to Viscount *Falkland*.

(Extract.)

(No. 71.)

Downing-street, 30 August 1841.

I HAVE received your Lordship's Despatch (No. 56) of the 12th April last, transmitting an Act passed by the Legislature of Nova Scotia, with a suspending clause, on the 10th of that month (No. 2158), "for facilitating the Recovery of Seamen's Wages." Your Lordship's Despatch also enclosed two addresses to the Queen from the Legislative Council and House of Assembly, praying Her Majesty's assent to this Act, and likewise the draft of a Bill proposed by the Judge of the Vice Admiralty Court on the same subject. I have had the honour of laying these addresses before Her Majesty, when Her Majesty was pleased to command that the subject should be referred to the consideration of Her Majesty's legal advisers. * * * * * * * * * * * After receiving that report I have found it impossible to advise the Queen to allow this Act, and Her Majesty does not therefore propose to confirm it.

(No. 38.)

Sir, Downing-street, 30 September 1847.

I HAVE had under my consideration the two under-mentioned Acts passed by the Legislature of Nova Scotia in the month of March last, intituled (No. 2715), "An Act in addition to and altering the Acts for establishing Regulations for the disposal of Crown Lands within the Province," and (No. 2714), "An Act relating to the Crown Land Department of this Province."

I have not failed to lay before the Queen the address transmitted in your Despatch, No. 23 of the 1st April, from the House of Assembly of Nova Scotia, praying Her Majesty to pass the former of these laws; but it has not been in my power to advise Her Majesty to comply with that address of the Assembly, for the following reasons.

It is proposed by this Act to reduce the price to be paid for ungranted or escheated and wilderness lands in Nova Scotia from 1 *s.* 9 *d.* to 1 *s.* sterling per acre, the former price having been fixed as the maximum upset price by an Act passed in the Session of 1843, and continued for three years by an Act passed in the course of last year. I have reason to believe that much incon-

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venience has resulted from frequent changes in the price of Crown lands in the North American colonies, and I consider that it would not be advisable to sanction the repeal of a law passed so recently as last year, to continue provisions which the present Act would necessarily alter; but independently of those objections, I am far from being satisfied that any reduction in the price of Crown lands would facilitate the objects contemplated by the Act, of promoting the settlement and improvement of the country, or of substantially assisting the emigrant.

It has, on a former occasion, been considered by Her Majesty's Government that the rate of 1 *s.* 9 *d.* per acre for land in Nova Scotia was too low when it is a maximum as well as minimum price; but, in deference to the superior local knowledge of the Lieutenant Governor, and adverting to the inferiority of the soil of Nova Scotia, as compared with that of the adjoining provinces, the objections of Her Majesty's Government to that low valuation were not, at the time, insisted on; under these circumstances to reduce now to 1 *s.* per acre, the price actually established by law, is a proposal, which, if carried into effect, would in my judgment prove the reverse of advantageous to the real interests of the Colony; it would not only tend to diminish the value of landed property, and be unjust in its operation towards those persons who have been required to pay a higher price for the lands which they obtained from the Crown, but it is also more than questionable whether any real advantage would accrue to those who were enabled to obtain land at so cheap a rate.

What is requisite for the benefit of purchasers of waste land, and more especially of emigrants who wish to settle upon the hitherto unoccupied territory of the province, is not that land should be sold at a lower price, but that the price paid for it should be so laid out as to facilitate its profitable occupation.

Upon this point I have to call your attention to the following observations which I had lately occasion to make to the Governor General of British North America in regard to a plan of systematic colonization which was projected in Canada. I stated, that "What seems to be most required, is, to carry further than has yet been done the principle of making all who obtain land pay for it such a price as at once to afford the means of effecting those improvements, by the construction of roads and bridges, and by erecting schools and other public buildings which are necessary for its regular and systematic occupation. If no public lands were alienated but at a price sufficient to pay for such improvements, and if the money obtained from their sale were so expended, land would only be purchased where the improvements were already in progress, while the settler, receiving in return for the enhanced price he paid for land, not only the land, but the advantage of those works by which its profitable occupation is facilitated, would not in reality pay more, perhaps not so much, for the mere land, as when it is disposed of at a very low and almost nominal rate.

With regard to the Act making alterations in the Crown Land department in Nova Scotia, I have to state that I have no reason to suppose that the measure which the Legislature has thought proper to pass on this subject is defective in point of detail. But it is open to the objection that it makes provision for the regulation of offices which cannot at present be regarded as other than provisional, whilst the question relating to the surrender of the Crown revenues of Nova Scotia, in exchange for a civil list, continues unadjusted. Until that question be determined on a complete and satisfactory basis, it would be premature to sanction such arrangements as are provided for in this Act.

You will communicate this Despatch to the House of Assembly in answer to their addresses to you of the 30th and 31st March, at the same time assuring them of Her Majesty's readiness to assent to any measures which may appear to be really calculated to promote the settlement of the territory of Nova Scotia, and place so important a department of the provincial administration as the management of the waste lands upon a permanent and economical footing.

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

Sir John Harvey,
&c. &c. &c.

NEW BRUNSWICK.

(No. 132.)

Sir, Downing-street, 3 January 1839.

The Lords Commissioners of Her Majesty's Treasury have had under their consideration two Acts passed by the Legislature of New Brunswick during their last Session, intituled "An Act to incorporate sundry Persons, by the name of the President, Directors, and Company of the Miramichi Bank," (No. 1156); and "An Act to increase the Capital Stock of the Chartered County Bank, and to amend the Act incorporating the same," (No. 1157).

The Lords of the Treasury are of opinion that in these Acts many provisions of great importance have been omitted. In that relating to the Miramichi Bank, there is no clause prohibiting the issue of notes for sums under 1 *l.*, or the making of loans on mortgage or on pledges of lands, houses, ships, or goods, whether as direct or collateral security, or providing for the forfeiture of the privileges of the company on their suspension of payments in specie, or other infraction of the more material conditions of incorporation. Their Lordships also consider as insufficient the provisions relating to payment of the notes that may be issued by the company at the place of issue, in specie on demand, to the payment of dividends to shareholders out of profits only, and to the preparation and publication of statements showing the average amount of the assets and liabilities of the company during each half-yearly period; and they moreover disapprove the unnecessarily long period which appears to be allowed for paying up the second moiety of the capital.

With respect to the Act relating to the Chartered County Bank, the Lords of the Treasury observe, that it not only authorises an increase of the capital of that establishment, but likewise extends all the existing powers and privileges of the company, which, under the original Act of Incorporation, would expire in the year 1845, to the 1st May 1860. Their Lordships, therefore, consider that this Act must be held to be equivalent to a fresh Act of Incorporation, and ought not therefore to be confirmed, unless accompanied by the same conditions and securities as it is thought necessary to require in the case of the other newly proposed establishment.

As these Acts contain clauses suspending their operation until Her Majesty's pleasure shall be declared respecting them, I shall abstain from bringing them under the notice of Her Majesty in Council, until the Legislature of New Brunswick shall have had an opportunity of considering and of remedying the objections stated to them. I have therefore to request that you will communicate the substance of this Despatch to the Legislative Council and House of Assembly at their next meeting.

I have, &c.

Sir John Harvey, &c. &c. &c. (signed) *Glenelg.*

(No. 184.)

Sir, Downing-street, 4 September 1843.

I have to acknowledge the receipt of your Despatch, No. 38, of the 20th April last, transmitting certified copies of two Acts which had been passed by the Legislature of New Brunwick; the first, No. 1432, entitled "An Act relating to the Collection of Duty on Timber and other Lumber;" and the second, No. 1433, entitled "An Act to establish sundry Regulations for the future disposal of Timber and other Lumber cut on Crown Lands."

Each of these Acts contains a clause suspending the operation of it until Her Majesty's pleasure shall have been signified. I transmit for your information the accompanying copy of the opinion of the Queen's Advocate and of Her Majesty's Attorney and Solicitor General, in answer to questions proposed to them respecting the Act for the collection of duty on timber and other lumber.

For the reasons assigned in that opinion, Her Majesty will abstain from confirming the Act to which it refers.

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It will not therefore take effect or come into operation as a law.

The Act to establish regulations for the disposal of timber and other lumber cut on Crown lands must, of course, be disposed of in the same manner as the first-mentioned Act, to which it is supplementary and auxiliary. Even without reference to this conclusive objection there would have been great difficulty in confirming this Act. Without any previous intimation of the Royal pleasure, it repeals a part of the Civil List Act. It grants with no sufficient reason extensive privileges to the owners of mills in actual operation, and it does not require the payment in ready money of the fee required for the timber license.

From the statements contained in your Despatch, and in the Reports accompanying it, I, however, conclude that the present system of timber licenses requires modification; that it is expensive in its working; and that under shelter of it frauds are committed, which reduce the actual receipts much below their just amount.

As you are fully aware of these evils, I trust that you will be able to obviate them by adopting, with the advice of the Executive Council of New Brunswick, some such arrangement as that to which you refer in the latter part of your Despatch.

Sir William Colebrooke,
&c. &c. &c.

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

(No. 197.)

Sir, Downing-street, 14 October 1843.

I HAVE had under my consideration an Act passed by the Legislature of New Brunswick, with a suspending clause, on the 11th April last, for regulating the currency of that province (No. 1435).

I have no objection to offer to this Act, except as regards the valuations assigned for some of the coins specified in it; and, as these valuations are not correctly adjusted according to the intrinsic worth of the coins, with reference to their contents in pure metal and to the relative values of gold and silver, it appears that the object of the Act could not be attained without some modification of the comparative rates assigned for the coins.

I observe that the values in the provincial currency of coins mentioned in the Act are as follows; viz.:

	£.	*s.*	*d.*
The English sovereign	1	4	2
The French crown piece	–	5	6
The English crown piece	–	6	$-\frac{1}{2}$
The Spanish South American or United States dollar	–	5	–
The gold eagle of the United States	2	10	–

But, considering the dollar to have been the coin principally circulating in the Province, and to be properly rated at 5 *s.* currency, the following should be the rates of the other coins; viz.:

	£.	*s.*	*d.*
The sovereign	1	4	–
The English crown	–	6	–
The eagle of the United States	2	9	3

I do not advert to the French crown piece, as this coin is not now fabricated, and has consequently been omitted from the currency Acts, both of Canada and Nova Scotia.

Under these circumstances Her Majesty cannot be advised to confirm the present Act; but you will avail yourself of an early opportunity of recommending the Legislative Council and Assembly of New Brunswick to pass another Act, in which the proper rates mentioned in this Despatch should be assigned to the coins of the Province.

Sir W. Colebrooke,
&c. &c. &c.

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

(No. 322.)

New Brunswick.

Sir, Downing-street, 18 August 1845.

I HAVE had under consideration the Act passed by the Legislature of New Brunswick in the month of March last (No. 1537), with a suspending clause, to authorise the sale of certain lands in the county of York belonging to the late Mr. W. F. Odell, deceased, &c.

I deemed it right, in the first instance, to refer this Act for the consideration of the law officers of the Crown in this country. I transmit herewith a copy of the report which they have made to me in reply to that reference.

Adverting to that report, I have to acquaint you that it will not be in my power to advise the Queen to make any order for the confirmation of this Act.

I have, &c.

Sir W. Colebrooke, &c. &c. &c. (signed) *Stanley.*

(No. 14.)

Sir, Downing-street, 24 June 1852.

I HAVE had under my consideration the Act passed by the Legislature of New Brunswick in the month of April last, entitled "An Act to exclude certain Persons from serving as Members of the Legislative Council of this Province" (No. 2144), transmitted in Sir Edmund Head's Despatch, No. 17, of the 9th of April.

I conceive this Act to be open to very grave objections, because its functions not only interfere directly with the Royal prerogative, but also have the effect of removing the Legislative Councillor from his office, by disqualifying the Bishop of the Province from exercising the privilege conferred upon him by the Crown of sitting in the Council.

I have therefore considered it necessary to advise Her Majesty to disallow the Act, and I transmit herewith the necessary order of the Queen in Council for that purpose.

I have, &c.

The Officer administering the Government. (signed) *J. Pakington.*

Right Honourable Sir *John Pakington* to Governor the Honourable *H. Manners Sutton.*

(Extract.)

(No. 70.)

Downing-street, 22 November 1856.

I HAVE to acknowledge your Despatch, No. 11, of 31st July last, forwarding an Act, No. 2520, passed by the Legislature of New Brunswick (with a suspending clause), "relating to certain exemptions from duty."

2. By this Act certain special privileges are conferred upon the United States as regards the trade with the Port of St. Stephen's, viz.—

1st. Timber exported to the United States from the Port of St. Stephen's is exempted from export duty.

2d. Vessels arriving at the Port of St. Stephen's from the United States are exempted from lighthouse, harbour, and other dues.

3. Legislation conferring exclusive privileges of commerce is opposed to the commercial policy which this country has deliberately adopted; and, in the present case, besides the objection pointed out by yourself, arising from the distinction established between the Ports of St. Stephen and other ports of the Colony, the exemptions proposed to be established in favour of the United States are inconsistent with many of the commercial treaties which have been entered

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into by Great Britain with foreign States, and which contain articles (commonly known as the most favoured nations clauses) under which a participation in such exemptions could justly be claimed by those States.

4. On these grounds it appears to Her Majesty's Government that Her Majesty cannot be properly advised to sanction this Act. As it contains a suspending clause, it will therefore remain without effect.

Newfoundland.

NEWFOUNDLAND.

(No. 152.)

Sir, Downing-street, 25 March 1844.

I HAVE received your Despatch numbered 6, and dated the 31st January 1844, in explanation of the motives which led to the enactment by the Legislature of Newfoundland of the local statute of 6 Vict. c. 9, abolishing the oaths now by law taken by the members of that body, and substituting the oath of allegiance instead thereof,

As this Act is suspended for the signification of Her Majesty's pleasure, it will not be in my power to advise Her Majesty to confirm it. I do not enter on the question whether it is or is not right that the oaths at present required from the various members of the Legislature should be dispensed with, excepting only the oath of allegiance. My objection to this Act is of another kind.

If the existing oaths are required under the authority of Parliament, it is only by the same authority that the obligation of taking them can be annulled. If (as I rather understand the case) that obligation is imposed by the Queen, in the exercise of Her Majesty's Royal prerogative, the proper course of proceeding would be that the Legislature should address the Queen to discontinue that exercise of Her Majesty's authority. On either supposition, an Act of the local Legislature is an unfit method of introducing such a change.

I have, &c.

Governor Sir John Harvey, &c. &c. &c. (signed) *Stanley.*

(No. 201.)

Sir, Downing-street, 8 February 1845.

I HAVE received from you an Act, passed by the Legislature of Newfoundland, in April 1844 (No. 29), for the regulation of the copper coinage, with a suspending clause.

As this is a subject the consideration of which comes peculiarly within the province of the Lords Commissioners of the Treasury, I have thought it right to refer the Act to that Board, and I enclose for your information and guidance, a copy of the answer which I have received from their Lordships, stating the reasons for recommending that this Act should not receive Her Majesty's confirmation. As I quite agree in the view taken by the Lords Commissioners, I cannot advise Her Majesty to allow this Act to become the law of the island.

I have, &c.

Governor Sir John Harvey, &c. &c. &c. (signed) *Stanley.*

(Enclosure.)

Sir, Treasury Chambers, 3 February 1845.

WITH reference to your letter of the 18th October last, I am commanded by the Lords Commissioners of Her Majesty's Treasury to request that you will state to Lord Stanley that my Lords having had under consideration the Act of the Legislature of Newfoundland (No. 29), relating to copper coinage, are of opinion that the provisions of it are not sufficient for the attainment of the objects contemplated by the local legislative authorities in

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in passing it, and that the provision relating to a special coinage would be inadmissible in its present shape, and my Lords can, therefore, only recommend that no such assent on the part of Her Majesty should be signified to the Act as would give it effect.

You will observe to Lord Stanley, that it appears from the information before my Lords, that the circulating medium at Newfoundland consists principally of dollars, passing at the nominal value of five shillings local currency, and that the value of the dollar in sterling money being assumed to be four shillings and four pence, the par of exchange between Newfoundland currency and the British sterling, is considered to be 115*l.* 7*s.* 8*d.* currency for 100*l.* sterling, but that the actual exchange is usually at a premium for sterling of 4 to 6 per cent. above that rate, as would naturally result from the over-valuation of the dollar, which is only equivalent to four shillings and two pence sterling.

My Lords do not find that any settled value in currency has hitherto been assigned to British silver or copper coins; but on adverting to the currency value it is proposed by the Act now in question to give the British shilling, as compared with the rate of five shillings currency for the dollar worth four shillings and two pence sterling, my Lords apprehend that British coins, either silver or copper, would be excluded by it from circulation.

You will further state to Lord Stanley, that if the information above adverted to respecting the currency valuation of the dollar at Newfoundland is correct, it would be desirable, as a preliminary step to the introduction of a better regulated circulating medium, that a local Act should be passed, declaring that British coins of gold, silver, or copper shall be paid and received in satisfaction of all legal demands expressed in terms of the currency of the Province, at the rate of 24*s.* currency to the sovereign, and at such proportionate rates for silver and copper coins as the said silver and copper coins bear to the sovereign in sterling money.

* * * * * * *

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

James Stephen, Esq.,
&c. &c. &c.

Earl *Grey* to Sir *John Harvey.*

(Extract.)

(No. 7.)

Downing-street, 27 July 1846.

THE operation of the Act, No. 58, is suspended for the signification of Her Majesty's pleasure.

Her Majesty's Government have already given the most conclusive proof in their power of the regret and sympathy with which they have regarded the calamitous conflagration which has destroyed so large a part of the city of St. John's, Newfoundland; but their anxiety to mitigate that disaster would not justify their advising the Queen to assent to an Act framed on the assumption that the guarantee of the British Treasury will be given to a loan to be raised in this country for rebuilding and improving the city. If the local Legislature should see fit to pass a law for raising such a loan on the single security of the local revenue, I foresee no objection to such a measure, but the Act, No. 58, will not be confirmed.

(No. 41.)

Sir, Downing-street, 6 January 1854.

I HAVE had under my consideration the Act (No. 150) passed by the Legislature of Newfoundland on the 15th of June last, for regulating the appropriation of packet postage in that Colony, together with the address to the Queen from the House of Assembly, enclosed in your Despatch, No. 65, of the 16th September last, praying that the local post-office may be permitted to appropriate a sixth part of the packet to the purpose of defraying the salary and incidental expenses of the Postmaster of St. John's. I have caused the address to be communicated to the Postmaster General, and I now transmit, for your information, a copy of his Lordship's reply; and I have to instruct you to acquaint the House of Assembly, that, for the reasons therein stated, I regret that it is not in my power to advise Her Majesty to confirm the Act.

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

Governor Hamilton,
&c. &c. &c.

Prince Edward Island.

PRINCE EDWARD ISLAND.

Lord *John Russell* to Sir *Charles A. FitzRoy.*

(Extract.)

(No. 9.)

Downing-street, 31 October 1839.

I HAVE to request your attention to the following observations on the Act, No. 519, for the Relief of the American Loyalists.

The preamble of this Act sets forth the circumstances under which grants of lands were many years back made to certain American loyalists, and how it has happened that these individuals or their heirs are not now in possession of the lands so granted.

The objects of the present Bill are to establish a commission for investigating the claims of these persons or their descendents, and to provide for the satisfaction of such claims as may be established, partly by grant from the remaining waste lands of the Crown, and partly by the application for that purpose of the lands of the grantees, or their heirs, with whom the plan originated in the year 1783, of alineating parts of their estates for the benefit of that class of persons. The facts are too imperfectly explained in the preamble to admit of any confident opinion being formed as to the merits of the questions controverted between the old proprietors and the loyalists. Indeed it is scarcely possible to ascertain what may have been the nature of those questions. All that appears is, that the grantees, amongst whom nearly the whole surface of the island had been divided, were persons living in England without the slightest intention of residing on the lands assigned to them. The American loyalists were at first regarded with great favour, because their settlement in the island would increase the value of the estates of the absentees; and to tempt them thither, the offer was made of a surrender to them of certain parts of the wilderness, in the hope that the rest might thus become an available source of emolument. The project was defeated by misunderstanding and disputes. All this occurred 86 years ago. That the loyalists may have been defrauded, disappointed, and oppressed, is but too probable. That the fault may have been their own, or partly so, is no extreme improbability; but the whole rests on conjecture and surmise. Assuming, however, as the local Legislature have assumed, everything against the proprietors, and in favour of the loyalists, I cannot allow that even on that assumption this Act could be justified. For first, after a lapse of more than half a century of undisturbed possession by the old proprietors, there is a prescriptive title which I must advise the Crown to respect.

Secondly.—The effect of this Bill would be to transfer to the Commissioners to be appointed under it, not merely the proper function of the tribunals, but the power of reviving questions on which these tribunals may have already adjudicated.

Thirdly.—The Bill affords no protection to *bonâ fide* purchasers of these lands from the old proprietors, who acquired them without notice of the remote and dormant claims of the loyalists; and,

Fourthly.—The Legislature here assume a right to dispose of the waste lands of the Crown which the Crown has never yet surrendered to their control.

For these reasons I should not feel myself justified in advising Her Majesty to confirm this Bill.

(No. 58.)

Sir, Downing-street, 31 December 1842.

I HAVE the honour to acknowledge the receipt of your Despatch, No. 57, of the 11th ultimo, transmitting a report from the executive council of your Government, together with your own report in answer to the objections contained in my Despatch, No. 86, of the 20th of August last, against the confirmation of an Act passed by the legislature of Prince Edward Island, No. 582, entitled "An

"An Act to authorise the Issue of a Copper Coinage in this Colony, and to prohibit the Circulation of Base Coppers." Prince Edward Island.

Having considered these reports, I have to acquaint you that Her Majesty's Government have resolved not to submit this Act to Her Majesty in Council for the Royal assent.

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

Sir Henry V. Huntley,
&c. &c. &c.

(No. 89.)

Sir, Downing-street, 4 December 1843.

I HAVE received your Despatch, No. 110, of the 24th of October, reporting upon the memorial which Mr. Samuel Cunard had addressed to me, praying that Her Majesty's assent might not be given to an Act passed by the Legislature of Prince Edward Island to authorise the issue *de novo* of certain writs under the Roads Compensation Acts in certain cases.

I referred these Acts to Her Majesty's Attorney and Solicitor General, and they have reported to me that, taking into consideration all the circumstances stated in the memorial of Mr. Cunard, and the letter of the Attorney General of the island, and more especially the litigation which has taken place between the Government and the proprietors of the lands in question respecting the validity of the charge sought to be imposed upon them, they are of opinion that it would not be advisable for Her Majesty to give her sanction to an Act of the legislature for the express purpose of making these particular lands liable to the charges. Under these circumstances, therefore, I cannot advise Her Majesty to confirm the Act in question.

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

Sir Henry V. Huntley,
&c. &c. &c.

(No. 115.)

Sir, Downing-street, 18 September 1844.

I HAVE had under my consideration an Act passed by the Legislature of Prince Edward Island during their recent session, entitled (No. 632), "An Act for raising a Fund for the Encouragement of Agriculture, to be expended in the erection of Limekilns and the burning of Lime."

I have received two memorials objecting to the confirmation of this enactment, one from Mr. Cooper of Prince Edward Island, the other from Viscount Melville, and other proprietors of land in that island resident in this country.

Mr. Cooper in his memorial alleges that the effect of this law would be to impose an additional tax upon the tenant without affording to him any adequate benefit in return.

Lord Melville and the other proprietors allege, in their memorial, that the greater proportion of the land in Prince Edward Island consists either of barren wastes, which could never be profitably cultivated, or of land situate at such a distance from any harbour, or other place where limestone could be landed, as not to be within the reach of profiting by the measure, and that to tax these lands for the sole benefit of the remainder would be partial and unjust. They further contend that the discrimination which the Act makes between cultivated and uncultivated lands by the imposition of a double assessment on the latter, is liable to the same objection.

Without pronouncing an opinion on the validity of these objections, it appears to me that the procuring and burning of lime is not a fit subject to be provided for by the imposition of a public tax, and that any enactment which might be

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passed for this purpose, however carefully framed, could not operate otherwise than partially and unjustly.

For these reasons, Her Majesty will not be advised to confirm the Act.

As the Act has a suspending clause, it will not be necessary that any order should be made by Her Majesty in Council for its disallowance.

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

Sir H. Huntley,
&c. &c. &c.

(No. 134.)

Sir, Downing-street, 1 August 1845.

I HAVE to acknowledge the receipt of your Despatch, No. 61, of the 12th May, in which you transmit a joint address to the Queen from the two Houses of the Legislature of Prince Edward Island, praying Her Majesty's assent to the passing of a law to authorise the issue of 10,000*l.* in Treasury notes, redeemable within 15 years.

I have also received your Despatch, No. 65, of the 27th May, enclosing a memorial from several of the inhabitants of Prince Edward Island, objecting to any such issue of paper money.

Having laid the address of the Legislature before the Queen, I have to inform you that Her Majesty was pleased to receive the same very graciously. I regret, however, that I have been unable to advise Her Majesty to accede to the prayer which it contained, for the following reasons, which you will communicate to the two Houses at their next meeting:

Having, on several former occasions, directed your attention to the unsatisfactory state of the finances of Prince Edward Island, I have looked for some explanation on that subject on receiving an application for an increase in its liabilities by the proposed issue of paper money. But I neither find in the address, nor in your own Despatch accompanying it, any explanation with respect to the finances of the Colony, nor any allusion to the fact, of which I am informed by the memorial enclosed in your second Despatch, that, independently of the sum of 11,800*l.* already existing in the shape of Treasury notes, there are Treasury warrants remaining unsatisfied to the extent of 26,223*l.*

In addition to the objections I entertain to the issue of paper currency not payable in specie on demand, I find that it is represented by the parties signing the memorial, whose opinion you consider to be entitled to great attention, that the currency of the Island is depreciated 20 per cent. below that of the adjacent Colonies. On such a statement I cannot but apprehend that the issues of paper money have already been excessive, and that the depreciation above mentioned, and the absence of metallic circulating medium, are principally attributable to that excess.

If these impressions be correct, it appears to me that they furnish substantial reasons against the issue of any further paper money; but I shall be happy to receive from you more explicit information on this subject, especially with respect to the amount of debt now outstanding, the actual exchangeable value of the Government paper, or of the warrants bearing interest as compared with coin, and the arrangements that either have been made, or are proposed to be made, for rendering the revenue equal to meet the current expenditure of the Island, and for providing for the redemption both of the existing debt and of the suggested addition to it.

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

Sir H. Huntley,
&c. &c. &c.

(No. 136.)

Sir, Downing-street, 18 August 1845.

WITH reference to my Despatch, No. 134, of the 1st instant, I have to acquaint you, that Her Majesty's Government have had under consideration the Act, No. 648, "to suspend a certain clause in the Land Assessment Act relating to the cancelling of Treasury Notes," which accompanied your Despatch, No. 61, of the 12th May.

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In my former Despatch I stated the reasons which prevented my advising Her Majesty to accede to the wishes of the Council and Assembly for an extension of the paper currency of the island. For the same reasons it is desirable that the present amount of the paper currency should be reduced; and as the effect of the present Act, if permitted to become law, would be to divert from its proper object the fund specially appropriated for the redemption of the Treasury notes now in circulation, Her Majesty cannot be advised to confirm it.

I have, &c.

Sir H. Huntley, &c. &c. &c.

(signed) *Stanley.*

(Extract.)

Earl *Grey* to Sir *A. Bannerman.*

(No. 35.)

Downing-street, 29 November 1851.

With regard to the Act, No. 814, I have to inform you that Her Majesty's Government have carefully weighed both the reasons which have been adduced in its favour, and the protest of the dissentient members of the Legislative Council, and other representations which have reached them against it. And, however unwilling to object to a measure which appears to have received the unanimous assent of the Assembly, they have not felt themselves justified in advising Her Majesty to confirm an Act of which the object is to alter, by legislation, the terms of contracts voluntarily entered into by individuals.

I am not ignorant that in consequence of the long depreciation of the currency of the island, and the practice which has obtained as to the payment of rents, considerable hardship might be imposed on some parties by the strict enforcement of their legal obligations. But, on the other hand, it would not be merely a hardship, but a direct injustice to those who have leased their land on express agreements that certain payments should be made to them to set those agreements aside without their consent, by an Act of the Legislature, which would unquestionably be the effect of the present measure.

I observe also that the provision of the Act is confined to cases in which the landlords have been already in the habit of receiving their rents on a calculation assuming less than the actual depreciation of the currency. This gives me reason for hoping that no serious practical inconvenience will arise from its not being confirmed, since I am not aware of any good reason for supposing that landlords will in future show less indulgence than they have hitherto done.

If legislation should be required in order to facilitate voluntary arrangements between landlord and tenant, on the basis of making rents payable for the future in currency of the island at the rate at which it has been practically received, provided they are punctually paid, I think that such legislation would be both proper in itself, and likely to be attended with much advantage.

There may also be special cases of hardship and injustice likely to arise from the state in which the law will be left from the non-confirmation of this Act, for which it may be proper to afford a remedy; but it has not been shown that this is the case, nor does it appear to me that so violent an interference with private rights ought to be resorted to, without much clearer proof of its necessity.

I cannot but observe, in conclusion, that the difficulties which have arisen in this case afford a striking proof of the injustice, and inconvenience which are inevitably inflicted on individuals by measures affecting the currency which involve a departure from sound principles.

(No. 13.)

Sir, Downing-street, 17 November 1855.

I have to acknowledge your Despatches, of the numbers and dates noted in the margin, by which you transmit to me, for Her Majesty's sanction, two Acts passed by the Legislature of Prince Edward Island, in the month of April last, intituled

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tuled respectively, No 913, "An Act to impose a Rate or Duty on the Rentrolls of the Proprietors of certain Township Lands in Prince Edward Island, in order to defray the Expenses of any Armed Force which may be required for the withdrawal of the Troops, and for the further encouragement of Education;" and No. 915, "An Act to secure Compensation to Tenantsin Prince Edward Island, and thereby to promote the improvement of the soil;" both of which Acts contain suspending clauses, reserving them for the assent of the Crown, and also transmit representations from various parties interested in the subject of these Acts.

Her Majesty's Government have considered these Acts separately, and with an anxious desire to do justice between the community of Prince Edward Island in general and the proprietors of the soil, and to allow the fullest possible scope to the principle of local independence in legislative matters, subject only to their paramount duty not to advise the Crown to assent to any measure inflicting manifest wrong on any of Her subjects.

I regret to be obliged to inform you that Her Majesty's Government find themselves unable to advise Her Majesty to give Her assent to either the one or the other of these Acts.

The Lieutenant Governor and Legislature of Prince Edward Island must remember that although responsible Government has been established in that island, responsible Government exists also in Great Britain; and Her Majesty's Government cannot take upon themselves the responsibility of advising the Crown to give its assent to Colonial Acts which are at variance with the principles of justice, and invade those rights of property which are the foundation of social organisation; and I have to observe that former Governments have on various occasions been obliged, with reference to Acts passed in Prince Edward Island, to uphold those principles and to protect those rights by pursuing a course similar to that which Her Majesty's present Advisers deem it their duty to pursue.

The Act imposing a tax upon the rentroll of a certain portion of the proprietors of land in Prince Edward Island, were it to receive Her Majesty's assent, would be a law passed by a majority, in order to impose a special burden upon an unrepresented minority, and would be an instance of oppressive class legislation. If the Legislature of Prince Edward Island should find that the revenue of the island is not sufficient to defray the public expenses of the Colony, and if those expenses cannot be diminished by any economical revision without detriment to the public service, a general tax, affecting alike all incomes, arising in any way from land, from houses, from trade, from manufactures, from salaries, or from any other source, might be a fair and proper mode of providing the requisite funds; and if such an Act were passed (with sufficient reason shown for it) applying equally to landowners and tenants, to proprietors and occupiers, such a measure would be free from objection.

The measure entitled an Act to secure compensation to tenants, is one to which Her Majesty's sanction must in like manner be refused, because its plain and direct tendency is to transfer property in land from the owner to the tenant. This Bill provides that where a tenant is unable or unwilling to fulfil the contract between him and the landowner by which the tenant has agreed to pay to the landowner a fixed annual rent, usually very small in amount, for the land which he holds, the landlord must either forego the rent, and thus let the land pass practically to the tenant, or he must pay to the tenant a sum equal to 20 years' purchase of what is termed the "annual profit to the landlord created by the tenant's or lessee's improvements on the soil," the amount of which payment would in many cases be equal to the marketable value of the fee-simple of the land. In the one case he would make over to the tenant the land itself; in the other case he would make over to the tenant a sum which might even go beyond the value of the land.

Such a measure of undisguised spoliation cannot be sanctioned by Her Majesty; it is needless to enumerate all the objections which apply to this measure, and the more so as they are ably stated in the memorial presented against it by some of the owners of land, and transmitted with your Despatch, No. 39, of the 2d July last; but I cannot refrain from remarking that those lands in Prince Edward Island, on which any great improvements have been made by tenants, were let in a state of wilderness at the almost nominal rent of 9*d.* or 1*s.* an acre, on the express understanding that they were to be brought into cultivation

vation by the tenant; that to secure the tenant the enjoyment and profit of his improvements, leases of extraordinary length were given, and that a tenant, who by misfortune or other cause is unable to pay that insignificant rent, is always at liberty to sell his lease to the best bidder, and thus to realise in the market the value of the improvements he may have made.

With regard to the reasons which you have alleged in favour of this Bill, it is to be observed that if it is true that a feeling prevails in Prince Edward Island of dislike of the condition of tenant, that dislike may furnish good reason why those who entertain it should not become tenants, but it cannot furnish any reason for arbitrarily transferring the property of the landowner to the tenant; but in truth, the term for which lessees in Prince Edward Island hold their land is in general so excessively long, that such occupiers are rather in the condition of payers of quit rent than in that of tenants, as the term is generally understood.

You express your opinion that if the measures now laid before Her Majesty's Government are not sanctioned, rents will cease to be paid. Her Majesty's Government have too good an opinion of the integrity and of the sense of justice which prevail among the people of Prince Edward Island to believe that the tenants will combine to break the engagements into which they have entered, and to defraud those to whom they are bound by legal obligations; but it is the duty of Her Majesty's Government to see that the law shall take its course, and be respected and obeyed in all parts of Her Dominions, and the proper means for doing so can never be wanting.

I have, &c.

Lieutenant Governor Daly, &c. &c. &c.

(signed) *G. Grey.*

(No. 15.)

Sir, Downing-street, 20 October 1858.

I HAVE received your Despatch enclosing authenticated copies of an Act passed by the Legislature of Prince Edward Island, intituled:—

No. 997. "An Act relating to the Fishing Reserves in this Island."

After a careful consideration of the documents relating to that Act, including the remonstrances to which (as my predecessor would seem to have anticipated) it has given occasion, I find it wholly impossible to recommend that it should receive Her Majesty's sanction.

The facts of the case I understand to be the following:—

By certain Orders in Council of 1764 and 1767 the Governor of Prince Edward Island was directed to grant the lands in that Colony to various persons, subject to a reservation of "liberty to all His Majesty's subjects in general of carrying on a free fishery on the coasts . . . . and of erecting stages and other necessary buildings within the distance of 500 feet from high watermark."

In parts of the island the land was actually granted on these terms, but in other parts the grants instead of reserving as right of entry for certain purposes to His Majesty's subjects, reserved the land itself (500 feet from high-watermark) "for the disposal of His Majesty," to erect "stages and other buildings for carrying on the fisheries." I understand, however, that for a long series of years, I may almost say for generations, no distinction was in fact made between these two classes of grants, the strip of 500 feet being in all cases alike treated as belonging to the grantee of the adjoining land, that the owners have leased it, improved it, incorporated it into farms, built upon it, and, above all, that they have paid taxes on it as on their own property, which taxes the Government have received. Under these circumstances it appears to have been the opinion of the law officers of the Crown in England, and of the Supreme Court in Prince Edward Island, that when "the disposal" of the fishery reserves was secured to Her Majesty by the deed of grant, the actual property of the land remained, and notwithstanding the long adverse occupancy, still remains vested in the Crown. The Act now forwarded is passed in reliance upon these opinions, and while saving the existing rights of the Crown provides

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that wherever such reserves have been leased by the reputed owner to any tenant, the tenant shall be relieved from the liability to pay rent for them.

Now, in the first place, the revival of an obsolete claim of this kind, however tenable in strict law, is open to objections of great force. The old maxim that "time does not run against the Crown," has been found in England so invidious in its application, so unjust in its consequences, so prejudicial to the free use of property, and the consequent development of wealth and industry, that it has long since been legally annulled in the mother country, and for the most part practically abandoned in her dependencies. Any right therefore which requires the support of that maxim should be exercised with great consideration for persons who for long periods have been allowed, perhaps even encouraged, by the laches of the Government, to consider themselves the owners of property. And this applies with peculiar force where, as in the present case, the Government has actually enforced against these persons the liabilities of landowners, and where there appears some reason to doubt whether the rights which it is now proposed to enforce were not unintentionally reserved to the Crown. I do not say what terms could be equitably offered in this or any other case to reputed owners, as these terms must vary indefinitely with circumstances; but, as a general rule, they should certainly include, in respect of land not required for any public purpose, a right of pre-emption on reasonable terms, and if so required, compensation for any improvements effected on the property.

Subject to qualifications of this kind, the assertion, for the benefit of the public, of the Crown title to those lands might, under certain circumstances, be defensible or even necessary. Not so the Act forwarded, which does not resume the lands for the Queen, who is their owner, but by the abolition of rent practically transfers them to the tenants, who have no right whatever to them, except that which they derive from their landlords. It is with deep regret that I regard in this Act the symptom of the same contest between classes which has led to former Acts on the part of the Legislature of Prince Edward Island, which one of my predecessors so emphatically disapproved. And I could earnestly wish that instead of propounding measures which I am convinced that no English Minister can sanction, the Legislature would devote its attention to some feasible scheme for settling those local questions which have caused so much disquietude in the island. To the expediency of such a settlement I am fully alive. Most gladly would I co-operate in measures by which it may be practically obtained in a spirit of conciliation and fairness to all parties, and the subject is engaging my anxious deliberation. But in the meantime I cannot advise that Her Majesty's consent should be given to a law which enforces for the benefit of private individuals rights of the Crown which could not properly be enforced with so much rigour even in the interest of the public. In the absence of such consent, the Act will of course remain inoperative.

I have, &c.

Lieutenant Governor Sir D. Daly. (signed) *E. B. Lytton.*
&c. &c. &c.

(No. 120.)

Sir, Downing-street, 9 August 1862.

I HAVE received your Despatch, No. 45, of the 25th of June, enclosing two Bills passed, with suspending clauses, by the Legislature of Prince Edward Island, intituled, Cap. IV. (No. 1105), "An Act to give effect to the Report of the Commissioners on the Land Question;" and

Cap. XII. (No. 1106), "An Act to facilitate the operation in certain particulars of the Award or Report made by certain Commissioners to settle and adjust Differences respecting some of the Township Lands in this Colony."

In forwarding these Acts, you informed me that you would shortly communicate to me a Minute, by your responsible advisers, explaining the reasons for framing these measures; and this you have since done in your Despatch, No. 52, of the 23d of July. I am therefore now in a position to communicate to you the conclusion to which I have been led.

It appears from the Minute of your Ministers that they consider the so-called award of the Land Commissioners to be binding on the proprietors and the Legislature, and on this ground they state that they are unable to entertain Sir S. Cunard's proposal for enabling the tenants in Prince Edward Island to acquire freehold

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freehold interests in their holdings, which was transmitted to you in my Despatch of the 5th of April last, No. 103.

I very much regret that it is not in my power to concur in the views by which your Government have been led to prepare these Bills, or to advise Her Majesty to bring them into operation by giving Her assent to them.

Your advisers appear to consider that Her Majesty's Government had proposed to the proprietors of land, and that those proprietors had consented to place themselves and their interests absolutely in the hands of the Commissioners. This however was far from being the case.

The proprietors consented that Commissioners should be appointed "to enter into all the inquiries that might be necessary, and to decide upon the different questions which might be brought before them, giving of course to the parties interested an opportunity of being heard."

The main questions thus to be decided upon were, first, at what rate tenants ought to be allowed to acquire freehold interests in their property, and next what amount of arrears of rent should be remitted by the landlords.

On the first and most important of these questions the Commissioners professed themselves unable to come to any conclusion, and instead of deciding it they recommended virtually that it should be decided by other arbitrators to be hereafter nominated. This however is not what they were charged to do. They were authorised by the proprietors to make an award themselves; but they were not authorised to transfer the duty of making that award to others. The trust confided to them was evidently a personal one. The proprietors relied on the skill, knowledge, and fairness of the three gentlemen appointed in 1860; but they could not therefore be called upon in reference to these gentlemen's opinion to confide their interests even to arbitrators specifically designated in the award, much less to persons whose very mode of appointment is undetermined by it.

The objection might of course be waived by the proprietors, but it is not waived, and being insisted upon, I am obliged to admit that it is conclusive; and I am bound further to say, that it is in my opinion an objection founded not on any technical rule of law, but on a sound and indisputable principle of justice; the principle, namely, that a person who has voluntarily submitted his case to the decision of one man, cannot therefore be compelled, without his consent, to transfer it to the decision of another.

It is therefore impossible for me to advise Her Majesty to sanction the two Acts which you have forwarded, and which of course are intended to render the award obligatory on all who consented to the reference.

I must instruct you, therefore, however unwillingly, to treat the Commissioners' award only as an expression of opinion, which however valuable as such, cannot be made legally binding on the parties concerned, and which therefore ought not to be allowed to stand in the way of any other proposal which promises an amicable settlement of the question.

It was under these circumstances and with these impressions, that I forwarded to you the proposal made by Sir S. Cunard in hopes that it might be found to furnish a basis of agreement in lieu of the recommendations of the Commission.

Your Government refuse to consider this proposal not, as I understand, because they think it in itself inadmissible, but because they consider themselves as bound to give effect to the Commissioners' award. This award being now out of the way, I have to request that you will bring Sir S. Cunard's proposal under their reconsideration; I do not think it desirable that I should myself express any opinion upon its merits. I will only observe that it is in some respects more favourable to the tenants than the Commissioners' award, and that it will give me great pleasure to learn that it is likely to furnish a solution of these difficulties which, so long as they are unsolved, must continue to obstruct the progress of the Colony.

This conclusion which I have adopted respecting these Acts renders it unnecessary that I should do more than acknowledge your Despatch, No. 46, of the 25th of June, enclosing a memorial from Mr. Haythorne against the Act (Cap. XII.) to facilitate the operation of the award.

I have, &c.

Lieutenant Governor Dundas, &c. &c. &c.

(signed) *Newcastle.*

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(No. 124.)

Sir, Downing-street, 20 September 1862.

In your Despatch, No. 54, of the 6th ultimo, you transmitted, together with other Acts passed by the Legislature of Prince Edward Island on the 17th of April 1862, one containing a suspending clause, and intituled (No. 1127) "Cap. XXIV. An Act for the Naturalization of Aliens."

Your objection to this Act was well founded; its operation should have been specifically confined within Prince Edward Island, which might have been effected by inserting the words "within the island" after the word "entitled" in the 1st clause, and after the words "and shall" in the 4th clause.

In consequence of the omission of such a restriction, Her Majesty's assent will be withheld from the Act.

I have to add, that the error in the New Brunswick Act did not escape my notice, and that the Lieutenant Governor was instructed to procure its amendment.

I have, &c.

Lieutenant Governor Dundas, (signed) *Newcastle.*
&c. &c. &c.

(No. 33.)

Sir, Downing-street, 21 September 1863.

I have the honour to acknowledge the receipt of the following Act of the Legislature of Prince Edward Island, passed with a suspending clause, on the 22d April 1863, and transmitted to me together with other Acts in your Despatch, No. 65, of the 5th ultimo (No. 1136) "Cap. VII. An Act to incorporate the Grand Orange Lodge of Prince Edward Island, and the subordinate Lodges in connection therewith."

I have had under my consideration as well the Act itself as two petitions against it forwarded respectively with your Despatches No. 43 of the 27th of April last, and No. 66 of the 5th ultimo, the latter of which is stated to have been signed by upwards of 11,000 persons.

I deeply regret that the Legislature of Prince Edward Island should have given its sanction to a class of institutions which all experience has shown to be calculated (if not actually intended) to embitter religious and political differences, and which thus must be detrimental to the best interests of any colony in which they exist.

Holding these views respecting the measure, I have felt it impossible to advise Her Majesty the Queen to signify Her Royal approbation of it, without which I am glad to observe it will not take effect.

The Act therefore will remain inoperative.

I have, &c.

Lieutenant Governor Dundas, (signed) *Newcastle.*
&c. &c. &c.

APPENDIX.

No. 1.—TABLE showing the Number of Laws "reserved" by the Governor for the signification of Her Majesty's Pleasure, in each Year from 1836 to 1864 inclusive, or containing Clauses "suspending their Operation" until Her Majesty's Pleasure should be made known.

—	Upper Canada.	Lower Canada.	Canada.	Nova Scotia.	New Brunswick.	Newfoundland.	Prince Edward Island.	Total.
1836	16	-	-	6	2	1	-	25
1837	19	-	-	3	6	-	2	30
1838	-	-	-	2	3	1	1	7
1839	9	1	-	4	2	-	1	17
1840	13	-	-	5	1	-	2	21
1841	-	-	15	4	-	-	1	20
1842	-	-	2	2	5	-	2	11
1843	-	-	9	2	5	1	3	20
1844	-	-	-	2	5	2	1	10
1845	-	-	7	-	11	1	1	20
1846	-	-	10	-	7	1	-	18
1847	-	-	13	3	6	-	2	24
1848	-	-	-	4	4	-	3	11
1849	-	-	6	3	9	1	1	20
1850	-	-	-	2	5	1	-	8
1851	-	-	7	-	9	2	2	20
1852	-	-	-	-	6	1	2	9
1853	-	-	-	4	3	1	1	9
1854	-	-	-	-	1	-	2	3
1855	-	-	-	-	-	1	4	5
1856	-	-	-	-	4	1	1	6
1857	-	-	1	-	-	-	-	1
1858	-	-	-	2	-	1	1	4
1859	-	-	-	-	1	-	-	1
1860	-	-	-	-	-	2	2	4
1861	-	-	1	1	1	-	1	4
1862	-	-	1	-	1	2	3	7
1863	-	-	-	1	1	-	4	6
1864	-	-	-	-	-	-	1	1
								341

No. 2.—TABLE showing the Number of Laws to which the Royal Assent was refused, in each Year from 1836 to 1864 inclusive.

—	Upper Canada.	Lower Canada.	Canada.	Nova Scotia.	New Brunswick.	Newfoundland.	Prince Edward Island.	Total.
1836	-	-	-	1	-	-	-	1
1837	—	—	—	—	—	—	—	—
1838	-	-	-	-	2	-	-	2
1839	5	1	-	3	-	-	1	10
1840	6	-	-	-	-	-	-	6
1841	-	-	-	1	-	-	-	1
1842	-	-	-	-	-	-	1	1
1843	-	-	2	-	3	1	1	7
1844	-	-	-	-	-	1	1	2
1845	-	-	1	-	1	-	1	3
1846	-	-	-	-	-	1	-	1
1847	-	-	-	2	-	-	-	2
1848	—	—	—	—	—	—	—	—
1849	—	—	—	—	—	—	—	—
1850	—	—	—	—	—	—	—	—
1851	-	-	-	-	-	-	1	1
1852	-	-	-	-	1	-	-	1
1853	-	-	-	-	-	1	-	1
1854	—	—	—	—	—	—	—	—
1855	-	-	-	-	-	-	2	2
1856	-	-	-	-	1	-	-	1
1857	—	—	—	—	—	—	—	—
1858	-	-	-	-	-	-	1	1
1859	—	—	—	—	—	—	—	—
1860	—	—	—	—	—	—	—	—
1861	—	—	—	—	—	—	—	—
1862	-	-	-	-	-	-	3	3
1863	-	-	-	-	-	-	1	1
1864	—	—	—	—	—	—	—	—
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COLONIAL BILLS.

NORTH AMERICA.

RETURN of the Titles and Dates of BILLS passed by the Legislatures of *Canada*, *Nova Scotia*, *New Brunswick*, *Newfoundland*, and *Prince Edward's Island* since the Year 1836, which have been Reserved by the Governors of those Colonies respectively for Reference to Her Majesty's Secretary of State for the Colonies, and of the Titles and Dates of BILLS so referred to which the Royal Assent was ultimately refused; and COPY or EXTRACTS of the Terms in which such Refusal was conveyed.

(*Viscount Bury.*)

Ordered, by The House of Commons, *to be Printed*, 26 *July* 1864.

[*Price* 6 *d.*]

529.

Under 8 *oz.*

LABRADOR CUSTOMS DUTIES.

RETURN to an Address of the Honourable The House of Commons, dated 11 February 1864;—*for*,

"COPY of PAPERS and CORRESPONDENCE between the Colonial Office and the Government of *Newfoundland* relating to the Levy of CUSTOMS DUTIES on the Coast of *Labrador*, and REPORTS of the Collectors, Judges, or other Officers sent to that Coast last Season."

Colonial Office, 17 March 1864. } C. FORTESCUE.

(*Mr. Henry Seymour.*)

Ordered, by The House of Commons, *to be Printed*, 18 *March* 1864.

SCHEDULE.

DESPATCHES FROM THE GOVERNOR.

No.						PAGE.
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2	„ 28	1 June	1863	(Extract)		5
3	„ 32	17 June	„	(Extract)		7
4	„ 40	10 August	„			16
5	Separate	26 August	„			17
6	No. 53	1 December	„			18
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10	„ 59	18 December	„			27
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DESPATCHES FROM THE SECRETARY OF STATE.

1	No. 171	16 July	1862			30
2	„ 33	14 September	1863			30
3	Separate	25 September	„			32
4	No. 38	31 October	„	(Extract)		32
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8	„ 51	31 December	„			35
9	„ 1	9 January	1864			36
10	„ 6	4 February	„			36

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No. 1.—Return of Goods imported and Duties collected at Labrador, in the year 1863 - - - - - - - - - - - - - 37

No. 2.—Consolidated Account Current of Receipts and Payments for the year ended 30th September 1863 - - - - - - - - - - 43

COPY of PAPERS and CORRESPONDENCE between the Colonial Office and the Government of *Newfoundland* relating to the Levy of CUSTOMS DUTIES on the Coast of *Labrador*, and REPORTS of the Collectors, Judges, or other Officers sent to that Coast last Season.

Despatches from the Governor.

— No. 1. —

(No. 35.)

No. 1.
Governor Sir A. Bannerman to his Grace the Duke of Newcastle, K.G.
13 June 1862.

COPY of a DESPATCH from Governor Sir *A. Bannerman*, to His Grace the Duke of *Newcastle*, K.G.

Government House, Newfoundland, 13 June 1862.

(Received, 8 July 1862.)
(Answered, No. 171, 16 July 1862, page 30.)

My Lord Duke,

I HAVE the honour to acquaint you that it is the intention of the Government here, after the expiration of the present fishing season, to establish a Court of limited Civil and Criminal Jurisdiction on that part of the coast of Labrador which forms a dependency of Newfoundland, and to impose the same duties as are levied under the annual Revenue Acts here. Such a Court was in existence five and twenty years ago; it was an expensive one, and fell to the ground in consequence of influences made use of in the House of Assembly.

2. Some of the wealthy houses carrying on business on the coast of Labrador protested against levying duties there; but Earl Russell, who was then Colonial Minister, informed the Governor here, that as part of the coast of Labrador was a dependency of Newfoundland, there could be no question as to the legality of levying the same duties there as were levied in St. John's.

3. I take the liberty of enclosing a notice, which was given on this subject in the last "Gazette," and also some notice of the object of Mr. Perley's visit to Newfoundland, to prevent misrepresentations being made here on that subject.

Extract Royal Gazette, 10 June 1862.

4. I have also the honour to enclose for your Grace's perusal, extracts from a report made to the Governor, by a gentleman sent down to Labrador by Admiral Prescott, more than 20 years ago, and I believe that the coasts there are much in the same state now as they were then.

5. If your Grace thinks right to express any opinion on the subject, perhaps you will favour me with it; but it is the intention of the Government to carry the proposal into effect next year, after due intimation has been given, unless I shall receive instructions otherwise from your Grace.

I have, &c.
(signed) *A. Bannerman*, Governor.

Enclosure 1, in No. 1.

Encl. 1, in No. 1.

EXTRACTS from the "Royal Gazette," Tuesday, 10 June 1862.

WE understand that M. Perley, Esq., British Commissioner under the Reciprocity Treaty, has been instructed by Earl Russell, Secretary of State for Foreign Affairs, to proceed to Newfoundland and Labrador, to determine the boundaries of the mouths of the rivers in this Colony.

 The

The Commissioners under the Treaty have already given their awards on most of the rivers in the Provinces of Canada, Nova Scotia, New Brunswick, Prince Edward Island, and the State of Maine; in any case where the British and American Commissioners differ, an umpire is called on to decide, and hitherto no difficulties have occurred.

The Commissioners' awards have been published, along with plans and diagrams of the river boundaries.

Mr. Perley's duties will be strictly confined to the provisions laid down in the Treaty with the United States of 1855. He will be furnished by the Admiral with a ship of war to convey him to our coasts, and in all probability will leave Halifax about the 1st July.

A survey of the mouths of the rivers in Newfoundland and its Dependencies will be of vast importance to prevent disputes, and enable the Legislature to adopt such measures to regulate the river fisheries as may effectually protect the breed of the salmon species; and at no distant day it is not improbable that fishery grants, under proper restrictions, may become a source of revenue, and afford employment to many of our labouring classes.

Salmon is always a marketable article, and whether preserved in tin, or smoked and dried, it becomes easily transportable, and will find ready markets.

Government Notices.

The Governor has received a Despatch from the Colonial Minister, stating that copies of the awards made by the Commissioners and Umpire under the Reciprocity Treaty, together with the plans and charts referred to in these awards, had been sent to His Excellency, who was at liberty to communicate the same to the Legislature of Newfoundland.

The documents referred to are lodged in the Colonial Secretary's Office for the information of the Members of the Legislature of Newfoundland.

R. Carter,
Secretary's Office, 10 June 1862. Acting Colonial Secretary.

Notice is hereby given to all whom it may concern, That after the expiration of the present fishing season, the duties imposed by the annual Revenue Acts will be collected on that part of the Labrador coast lying within the Government of Newfoundland, and the proceeds applied, so far as may be necessary, to the expense of protecting the fisheries on that coast, and of the maintenance there of a Court of limited Civil and Criminal Jurisdiction.

R. Carter,
Secretary's Office, St. John's, Newfoundland, 10 June 1862. Acting Colonial Secretary.

Enclosure 2, in No. 1.

Encl. 2, in No. 1. Extracts from Report of Mr. *E. Rendell* to Governor *Prescott,* relative to Proceedings on the Coast of Labrador. 1840.

"As may be expected, on such a length of coast, disputes will arise amongst the people, to adjust which they have no one authorised to resort to, which oftentimes gives rise to the worst of feelings, and leads to disastrous consequences; but beyond this, the commission of crime is not unfrequent, and that, too, of the blackest die. A man is going at large there at this moment who murdered his wife last winter, and during last summer two attempts at murder were made. These circumstances, alone, are sufficient to show the necessity for establishing a Court to punish and repress offenders."

* * * * * * *

"The extensive sale of spirits without license or payment of duties by Nova Scotians and Americans who resort to that coast, is much complained of; they carry a cheap, bad article, with which they supply the servants in the fishery, to the great damage and injury of their employers, who have not the slightest remedy against the evil; thus the revenue is defrauded, and the fishery injured at the same time."

— No. 2. —

No. 2.
Governor Sir A. Bannerman to His Grace the Duke of Newcastle, K.G.
1 June 1863.

EXTRACT of a DESPATCH from Governor Sir *A. Bannerman* to His Grace the Duke of *Newcastle*, K.G., dated Government House, Newfoundland, 1st June 1863. (No. 28.)

I HEREWITH forward copies of documents republished relative to a Court of Judicature and Collection of Revenue at Labrador. I send them because I think it extremely probable that the Labrador merchants may memorialise your Grace on this subject, and, perhaps, petition Parliament.

The former Court was discontinued partly from their influence in the then House of Assembly; and, also, from the Court being too expensive, and the Custom-house establishment connected with it.

Enclosure 1, in No. 2.

Encl. 1, in No. 2.

PROCLAMATION.

A. Bannerman, Governor. (L.S.)

BY His Excellency Sir Alexander Bannerman, Knight, Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies.

To all to whom these Presents shall come, Greeting:

WHEREAS by an Act of the Legislature of this Colony, passed in the 26th year of the reign of Her present Majesty, entitled "An Act to provide for the Collection of the Revenue, and for the better Administration of Justice at the Labrador," it is amongst other things, enacted, that it shall be lawful for the Governor by Letters Patent under the Great Seal of the Island of Newfoundland to institute a Court of Civil and Criminal Jurisdiction at the Labrador, which said court shall be presided over by one Judge to be appointed by the Governor in Council, and shall, upon such parts of the coast of Labrador as lie within the Government of Newfoundland have certain powers, jurisdiction, and authority, in and by the said Act particularly declared and defined: Now know ye, that I the said Governor, upon consideration of the premises, and in pursuance and by virtue of the said Act, have thought fit to institute, grant, direct and appoint, and by these presents do institute, grant, direct and appoint a Court of Civil and Criminal Jurisdiction at the Labrador; and such court shall be called "The Court of Labrador," and shall be presided over by one Judge, to be appointed from time to time in manner aforesaid; and such court shall be a Court of Record, and shall be held for such terms, and at such times, and in such places at the Labrador, as the Judge thereof, for the time being, may from time to time determine, as best calculated for the administration of justice within its jurisdiction; and the said court shall have and exercise all such jurisdiction, power and authority whatsoever as are in and by the said Act, or otherwise by law, provided or declared:

And I do hereby strictly charge and command all magistrates and officers, and all others, Her Majesty's subjects, within and belonging to the said island and its dependencies, that in the execution of the several powers hereby conferred they be aiding, and assisting, and obedient in all things, as they will answer the contrary at their peril.

In witness whereof I have caused these presents to be made Patent, and the Great Seal of the said Island of Newfoundland to be hereunto affixed, at St. John's, in the said Island, this 18th day of April, A.D. 1863, and in the 26th year of Her Majesty's reign.

By His Excellency's command,
R. Carter, Acting Colonial Secretary.

Enclosure 2, in No. 2.

Encl. 2, in No. 2.

REPORT of the late Mr. Rendell's Proceedings on the Coast of Labrador.—1840.

IN the spring of the present year, having had the honour to be appointed by His Excellency the Governor, and the Honourable the Collector of Her Majesty's Customs, to receive revenue on the coast of Labrador—as also to collect information respecting that coast for the use of the Legislature, I had no less difficulty in procuring the means of

getting there than in discovering, when there, how I should be conveyed from place to place. Some of the merchants who carry on trade there, were at the time in St. John's, with their vessels; but, knowing the mission I was on, they not only refused me a passage themselves, but influenced others to do so, and threw every obstacle in my way. As may naturally be supposed, I felt not a little discouraged in the business, but, fearing that His Excellency might attribute either indifference or want of exertion in it to me, I resolved on hiring a small vessel for the purpose, the expense of which, as well as all others necessarily incurred, I felt assured the House of Assembly would readily provide for. Accordingly, I engaged a boat, partially decked, of only 27 tons, hastily fitted her out, and with her and four hands, on the 5th July, sailed on my perilous voyage from St. John's. On the 11th we got to Battle Harbour, when I demanded from Messrs. Slade the duty on some goods they had imported from England. They were too busy about the fishery to attend to it at the time, and promised to pay on my return. After examining the cockets, and making up the amount of duties (about 40 *l.*), I proceeded to the Northward, after touching in at all the principal places on the coast, and did what business was necessary. I reached to a considerable distance in Esquimaux Bay. On my return to Battle Harbour, and calling for the payment of duties from Slade's house as promised, I was met by a direct refusal, their agent informing me that he was instructed by his principals at home to resist any demand for the payment of all duties, until the result of an application which they had made to Her Majesty's Government on the subject was known; beyond this he refused me any information or satisfaction. With this exception, no one positively refused to pay duties; but all complained loudly of being obliged to do so, and particularly of the Colonial part, for which they received not a shadow of compensation from the Colonial Government. I explained to them that part of my mission amongst them was to collect information for the Legislature relative to that portion of the colony, and that I had no doubt it was with a view to the adoption of measures for their benefit. This explanation seemed in some degree to satisfy the people, but, for the most part of them, they said unless protection was afforded to them by the establishment of a court of justice, and the appointment of civil authorities, they would next year resist the payment of duties, by every means in their power.

As may be expected, on such a length of coast, disputes will arise amongst the people, to adjust which they have no one authorised to resort to, which often times gives rise to the worst of feelings, and leads to disastrous consequences; but beyond this the commission of crime is not unfrequent, and that, too, of the blackest dye. A man is going at large there this moment who murdered his wife last winter; and, during last summer, two attempts at murder were made. These circumstances alone are sufficient to show the necessity of establishing a court to punish and repress offenders.

A court, such as the one lately in operation there, but not so expensive, would, in the opinion of the people, answer all purposes of the administration of justice, and the collection of the revenue—to move about from place to place during the fishing season (say from about the 1st July to the 25th September), without being confined by proclamation, as heretofore—but to be left free and unshackled, and to avail when and where it might be required.

Generally speaking, the merchants are averse to their being placed in authority themselves; but I have no doubt some of them might be induced to accept it as magistrates or conservators of the peace; many men of ability and education are to be found amongst them.

The extensive sale of spirits, without license, or payment of duties, by the Nova Scotians and Americans who resort to that coast, is much complained of; they carry a cheap, bad article, with which they supply the servants in the fishery, to the great damage and injury of their employers, who have not the slightest remedy against the evil; thus the Revenue is defrauded, and the fishery injured, at the same time.

The amount of revenue collected by me at the coast of Labrador, I have paid over to the Hon. the Collector here. The expenses incurred on it in traversing over a distance of 1,200 miles, is 63 *l.* 2 *s.* 7 *d.*, a detailed account of which has been laid before His Excellency.

This report most respectfully submitted by

Elias Rendell.

EXTRACT from Governor *Darling's* Despatch to the Colonial Minister, dated 31 August 1856, which will show the views entertained by the Government at that time relative to the Collection of Duties on the Labrador, &c.

"There are two measures, however, which it seems to me that common justice to the inhabitants at large requires: One,—the transfer to the really wealthy city of St. John's, of the expenditure on account of its police, streets, and local objects generally, with the maintenance of such poor as properly belong to its community; the other, to compel the lucrative import trade carried on on the coast of Labrador to contribute in its fair proportion to the colonial revenue. Not only do large mercantile houses, whose principals reside

reside in Jersey, or at Poole, in Dorsetshire, prosecute an extensive business with the population employed on that coast during the fishing season, by selling and bartering provisions, clothing, spirits, and supplies of other kinds, upon which no duty whatever is paid; but, numerous transient traders from the British American Provinces and the United States, participate in the same profitable pursuit.

"This system of course operates unfairly upon those merchants resident in Newfoundland, who also enter into the Labrador trade, but whose goods have been subjected to duty at the Colonial Custom Houses; but its more palpable injustice lies in the fact that many thousands of those who maintain the trade are inhabitants of Newfoundland, who migrate to the Labrador during the fishing season; returning on the approach of winter to avail themselves of the institutions supported by the colonial revenue, and too frequently to swell the list of paupers, who are relieved from the same source."

The following constituted the old Labrador Court, which is alluded to in Mr. *Rendell's* Report as being too expensive:

The Judge, whose salary was - - -	-£.700 sterling per annum.
His clerk - - - - - - -	- 200
The Sheriff - - - - - - -	- 150
Two constables, supposed - - -	- 30
	£. 1,080.

Table-money was allowed to the Judge, Sheriff and clerk. Amount unknown.

A sergeant and five soldiers accompanied the Court, which went as far as Rigolette in Esquimaux Bay, officially; but one year the Judge went to Hope Dale, the southernmost of the Moravian settlements. The Collector of Customs deputed the Sheriff to collect revenue on a per-centage on the amount collected. This power was exercised by virtue of Imperial law.

— No. 3. —

No. 3.
Governor Sir A. Banner man to his Grace the Duke of Newcastle, K.G.
17 June 1863.

EXTRACT of a DESPATCH from Governor Sir *Alexander Bannerman*, to His Grace the Duke of *Newcastle*, dated Government House, Newfoundland, 17 June 1863. (No. 32.)

I HAVE the honour to send herewith [three] Acts,* of the Legislature passed at the last Session.

Nos. 305, 306, & 307.

Enclosure, in No. 3.

(No. 305.)

ANNO VICESIMO-SEXTO VICTORIÆ REGINÆ. Encl. in No. 3.

CAP. I.

An Act for Granting to Her Majesty certain Duties on Goods, Wares and Merchandise, imported into this Colony and its Dependencies.—Passed 25 March 1863.

May it Please your Majesty:

WE, your Majesty's most dutiful and loyal subjects, the Commons of Newfoundland, in General Assembly convened, towards raising the necessary revenue to defray your Majesty's Public Expenses in this colony, have freely and voluntarily resolved to give and grant unto your Majesty the duties hereinafter mentioned; and do therefore beseech your Majesty that it may be enacted: Preamble.

Be it therefore enacted by the Governor, Legislative Council and Assembly, in Session convened:

I. That from and after the passing of this Act, and during the continuance thereof, there shall be raised, levied, collected, and paid, unto your Majesty, your heirs and suc- Duties imposed.

* These Acts were left to their operation by Order in Council of 17th November, transmitted in the Duke of Newcastle's Despatch, No. 46 of 1st December 1863.

cessors, upon all goods, wares and merchandise, imported or brought into this island and its dependencies, the several and respective duties inserted, described and set forth in figures in the table of duties hereinafter contained, denominated "Table of Duties," opposite to and against the respective articles in the said table mentioned, described and enumerated, and according to the value, number or quantity of such articles therein specified, as follows:—

No. 1.

TABLE OF DUTIES.

		£.	s.	d.
Ale, porter, cider, and perry, viz.:—				
In bottles	the dozen of two gallons	–	1	–
In casks	the gallon	–	–	4
Bacon, hams, smoked beef and sausages	the cwt.	–	8	3
Beef, salted and cured	the bbl. of 200 lbs. and 10 per cent. thereon.	–	2	–
Biscuit or bread	the cwt. and 10 per cent. thereon.	–	–	3
Butter	the cwt. and 10 per cent. thereon.	–	3	–
Cheese	the cwt.	–	5	6
Chocolate and cocoa	the lb. and 10 per cent. thereon.	–	–	1
Cigars	the M.	–	11	–
Coffee	the lb. and 10 per cent. thereon.	–	–	1
Feathers and feather beds	the lb. and 10 per cent. thereon.	–	–	1
Flour	the bbl. and 10 per cent. thereon.	–	1	6
Fruit, dried	the lb.	–	–	1½
„ other descriptions	the 100 *l.*	11	–	–
Confectionery	the cwt.	–	13	9
Packages in which dry goods are imported, 11 per cent. *ad valorem*.				
Molasses	the gallon	–	–	2½
Oatmeal and Indian meal	the bbl. and 10 per cent. thereon.	–	–	6
Pork	the bbl. of 200 lbs. and 10 per cent. thereon.	–	3	0
Salt	the ton	–	–	6
Shooks and staves, manufactured or dressed	the 100 *l.*	11	–	–
Spirits, viz.:—				
Brandy, gin, whiskey, or other spirits not herein defined or enumerated, and not exceeding the strength of proof by Sykes's hydrometer, and so in proportion for any greater strength than the strength of proof	the gallon	–	5	–
Cordials, shrub, and other spirits, being sweetened or mixed so that the degree of strength cannot be ascertained as aforesaid	„	–	3	–
Rum, not exceeding the strength of proof by Sykes's hydrometer, and so in proportion for any greater strength than the strength of proof	„	–	2	6
Sugar, viz. loaf and refined	the cwt. and 10 per cent. thereon.	–	12	–
Sugar, viz. unrefined	the cwt.	–	8	3
„ bastard	„	–	10	–
Souchong, Congou, and Bohea tea	the lb.	–	–	4
All other tea	„	–	–	5
Tobacco, manufactured and leaf	„ and 10 per cent. thereon.	–	–	3
Tobacco stems	the cwt. and 10 per cent. thereon.	–	2	–
Vinegar	the gallon and 10 per cent. thereon.	–	–	3
Wines, viz.:				
Wines of all kinds, in bottles (except claret)	the gallon	–	6	–
Port, Madeira, Hock, Burgundy, in wood, or other vessels, not being bottles	„	–	5	–
Sherry, 12½ per cent. *ad valorem*, and	the gallon	–	3	–
Claret, in wood or bottles	the gallon and 12½ per cent. *ad valorem*.	–	2	6
All other wines	the gallon and 12½ per cent. *ad valorem*.	–	2	6
Anchors, Barley and oats, Canvas, Cordage and cables, Copper and composition metal for ships, viz.: Sheathing, bar, bolt, and nails, Corks and corkwood, Fishing tackle, Indian corn, Iron, viz.: Bar, bolt, sheathing and sheet, wrought nails, Medicines, Oakum, Pease, Pitch, tar, turpentine, and rosin, Poultry and fresh meat	the 100 *l.*	5	10	–
Goods, wares, and merchandize, not otherwise enumerated, described or charged with duty in this Act, and not otherwise exempt	the 100 *l.*	11	–	–
Fish, salted, dried, or pickled, for every cwt. imported		–	5	6
Local Distillation:				
Rum not exceeding the strength of proof by Sykes's hydrometer, and so in proportion for any greater strength than the strength of proof	the gallon	–	1	8
Brandy, gin, or other spirits, not herein defined or enumerated, not exceeding the strength of proof by Sykes's hydrometer, and so in proportion for any greater strength than the strength of proof	„	–	2	–

II. All articles in the following Table shall be exempt from any duty, viz. :—

No. 2.

TABLE OF EXEMPTIONS.

Exemptions.

Printing presses, printing paper (royal and demy), types, and all other printing materials.
Printed books, pamphlets, maps and charts.
Coin and bullion.
Hemp, flax, tow.
Plants, trees, and shrubs.
Specimens illustrative of natural history.
Works of Art, viz.: —Engravings, paintings, statuary, and all other articles imported for religious purposes, and not intended for sale.
Manures of all kinds.
Arms, clothing, and provisions for Her Majesty's Land and Sea Forces.
Passengers' baggage, household furniture, and working tools and implements used and in the use of persons arriving in this island.
Refuse of rice.
Seeds for agricultural purposes.
Vegetables of all sorts.
Animals of all kinds.
Articles of every description imported for the use of the Governor.
Donations of clothing specially imported for distribution gratuitously by any charitable society.
Cotton yarn.
Pig iron.
Coke.
Sulphuric acid, when used for the manufacture of manure.
Materials for sheathing the bottoms of vessels, such as zinc, copper and metal, together with nails, paper, or felt, which may be used under the same, shall be free and exempt from duty when imported in the vessel on which it is intended to be used, and entered as ship's stores; such sheathing and materials to be so used before the ship again leaves port, or the same to be entered for duty in the ordinary way.

Exemptions under treaty.

III. The following articles, being the growth and produce of the United States of America, mentioned and enumerated in the Schedule to an Act made and passed in the Legislature, entitled, "An Act to give effect, on the part of the Island of Newfoundland, to a certain Treaty between Her Majesty and the United States of America," shall be admitted free of duty, viz. :—

No. 3.

TABLE of EXEMPTIONS under the Treaty with the *United States*.

Grain, flour, and breadstuffs of all kinds.
Animals of all kinds.
Fresh, smoked, and salted meats.
Cotton wool, seeds, and vegetables.
Undried fruits, dried fruits.
Fish of all kinds.
Products of fish, and all other creatures living in the water.
Poultry, eggs.
Hides, furs, skins, or tails,—undressed.
Stone or marble, in its crude or unwrought state.
Slate.
Butter, cheese, tallow, lard.
Horns, manures.
Ores of metals of all kinds.
Coal.
Pitch, tar, turpentine.
Ashes.
Timber and lumber of all kinds, round, hewed, and sawed—unmanufactured in whole or in part.
Firewood, plants, shrubs, and trees.
Pelts, wool.
Fish oil.
Rice, broom-corn, and bark.
Gypsum—ground or unground.
Hewn or wrought or unwrought burr or grindstones.
Dyestuffs.
Flax, hemp, tow,—unmanufactured.
Unmanufactured tobacco.
Rags.

—So long as the said Treaty between Great Britain and the United States of America, in the said recited Act mentioned, shall remain in force in this island.

And similar articles, being the growth, produce, and manufacture of the United Kingdom, British North American Provinces, or of the Island of Prince Edward, or the Channel Islands, shall be admitted duty-free, notwithstanding any law to the contrary.

Foreign fish not to be warehoused without payment of duty.

IV. It shall not be lawful for any importer of fish, salted, dried, or pickled, not exempted from duty by any of the provisions of this Act, to warehouse the same in any of the ports of this Colony or its dependencies, without the payment of the duty hereinbefore imposed; and the provisions of any Act of this Colony with regard to the warehousing of goods on the first entry thereof, or to the allowance of drawbacks upon exportation, shall not in either case apply, or be construed to apply, to such fish.

Duties on liquors distilled in this island.

V. From and after the passing of this Act, the duty to be levied, paid, and collected on spirituous liquors manufactured, extracted, or distilled in this island, shall be at the rate mentioned in the Table of Duties in this Act for local distillation.

Duties to be collected in sterling money.

VI. All sums of money payable under this Act, as duties, penalties, or forfeitures, shall be deemed, and are hereby declared to be, in sterling money of Great Britain, and shall be received, taken, and paid in such British sterling money; and all such duties shall be paid and received according to Imperial weights and measures by law established in this Colony; and in all cases where such duties are imposed according to any specific quantity or value, the same shall apply in like proportion to any greater or less quantity or value.

VII. All

Goods landed at Labrador subject to duties.

VII. All goods landed at the Labrador, after the passing of this Act, shall be subject to the duties herein imposed, and to the same laws, rules, and regulations, as though they were on board the importing ship on arrival, before such landing; and unless the owners, or their agents, shall duly account for all such goods to any officer of the Revenue appointed to collect duties at the Labrador, and to his satisfaction, and pass entries for the same, and pay the duties thereon, such goods shall be forfeited; and any such officer may, at any time between sunrise and sunset, enter into any building or place of any person dealing in or having in his possession dutiable goods, and take an account thereof; and if such owner or agent shall refuse to open the doors, or shall in any wise obstruct such officer, he shall forfeit the sum of 100 *l.*; and such officer may, if he thinks fit at any time so to do, take with him a writ of assistance, and proceed therewith in manner by law in that behalf directed in similar cases: Provided that nothing in this section shall be construed to exempt from duty, under other provisions of the law, goods imported at the Labrador, but not landed.

Proviso.

No goods to be unladen before entry and warrant granted.

VIII. No goods shall be unladen from any ship, in any port or place in this island or its dependencies, nor within three miles of the coasts thereof, until an entry shall have been made of such goods, and warrant granted for unlading of the same; and all goods unladen contrary to the regulations of this or of any other law relating to the Revenue, shall be forfeited, and the master of the ship from which the same shall be unladen shall forfeit the sum of 100 *l.*

Penalty.

Revenue officer may board vessel, &c.

IX. Any officer of Revenue may go on board any vessel, being within three miles of any of the coasts of this island or of its dependencies, and stay on board while she remains in port, or within such distance, and may examine, on oath, the master of such vessel, touching his cargo and voyage; and if such master shall not truly answer any question that may be put to him, he shall forfeit the sum of 50 *l.*

Master of vessel to produce manifest and deliver copy.

X. The master of any such vessel shall, if required, produce his manifest to such Revenue officer, and, if required, shall also deliver to him a copy thereof; and such officer shall note on the original manifest the date of production, and return the same to the master; and if any such master shall refuse to produce his manifest, or to deliver a copy thereof, as aforesaid, he shall forfeit the sum of 50 *l.*

Importers at Labrador to make entry within two days, and pay duties.

XI. Every importer of any goods at the Labrador shall, within two days after importation, make due entry of such goods, and pay the duties thereon, and, if required by the collector or sub-collector, land the said goods; and in default of such entry and payment of duties, it shall be lawful for the collector or sub-collector to seize and sell the said goods, or so much thereof as may be necessary for the payment of all duties on such importation, paying over the surplus of the proceeds, after payment of such duties and expenses of seizure and sale, to the proprietor of such goods, or to any person authorised to receive the same.

Collector's office on board ship in certain cases.

XII. For the purpose of the collection of the Revenue at the Labrador, the office of collector or sub-collector, where there is no such office on shore, shall be held to be in the ship or vessel in which such collector or sub-collector shall be conveyed.

Goods forfeited at Labrador may be sold, &c.

XIII. Goods seized as forfeited at Labrador, may be sold by the collector or sub-collector, under the provisions of the laws relating to the Revenue, at any port or place such collector or sub-collector may deem most expedient.

Governor may authorise importation of spirits at Labrador, in casks less than 50 gallons.

XIV. It shall be lawful for the Governor in Council, by instructions to be given to the collector or sub-collector in that behalf, to authorise the importation and entry of, and payment of duties upon, spirits imported into the Labrador in casks containing less than 50 gallons.

Every person concerned in landing goods at Labrador, duty not paid, liable to penalty.

XV. Every person who shall be concerned in landing or unshipping at the Labrador, any goods, wares, or merchandize, liable to duty, the duties on which have not been paid or secured, shall forfeit and pay a penalty of 100 *l.*, to be recovered in a summary manner, under the provisions of this Act.

Penalties—how recovered.

XVI. All pecuniary penalties and and forfeitures incurred by the breach of any law relating to the Revenue, committed at the Labrador, may be sued for and recovered in any court of record, in a summary manner; and in default of payment thereof, upon conviction, it shall be lawful for the judge of the said court to imprison the offender for any period not exceeding two calendar months.

Judge may issue warrant to arrest party charged, &c.

XVII. In order to the trial of any party charged as being liable to any such penalty or forfeiture, it shall be competent for the judge of the said court, upon an information upon oath being laid before him against such party, to issue a warrant for his apprehension; and any party arrested under such warrant shall not be discharged from arrest before he shall have been acquitted of the charge, or suffered the punishment or paid the fine upon conviction therefor, unless he shall give sufficient security, to the satisfaction of such judge, for his appearance to answer such charge, and to abide the judgment of the court in that behalf.

And compel attendance of witnesses.

XVIII. In any proceeding for any such penalty or forfeiture, it shall be lawful for the said judge to compel the appearance of any witness by warrant, either in the first instance, or upon a summons to such witness being disobeyed.

XIX. All

XIX. All yachts sailing under warrant of the Lords of the Admiralty, or belonging to the Royal Yacht Club, shall be exempted, on view of the said warrant, from payment of all local duties whatsoever. Yachts exempt.

XX. The several duties imposed, and in the said Table of Duties mentioned in this Act, shall be paid by the importer or importers of such articles respectively, and shall be collected and secured by means of, and under the regulations and penalties, and in the way and manner provided by this Act, and by any other Act or Acts of the General Assembly of this island for collecting the revenue of this island and its dependencies. Importers to pay duties.

XXI. There shall be allowed and paid annually to the following officers of Her Majesty's Customs in this Colony, hereinafter-mentioned, to defray all expenses of remuneration for the collection of the colonial revenue, and charges incidental thereto, the sums set opposite the names of the said officers, for the period during which this Act shall be in operation, viz.:— Salaries to officers.

The assistant collector at St. John's, 300 *l.*
The landing and tide surveyor, 250 *l.*
Two landing-waiters at St. John's, each 200 *l.*
First clerk and warehouse-keeper at St. John's, 200 *l.*
Second clerk at St. John's, 150 *l.*
Third clerk at St. John's, 150 *l.*
Fourth clerk at St. John's, 150 *l.*
One locker at St. John's, 30 *l.*, and 3 *s.* per day when employed.
The sub-collector at Lamaline, 100 *l.*, and 2½ per cent. on all duties collected.
The sub-collector at Fogo, 125 *l.*, and 2½ per cent. on all duties collected.
The sub-collector at La Poile, 135 *l.*, and 2½ per cent. on all duties collected.
The sub-collector at Greenspond, 125 *l.*, and 2½ per cent. on all duties collected.
The sub-collector at Gaultois, 100 *l.*, and 2½ per cent. on all duties collected.
The sub-collector at Trinity, 150 *l.*, and 2½ per cent. on all duties collected.
The sub-collector at Harbour Grace, 160 *l.*, and 2½ per cent. on all duties collected: provided that the amount of the said salary shall be equal to, but not more than 256 *l.*
The tidewaiter and clerk at Harbour Grace, 125 *l.*
The sub-collector at Carbonear, 125 *l.*, and 2½ per cent. on all duties collected.
The sub-collector at Brigus, 100 *l.*, and 2½ per cent. on all duties collected.
The sub-collector at Placentia, 100 *l.*, and 2½ per cent. on all duties collected.
The sub-collector at Burin, 100 *l.*, and 2½ per cent. on all duties collected.
The sub-collector at Harbour Britain, 100 *l.*, and 2½ per cent. on all duties collected.
The sub-collector at Twillingate, 100 *l.*, and 2½ per cent. on all duties collected.
The preventive officer at Bay Bulls, 50 *l.*
The preventive officer at Ferryland, 50 *l.*, and 10 per cent. on all duties collected.
The preventive officer at St. Mary's, 50 *l.*, and 10 per cent. on all duties collected.
The preventive officer at Little Placentia, 50 *l.*, and 10 per cent. on all duties collected.
The preventive officer at La Manche, 50 *l.*, and 10 per cent. on all duties collected.
The preventive officer at Oderin, 50 *l.*, and 10 per cent. on all duties collected.
The preventive officer at Bay Roberts, 50 *l.*, and 10 per cent. on all duties collected.
The preventive officer at St. Lawrence, 50 *l.*, and 10 per cent. on all duties collected.
The preventive officer at Bellorem, 50 *l.*, and 10 per cent. on all duties collected.
The preventive officer at Pushthrough, 50 *l.*, and 10 per cent. on all duties collected.
The preventive officer at Burgeo, 50 *l.*, and 10 per cent. on all duties collected.
The preventive officer at Bay-de-North, 50 *l.*, and 10 per cent. on all duties collected.
The preventive officer at Channel, 50 *l.*, and 10 per cent. ou all duties collected.
To defray the expenses of tidewaiters and preventive boats and crews at St. John's, and tidewaiters at the outports, a sum not exceeding 1,700 *l.* Tidewaiters.
To defray the expenses of night boat and crew at St. John's, 300 *l.* Night boat.
Stationery and printed forms, postages, and other incidental expenses, 150 *l.* Printed forms and postages.
Allowance to unofficial members of the Board of Revenue, 50 *l.* Board of Revenue allowance.
The keeper of the Custom House at St. John's, 40 *l.* Keeper of Custom House.

XXII. Nothing in this Act contained shall in any way affect any matter or thing contained in the hereinbefore in part recited Act. This Act not to affect recited Act.

XXIII. When and so soon as this Act shall come into operation, the Act of the Legislature, passed in the last Session thereof, entitled " An Act for granting to Her Majesty certain Duties on Goods, Wares, and Merchandise imported into this Colony and its Dependencies," Repeal of previous Act.

dencies," shall be and stand repealed: Provided always that all bonds given and payments made for duties under the said Act are hereby confirmed and declared valid, and nothing herein contained shall be construed to affect the same.

Continuance of Act.

XXIV. This Act shall continue in force from the passing thereof up to the 20th day of May which will be in the year 1864, and no longer.

(No. 306.)

ANNO VICESIMO-SEXTO VICTORIÆ REGINÆ.

CAP. II.

AN ACT to provide for the Collection of the Revenue, and for the better Administration of Justice at the Labrador.

Passed 25 March 1863.

Preamble.

WHEREAS it is expedient to provide for the Collection of the Revenue, and for the better Administration of Justice at the Labrador:

Be it therefore enacted by the Governor, Legislative Council and Assembly, in Legislative Session convened, as follows:

Institution of Court at Labrador.

I. It shall be lawful for the Governor, by letters patent under the great seal of the Island of Newfoundland, to institute a Court of Civil and Criminal Jurisdiction at the Labrador; and such court shall be a Court of Record, and shall be presided over by one judge, to be appointed by the Governor in Council; and shall, over all such parts of the Labrador as lie within the Government of Newfoundland, have jurisdiction, power, and authority to hear and finally determine all criminal prosecutions for assaults and batteries, and for larcenies without force to the person, committed within the limits aforesaid; and all actions and suits of a civil nature, wherein the debt, damage, or thing demanded shall not exceed in amount or value 100*l.*

Powers of such Court.

Proceedings to be summary.

II. The proceedings of the said court shall be summary; a record of such proceedings shall be kept and signed by the judge thereof; and the forms of process, and other proceedings in civil cases, shall be as set out in the Schedule to this Act annexed, and in criminal matters shall be those used in summary proceedings of a like character by justices of the peace in this island.

Salaries of judge and other officers.

III. The salary of the judge of such court shall not exceed 250*l.*; and there shall be such officers of the said court as the Governor in Council shall appoint; and the salaries of such officers shall be fixed by the Legislature.

Appeal allowed in certain cases.

IV. It shall be lawful for any party against whom any judgment or order of the said court may be given in any matter over 50*l.*, or where the matter in dispute shall relate to the title to any lands or fishery, or where the right in future may be bound, within two days after such judgment or order, to appeal therefrom to the Supreme Court, giving one day's notice to the opposite party of such intended appeal; and upon such appellant, within seven days, giving security, to the satisfaction of the judge, for the speedy prosecution of such appeal, for the performance of the judgment or order of the Superior Court, or for the performance of the judgment of the Court of Labrador, should the same be affirmed or the appeal dismissed, and in such last-mentioned cases, also, for the payment of the costs of such appeal, execution shall be stayed upon the judgment of the court below: Provided that it shall be competent to such judge, upon reasonable grounds, to extend the time for such appeal, and that it shall be lawful for him, when he shall think it necessary, to reserve any question of law arising in any case before him for the consideration of the Supreme Court, suspending his judgment in the meanwhile until such question shall have been determined.

Proviso.

Proceedings in cases of appeal.

V. When an appeal shall be allowed in manner aforesaid, a copy of all proceedings in the court below, authenticated under the hand and seal of the judge thereof, and of any other officer, if any such, who may be appointed for that purpose, shall be transmitted by such judge to the Registrar of the Supreme Court, and after adjudication it shall be competent to the Supreme Court to carry such adjudication into effect by its own process, or to direct that the same be carried into effect by the court below, as may be considered most expedient.

The judge to be *ex-officio* justice of the peace and coroner.

VI. The judge of the said court shall be, *ex-officio*, a Justice of the Peace and Coroner for all places within the limits aforesaid, with the like power and authority in all respects as are or may be exercised by any justice of the peace or coroner lawfully appointed in Newfoundland.

Offenders and arrested debtors may be confined, as directed by the judge.

VII. Criminal offenders sentenced by the said court to imprisonment, and debtors arrested under final process, may be confined in any place of security within the limits aforesaid the said judge may direct, or may be conveyed to any gaol in Newfoundland, there to remain until removed or discharged in due course of law.

VIII. The

VIII. The provisions of an Act passed in the sixth year of the reign of Her present Majesty, entitled "An Act to repeal an Act passed in the fifth year of the reign of his late Majesty, entitled 'An Act to Amend the Law of Attachment, and to Facilitate the Recovery of Debts from absent or absconding Debtors, and to make other provision for the Amendment of the Law of Attachment,' and of an Act passed in the twelfth year of the reign of Her present Majesty, entitled 'An Act to Amend the Law of Attachment in this Colony, and to Regulate the Fees in certain cases payable therein,'" so far as the same relate to the sale of perishable property attached, the recovery of debts and effects attached in the hands of third parties, the examinations of such third parties, the attaching for costs and the levying of moneys under a writ of execution, shall be applicable to the proceedings of the court hereby established. Provided that an attachment may issue for any amount exceeding 40*s*. Acts 6 Vict. c. 10, and 12 Vict. c. 11, in force in certain cases.

IX. That it shall be lawful for the Governor in Council to appoint the said judge, or some other competent person to be superintendent of the fisheries on the coast of Newfoundland and the Labrador, and to appoint the same or some other competent person to be a collector of revenue on the Labrador. Appointment of superintendent of fisheries and collector of revenue.

X. It shall be lawful for such collector, subject to the control of the Governor in Council, to appoint sub-collectors under him at the principal ports and places on the Labrador; and such collector and his deputies shall have the like power and authority in and for the collection of the revenue on the coast of Labrador; and shall give the like security for the right discharge of the duties of their respective offices, as are by law provided with respect to customs and revenue officers in this island. Appointment of sub-collectors. Powers of collectors.

XI. The revenue collected under this Act shall be applied in the first place towards defraying the cost of the protection of the fisheries, and of carrying the provisions herein contained into effect, and the surplus, if any, shall be paid to the Receiver General for the uses of the colony. Appropriation of revenue.

SCHEDULE.

Schedule.

Summons.

Form of summons—Assumpsit.

To Bailliff, summon C. D. to appear before me on at to answer A. B., who complains that the said C. D. owes him , as by particulars hereto annexed, and to be further dealt with according to law.

Given under my hand at this day of A. D.

G. H.,
Judge of the Court of Labrador.

Attachment.

Attachment—Assumpsit.

To Bailiff.

Attach C. D, by his lands, chattels, goods, debts and effects, to appear before me on at to answer A. B., who complains that the said C. D. owes to him , as by particulars hereto annexed, and to be further dealt with according to law.

Given under my hand at this day of A. D.

G. H.,
Judge of the Court of Labrador.

Oath for £. stg.

Execution against Goods.

Fi. Fa.

To Bailiff.

Levy on the property of C. D. the sum of , which, by judgment of this Court, was declared to be due and to be paid by him to A. B for debt (or damages for assault, &c., as the case may be), and pay the said sum to the said A. B., in discharge of such judgment.

Given under my hand at this day of A. D.

G. H.,
Judge of the Court of Labrador.

Capias.

EXECUTION AGAINST THE PERSON.

To Bailiff.

Arrest C. D., and detain him in custody until he shall pay A. B. the sum of amount of a judgment obtained against him by the said A. B. for debt (or damage for an, assault, as the case may be), or until he be delivered by due course of law.

Given under my hand at this day of A. D.

G. H.,
Judge of the Court of Labrador.

Warrant of attachment.

WARRANT OF ATTACHMENT.

To (Name of Garnishee.)

You are commanded to pay or deliver into this court all moneys, property and effects of C. D., to the value of , now in your possession, or under your control, to answer a claim of A. B. for debt (or damages for an assault, as the case may be).

Given under my hand at this day of A. D.

G. H.,
Judge of the Court of Labrador.

Summons in trespass, &c.

SUMMONS IN CASES OF TRESPASS, TROVER, EJECTMENT, OR CASE.

To Bailiff.

Summon C. D. to appear before me on , at to answer A. B., who complains that the said C. D., on assaulted the said A. B., or took and detained from him his property, or wrongfully holds possession of certain lands situate , the property of the said A. B., or on (removed the nets of the said A. B., as the case may be), and to be further dealt with according to law.

Given under my hand at this day of A. D.

G. H.,
Judge of the Court of Labrador.

Writ of possession.

FORM OF WRIT OF POSSESSION.

To Bailiff.

Put A. B. in possession of that parcel of land (describing it) which by a judgment of this Court, made on , the said A. B. recovered from C. D., who now wrongfully holds possession of the same.

Given under my hand at this day of A. D.

G. H.,
Judge of the Labrador Court.

Bailiff's fees.

FEES TO BE TAKEN BY THE BAILIFF OF THE COURT.

Serving every summons, 2*s.* 6*d.*, and 6*d.* per mile going and returning.
Serving every copy of attachment, 2*s.* 6*d.*, and 6*d.* per mile going and returning.
Serving every warrant of attachment, 2*s.* 6*d.*, and 6*d.* per mile going and returning.
Every arrest, 10*s.* 6*d.*, and mileage at the rate aforesaid.
Poundage on writs of execution, and on actual seizures under attachment, 6*d.* in the pound.

(No. 307.)

ANNO VICESIMO-SEXTO VICTORIÆ REGINÆ.

CAP. III.

AN ACT to Extend the Jurisdiction of the Circuit Courts of Newfoundland to the Trial of Offences committed, and of Causes of Action arising, on the Coast of Labrador.

[Passed 25 March 1863.]

WHEREAS it is expedient to extend the Jurisdiction of the Circuit Courts of Newfoundland to the trial of offences committed, and of causes of action arising, on the coast of Labrador: Preamble.

Be it therefore enacted by the Governor, Legislative Council and Assembly, in Legislative Session convened:

That the Circuit Courts of Newfoundland shall have power to hear and determine all crimes and offences, informations, suits, and actions committed, occurring, or arising, on all such parts of the coast of Labrador as are within the Government of Newfoundland, and shall have power to proceed to final judgment and execution therein, and shall have the same jurisdiction, powers and authority, as are by law vested in the Supreme Court of Newfoundland, saving and excepting the trial and determining of treasons or misprisions of treason, and capital felonies, and the hearing and determining of any information, suit, or action, for the breach or violation of any Act of Parliament relating to the trade and revenue of the British Colonies in America. Provided always, that the parties charged with such crimes or offences, and the parties to such suits or actions, shall reside within the judicial districts in which such Court shall be respectively holden. And provided that all actions or suits now depending in either of the said Circuit Courts for or in respect of any matter or thing done or committed on the coast of Labrador, by any person or persons, may be proceeded with, tried and determined, under the provisions of this Act. Jurisdiction of the Circuit Courts extended to all such parts of the coast of Labrador as are within the Government of Newfoundland.

ACT to provide for the Collection of Revenue, and for the better Administration of Justice at the Labrador.

THE coast of Labrador, the boundaries of which are defined in the Governor's commission and instructions, viz., from Anse Sablon, inclusive, to the entrance of Hudson's Straits, &c., being a dependency of Newfoundland, within that jurisdiction, the merchants and traders are subject to the same duties as are levied on the merchants and traders within the island of Newfoundland. A lucrative trade is carried on there by non-resident English merchants, Novia Scotian, and United States traders. The Government therefore resolved to collect revenue, and to establish a Court of Judicature there, due intimation of which was given to all parties at Labrador last year, and the Act empowers the Governor in Council to appoint a collector of Revenue, and a judge, and both have been strictly enjoined in the performance of their duties to confine themselves to the jurisdiction already alluded to.

The Governor understands that the Labrador merchants have already petitioned Her Majesty's Government against this Bill; they adopted the same course formerly when Lord John Russell was Colonial Minister, and were informed by his lordship's instructions that Labrador being a dependency of Newfoundland, it was liable to the same laws, revenue, &c., as the island of Newfoundland. They subsequently applied to Lord Stanley (now Earl Derby), who, as far as I know, replied the matter would be considered, but it appears to have dropped.

On referring to the records, the Governor finds a report of proceedings on the coast of Labrador in 1840, which he directed to be printed, and it is herewith enclosed. Also, an extract from Governor Darling's Despatch to the Colonial Minister, dated 31 August 1856, recommending the same course to be adopted as the Government are now about to follow. This despatch was approved and sanctioned by the late Government—His Excellency's advisers—but, who opposed the present measure in the last Session, but, without stating any substantial reasons.

In the same document there is the constitution of the old Labrador Court, which was appointed by the Imperial Government, but found to be too expensive.

The Governor understands that the Canadian Government regularly collect duties on the coast of Labrador, to the westward of Anse Sablon.

Government House, Newfoundland,
17 June 1863.

(signed) *A. B.*

— No. 4. —

(No. 40.)

No. 4. Governor Sir A. Bannerman to his Grace the Duke of Newcastle, K.G., 10 August 1863.

COPY of a DESPATCH from Governor Sir *Alex. Bannerman* to his Grace the Duke of *Newcastle*, K. G.

Government House, Newfoundland,
10 August 1863.
(Received 31 August 1863.)
(Answered No. 33—14 Sept. 1863, page 30.)

My Lord Duke,

I OBSERVED in one of the London papers that Mr. Seymour had asked a question of Mr. Fortescue, relative to the collection of the revenue at Labrador, representing that the people there ought not to be taxed, having no voice in the Legislature.

2. I have reason to believe that this question was put at the suggestion of a member of the House of Assembly, now in London, on behalf of one of the mercantile houses that trade at Labrador. It may be as well, therefore, to state to your Grace that this pretext of want of representation has been before mooted by the same parties; and that they never, on any one occasion, hinted that they required it.

3. I do not see that there could be any objection to the Labrador being represented at St. John's, in the Legislature, provided there are residents there who possess the necessary qualification, which your Grace is aware is a small one; and therefore want of representation ought to be made no obstacle in the way of collecting revenue in a dependency of the Newfoundland Government, and subject to the same laws as the island itself.

4. Her Majesty's ship "Vesuvius," Captain Hamilton, returned from a cruise at the Labrador, about 10 days ago. The collector whom we sent there, had got 450 *l.* revenue in a very short time, which he remitted by the "Vesuvius." Objections were made, and protests entered against paying revenue, as the merchant looked to the Home Government to put an end to it. This is no more than I expected, and I believe at no distant period a considerable revenue would be got at Labrador from those who are carrying on a profitable and smuggling trade; and I am informed by a vessel which arrived from there this day, that one house had secured the enormous quantity of 2,000 barrels of salmon this season.

5. I think it proper, merely for the sake of record, to enclose your Grace a copy of the additional instructions which I considered it necessary to give to the gentlemen whose visit to Labrador to collect the revenue, I considered it proper to sanction.

I have &c.
(signed) *A. Bannerman*, Governor.

Enclosure 1, in No. 4.

Encl. 1, in No. 4.

JURISDICTION of NEWFOUNDLAND; copied from Governor *Bannerman*'s Commission.

GOVERNOR, Commander in Chief and Vice Admiral over our said Island of Newfoundland and the islands adjacent, and all the Coast of Labrador from the entrance of Hudson's Straits to a line to be drawn due north and south from Anse Sablon on the said coast to the 52d degree of North latitude, and all of the islands adjacent to that part of the said Coast of Labrador; as also, all forts and garrisons erected and established, or which shall be erected and established within the said island, &c.

The western limit of the Government of Newfoundland is, latitude 51° 25′ north, longitude 57° 9′ west, and includes "Blanc Sablon" and the "Woody Island." The northern boundary is Cape Chudleigh, in latitude 60° 37′ north, longitude 65° west.

Enclosure 2, in No. 4.

Sir, Secretary's Office. Encl. 2, in No. 4.

Referring to the instructions which you will receive from the Acting Colonial Secretary by order of the Governor and Council, his Excellency has to direct your attention to the printed copy above of his commission, defining the jurisdiction of Newfoundland, and to which you will strictly adhere in the performance of the duties which you are entrusted to carry into effect.

The Governor will direct that several charts shall be placed on board the schooner.

1. The gulf, including the Strait of Belle Isle. On this chart the western limit of Newfoundland is laid down, which is latitude 51° 25′ north, longitude 57° 9′ west; and from that parallel there is a line drawn by Captain Orlebar, chief of the Surveying Department, due north, and which you will observe includes in the Governor's jurisdiction Blanc-Sablon and the Woody Islands. The term "due north," in a matter of boundary, means a true north line; that is, from such a place to such a place includes both; or, for instance, from the 1st of May to the 1st of June includes the whole of the two days.

No. 2 chart is one of St. Lewis' Inlet, just published, and

3. Straits of Belle Isle to Cape Chudleigh. In this chart the northern limit of the Governor's jurisdiction is latitude 60° 37′ north, longitude 65° west; but no accurate survey of the Cape has been made for many years.

These charts, with any others which the Governor may send for the use of the schooner, must be delivered to the Colonial Secretary on her return.

The limits, it seems, may be safely taken as extending to three miles, or a marine league, from the beach seawards. Bays or other inlets lying between headlands and other points of the main land, being territorial, are subject to the ordinary jurisdiction to which the main land owes its obedience; and, while asserting the authority of colonial law in colonial waters, the Imperial Government desired the Governor to enforce upon you that you will take care to do so in a manner which is likely to be least offensive to any foreigners who may fall within the scope of your instructions.

You will be furnished with the interesting Report of the late Mr. Rendell, who, 22 years ago, left St. John's on the 4th of July in a boat, the crew of which consisted of four men, and proceeded to Labrador to receive the revenue, and to collect information respecting that coast for the use of the Legislature. It will be seen that Mr. Rendell traversed over a distance of 1,200 miles, at an expense of 63 *l.*, and collected at that time revenue amounting to 205 *l.*

As it is many years since duties were collected at the Labrador, the law for imposing them having falling into abeyance in consequence of the too expensive court which was then conjoined with it, you will no doubt find that the traders, merchants, &c., will be averse to their collection now. You will, therefore, act with prudence and moderation in performing your duty, referring any parties who may complain to the Government, assuring them that his Excellency and the Council have been repeatedly urged, in justice to Her Majesty's subjects within this island, to adopt the measure which they have at last resorted to, and to place Labrador on the same footing as Newfoundland, by extending to the trade of that dependency the payment of the same duties as are collected from residents here.

One of Her Majesty's ships will be cruising on the coast for the protection of commerce and the "fisheries," most probably the "Vesuvius," and you will take care to observe and attend to any instructions which Captain Hamilton, or the commanding officer of any other of Her Majesty's ships, may think it expedient to give you in regard to the service you are employed in.

It is likely that you may find opportunities to communicate with the Government during your stay at Labrador, and they will expect to hear from you. At the same time, until you make your final report, it will be advisable that you avoid sending partial statements to other parties relative to the performance of the duties you are entrusted with. On all other matters, of course, you will communicate with your friends, as you may consider necessary.

I have, &c.
(signed) *A. Bannerman*, Governor.

— No. 5.

(Separate.)

Copy of a DESPATCH from Governor Sir *Alexander Bannerman* to his Grace the Duke of *Newcastle*, K.G.

No. 5. Governor Sir A. Bannerman to his Grace the Duke of Newcastle, K.G., 26 August 1863.

Government House, Newfoundland,
26 August 1863.
(Received, 14 September 1863.)
(Answered, Separate, 25 September 1863, page 32.)

My Lord Duke,

A vessel arrived yesterday from the Labrador, bringing a favourable account of the fishery on that coast, and also a letter from the gentleman who was appointed collector of customs there, by the Colonial Act of last Session, 26 Vict. 159. c. ii.

c. ii. He reports that he had collected duties from the houses there and transient traders amounting to 950*l.* up to the 17th August. Objections were made against taxation, but none very formidable, with one exception, that of Messrs. Henley and Hunt, who carry on a very large and lucrative trade at Labrador. Protests were taken, and appeals were to be made to Her Majesty's Government, on the ground that with responsible government they had no representation.

2. I cannot well see how any change of system of government in regard to the elective franchise can affect any dependency of Newfoundland, which must undoubtedly be subject to the same laws which Her Majesty's subjects are liable to in the Island itself. Many parts of Newfoundland are imperfectly represented, but still liable to taxation; and our electoral law is not a permanent and final measure, but may be extended, altered, or amended at any time with the sanction of the Crown.

3. The Labrador Act, and its provisions, are the same as our Revenue Act, and may be repealed any year. As far as the Customs officer reports, he thinks that the opposition to the payment of duties will not continue long; and, in regard to representation, the residents at Labrador have only to apply to the Colonial Government, and their wishes will meet with the most favourable consideration.

I have, &c.
(signed) *A. Bannerman*, Governor.

— No. 6. —

(No. 53.)

No. 6.
Governor Sir A. Bannerman to his Grace the Duke of Newcastle, K.G., 1 December 1863.

COPY of a DESPATCH from Governor Sir *Alexander Bannerman* to his Grace the Duke of *Newcastle*, K.G.

Government House, Newfoundlan
1 December 1863.
(Received 21 Dec. 1863.)
(Answered No. 50—31 Dec. 1863, page 35.)

My Lord Duke,

Enclosure 1. 12 Nov. 1863.

I HAVE the honour herewith to enclose copy of the Report of the Collector of Revenue on the coast of Labrador within the jurisdiction of Newfoundland, and also copy of the Report of the Judge of the Circuit Court, dated and received the 12th and 20th ultimo.

Enclosure 2.

2. Your Grace will observe that in the Report of the Collector, he complains of his having been obstructed in his duty and grossly insulted by a gentleman named Larmour, of the house of King and Larmour.

3. Finding that this individual holds the commission of the peace for the coast of Labrador within the jurisdiction of Newfoundland, and that he had returned to Plymouth, where he resides, I considered it proper to direct the Colonial Secretary to send Mr. Larmour an extract from that part of the Collector's Report to which the accusation refers, and, hoping that he will be able to give some explanation,—

Enclosure 3. 20 November 1863.

4. I enclose a copy of the letter with which I furnished the Colonial Secretary, and believe I have adopted the course which is pointed out to me in the Royal Instructions.

I have, &c.
(signed) *A. Bannerman*, Governor.

Enclosure 1, in No. 6.

Sir, Custom House, St. John's, 12 November 1863.

Encl. 1, in No. 6.

I HAVE the honour to submit, for the information of his Excellency the Governor, the following report of the proceedings connected with the collection of the revenue at Labrador the past season.

The vessel that was hired for the purpose left St. John's the 15th June; the immense quantity of closely packed ice which blockaded our bays, and which we were obliged to wait

wait for its moving off, prevented our reaching the Labrador coast till the 20th July, when we arrived at Blanc Sablon, a large port at the extreme western extremity of that part of the Labrador coast to which our operations were to be confined; the harbour being formed partly by Isle-au-Bois, the western limit of our jurisdiction.

On arriving at this port, we found in the harbour about 40 vessels, of which about 30 were Nova Scotia fishing vessels; the remainder were vessels belonging to mercantile establishments there, which had arrived from Britain with salt, and general cargoes of manufactured goods, all which vessels having sailed round the western portion of the island, and entered the Straits of Belle Isle, were not obstructed by the ice which prevented us.

The trade at Blanc Sablon is very extensive, consisting of two large supplying and fishing establishments, belonging to Jersey (Messrs. Boutellier, and De Quetteville & Co.), and two smaller houses engaged in the fishery, also of Jersey. This is the chief place of resort of the large number of fishing vessels from Nova Scotia, and the other colonies, which annually arrive at the Labrador.

Immediately after our arrival, I went on board the different vessels in the harbour, informing the masters of the business in which I was engaged, and requesting them to come on board the "Volant," and enter their vessels, to which, as might have been expected, they manifested a decided objection. I also called at the different mercantile establishments, and informed the agents as to the business I was on.

The following day I visited the establishment of Boutellier at Isle-au-Bois, when he (Mr. Boutellier) refused to pay duties, on two grounds:—

First, That his place was outside the jurisdiction of Newfoundland.

Second, That the local Legislature had no authority to enact such laws (or something of that sort).

As to the first of these objections, I showed to him the directions furnished me by his Excellency the Governor, as to the boundaries, &c. As to the second, I did not consider it necessary to argue the point with him.

I then told him I was determined to carry out my instructions, and offered him any information he might require which it was in my power to afford him, and gave him time to consider the matter; he, however, persisted in refusing. I then informed him, if he continued to refuse, I should be under the necessity of adopting forcible measures to recover the duties, to which he paid no attention. I accordingly went on board the "Volant," got four men sworn in, and returned to the shore with them, and the bailiff went into the store and took possession of goods to the value of 1,000 *l.*, and marked them. I then said to Mr. Boutellier that I should have those articles put on board the revenue vessel, and take an account of the remainder afterwards. I then left the bailiff in charge, having to go on board for necessary papers, &c. On my return, I found that the bailiff had been turned out of the building, and the doors locked; on applying for admission, they hesitated at first to open the doors, but afterwards complied, when I again put the bailiff in possession, and ordered the vessel alongside to put the goods on board. Seeing that I was determined to effect my purpose, Mr. Boutellier at last agreed to pay the duties, but under protest; I accordingly kept possession of the goods until Mr. Boutellier produced the manifests of all the vessels that had arrived, and the invoices of all the goods; the duties on the whole amounting to 176 *l.*, he paid under protest by a bill on Jersey, which I was obliged to accept, and immediately gave up possession of the goods.

I then visited the establishment of De Quetteville & Co., and requested payment of the duties; the agent (Mr. Le Scellene) also refused to pay, when I told him I would open the stores and seize the goods I found there. Having seen the measures I had already taken with the other house, he agreed to pay under protest. He accordingly entered all the vessels that had arrived to their house from Jersey, London, Liverpool, and Cadiz, produced manifests, invoices, and paid duties to amount 177 *l.* by bill on Jersey.

The other smaller houses at first objected, but, upon my threatening them as to the consequences, they also paid duties (under protest) by bills on Jersey.

The next day I visited the fishing vessels that were in the harbour, where I also met with considerable opposition at first, but finally succeeded in getting the duties without being obliged to have recourse to any forcible measures. These vessels having nothing on board subject to duty but salt and fishing tackle, the amounts received from them were small, and, they having no cash or any means of obtaining it, I was obliged to accept orders on Nova Scotia and elsewhere. Continued arrivals of vessels from Nova Scotia prevented my leaving Blanc Sablon till the 28th July, when we proceeded to Forteau (29th July).

At this place are branch establishments of the two houses at Blanc Sablon. Messrs. Boutellier entered three vessels and paid duties (under protest). The other establishment (De Quetteville & Co.) had paid at Blanc Sablon the duties on the goods landed at this place, so that nothing more was to be done here in the collection of duties. At this place I appointed Mr. Robert Ellis to act as sub-collector for this place and Blanc Sablon.

At Lance à Loup (30th) we found one vessel to the house of Messrs. Stable, Row, and Holmwood, with salt, and one from the United States, and received the duties from both.

On the 31st July we went to Pinware, where there is no mercantile establishment; one vessel, an American, had arrived there, from which we received duties. Here the "Volant"

was detained several days, during which time the judge held court. We then went to Henley Harbour, 4th August.

Here we found one place of business, being that of a Nova Scotia trader, who had imported a cargo of goods early in the spring. He at first refused to pay duties, but, on consideration, the following day he complied, and gave an order on Halifax for the amount. Here I gave Mr. Richard Penny a commission as preventive officer for Red Bay.

August 8th, arrived at Battle Harbour.

At this place is the establishment of Messrs. T. and D. Slade, of Poole, carrying on a large business. I called on the agent, Mr. Bendell, and told him my business; he said he had positive instructions not to pay any duties. There were two vessels of the firm in the harbour discharging, the "Sisters" and "James;" the "Sisters" nearly all discharged, the "James" but partly discharged. I put men on board, and ordered the captains to stop discharging, and to report their vessels.

I also demanded manifests of their cargoes, which they refused to give. The captain of the "Sisters" went on discharging. I accordingly entered a complaint before the judge, who sentenced the captain to a fine or imprisonment; he chose the latter. I then went to Mr. Bendell, and asked him for a final answer as to the payment on the other goods, threatening to open the stores and seize the goods if he did not pay. He at last consented to pay the duties, and produced the manifests of all the vessels which had arrived, and the invoices of the goods, and gave a bill for the full amount of the duties (under protest), whereupon I consented to the release of the captain.

A trading vessel from Prince Edward Island was entered and the duties paid.

I then gave Mr. Bendell a commission as sub-collector, to collect from traders.

August 14th, went to Francis Harbour. While there, a vessel, the "Sant," arrived from Dartmouth to Messrs. Hunt and Henley, who have a branch establishment at this place, the vessel having landed part of her cargo at Cartwright.

I called on the agent (Mr. Hunt), who told me he had instructions not to pay any duties, but on my informing him of the consequence attending his refusal to pay the duties, he complied without putting me to further trouble, paying also the duties on goods previously arrived (under protest) by a bill on London.

At Venison Tickle is a branch of Messrs. T. and D. Slade's business, but the duties on goods here had been paid at Battle Harbour. Here I gave Mr. Hall a commission to act as preventive officer.

At Indian Tickle is an establishment of Mr. Warren. The only arrival that had been here was a vessel from Quebec; a vessel that was expected from England having been lost. The duties were paid (under protest).

At Long Island is another branch of Messrs. Hunt and Henley's business; the goods, however, had been brought here from Cartwright, where they were imported; we accordingly proceeded to Cartwright. At this place is the chief establishment of Messrs. Hunt and Henley of London, where an extensive business is carried on. On going into the harbour we saw a vessel, the "Escort," coming out, which we passed, and pursued our way in.

On going on shore we found the stores and buildings all locked. The agent, Mr. Goodridge, was absent, and we were informed that he was gone to Gros Waters a few days before, and had left strict orders that every thing was to be kept locked up, and no doors opened for any purpose.

Not wishing to take any steps in the agent's absence we left Cartwright, it being the furthest place north we intended visiting, and came back as far as—

Grady, 24 August.

Here are two mercantile houses, that of King & Larmour, and a branch of Messrs. Hunt & Henley's. From the former I received no duties, they having been paid at St. John's. We found here the "Escort" (Messrs. Hunt & Henley's) discharging cargo (salt). I boarded her, and ordered the work to be stopped, which was done, the captain not being on board. Soon after the agent at this place came on board, and ordered the men to proceed discharging, to which I objected till the vessel was entered. Mr. Goodridge, the agent at Cartwright, then came on board (and with more authority than the other) gave orders to go on discharging, to which I again objected; he then demanded my authority, when I produced and read my commission in presence of the captain.

I then left an officer on board the "Escort," and went on board the "Volant." On returning I found the men discharging in spite of the officer, and again stopped the work. I then had a warrant issued for the arrest of the captain; the warrant not being served that day nothing more was done.

At sunset, as was customary on board the "Volant," a gun was fired, and the colours lowered; immediately the gun was fired the port of the "Escort" was opened, and a cannon was fired several times; a number of guns were also fired from the establishment, and in different parts of the harbour.

From the hill, near the dwelling-house of Messrs. King & Larmour, a heavy cannon was fired, and the firing was kept up incessantly all over the harbour for more than an hour, evidently for the purpose of intimidating me in the execution of my duty.

The next morning they again commenced discharging, which attracted the attention of the Judge, who immediately sent the bailiff, who arrested the captain, and brought him on board. He was then sentenced to pay a fine or imprisonment; he chose the latter. Mr. Goodridge, the agent, seeing the decided steps that had been taken consented to pay the duties, produced all the papers, invoices, &c., and gave a bill for the full amount of duties (under protest). I consented to the release of the captain.

In

In this place I wish to call particular attention to the disgraceful conduct on the part of Mr. Larmour already referred to (King and Larmour), in obstructing me while engaged in the discharge of my duties, as an officer of the crown, while I was on board the "Escort," and having just stopped the work of discharging the cargo, he came alongside the vessel and ordered the work to go on, saying he had as much authority as I had for many years. Seeing his orders were not noticed he became furious, and began to abuse me, making use of awful language, while replying to which I advanced towards him on the plank leading from the vessel to the shore, when he ran off; on reaching the stage-head, he considered himself safely landed, and suddenly stopped short and behaved in a manner most unbecoming, and continued to make use of the same disgraceful language in the presence of all who were assembled on the spot, boasting at the same time of holding a commission under Her Majesty, and behaving thus, as he said, by virtue of this authority.

Continuing, on our way back we went into Batteau, where I appointed Mr. Charles Power as preventive officer.

At Venison Tickle, Francis Harbour, Spear Harbour, and Battle Harbour, the Judge held court, as nothing was to be done in the way of duties.

At Cape Charles, 14th September, we found four trading vessels from Canada, from which we collected duties.

Henley Harbour, 16th September.

Here we found four trading vessels from Canada and Nova Scotia, which also paid duties.

The contract of the "Volant" being nearly expired, I allowed her to leave on the 23rd September for St. John's, and decided on remaining for the purpose of collecting the duties from vessels which were expected shortly to arrive. I immediately went to Battle Harbour, 24th September, and found that the brig "David," which had been expected, had arrived, and I received the duties (under protest), amounting to 122*l.*, by bill on Poole.

I then went as far as Francis Harbour, but found no vessel there, and none expected till the last of October (if at all, which was uncertain). On my way back I called at Spear Harbour, and as there were no trading vessels in any of the harbours adjacent, I returned to Battle Harbour and remained for several days; but seeing no prospect of anything further being done, I proceeded to Sizes Harbour and took passage in the steamer "Bloodhound," and accompanied her to Scrammy, Occasional Harbour, and Ship Harbour, but obtained no duties, as the vessels at those ports were all Newfoundland vessels, and finally left the Labrador on the 6th of October, and arrived at St. John's the 9th.

I have, &c.
(signed) *J. Winter*, Collector.

I omitted to state, that on my arrival at Blanc Sablon I was informed that Her Majesty's ship "Vesuvius" was at Forteau, and I immediately communicated with Captain Hamilton, and on returning from Cartwright, and coming out of Venison Tickle on the 5th September saw the "Vesuvius" passing north.

(signed) *J. W.*

The Hon. The Receiver General,
St. John's.

Enclosure 2, in No. 6.

Encl. 2, in No. 6.

PROCEEDINGS of the Circuit Court, held in the summer of 1863, for the Administration of Justice (*vide* 26 Vict. c. 2), on the Coast of Labrador, within the Jurisdiction of the Newfoundland Government. With the Judges Report of the times when, and the places where the Court was held; the number and nature of the cases brought before, settled, and decided by the Judge, and of those reserved for the opinion of the Supreme Court.

To the Honourable *Hugh W. Hoyles*, Her Majesty's Attorney General, &c.

Sir,

HAVING had the honour to be appointed by his Excellency and Council to the office of Judge of the Court of Labrador, I accompanied the gentleman appointed to collect the revenue in the hired craft, the "Volant," from St. John's, on the 15th June. After a very tedious passage, being driven back from Cape John five times, and being hampered with ice, we arrived at Blanc Sablon on the 20th July, with slight damage to our cutwater. We found, on entering the port, 40 fishing craft from Nova Scotia, and nine vessels from Jersey. These latter had an addition of one, and the former were increased to about 80, including two Americans, all disputing the boundary line, or claiming exemption from duties as fishermen.

In this port are three considerable mercantile establishments and two smaller ones, all importing goods. Barely outside the boundary is Green Island, on which is one Jersey establishment, and about 17 fishing craft; these latter probably waiting until the revenue cruiser should depart; and still less outside the boundary, in Galsh Cove, is one Jersey concern, and one from Prince Edward Island.

The Fishery commenced late, but was very good up to the date (29th July) of our departure. No one counted less than 50 qtls., and some as high as 70 qtls. a man, exclusive

of "dressers" (our stage crew). The water is shallow, consequently a heavy roll comes in on most occasions; a strong tide prevents cod-seins being used with much advantage. There is no resident population, if we except the few left to take care of the stores, and to look after a few seal nets. Men are chiefly imported from Jersey, and taken back again when the fishery is over. They are paid from 4 *s.* 9 *d.* to 5 *s.* 6 *d.* for every 100 fish, averaging 7 qtls. to the 1,000.

There are no pretensions to gardens or cultivation, yet I think back from the sea, out of the reach of the sand drift, the soil is good, and climate genial enough to ripen ordinary crops. The river is level, the tide flowing up about one and a half mile; there is a slight rise, and again a level for a considerable distance. Many patches of excellent grass are to be found by the side of the river. No cattle of any kind, except one horse, made useful on De Quetteville's room; no wood within view; no salmon fishery.

Forteau and Lance-a-Loup much in the same state as at Blanc Sablon, except that I was pleased to see a post of Newfoundland fishermen doing well.

At Forteau, De Quetteville and Butillier have branch establishments, and G. I. De Hucone have a concern here. There were in port one schooner, one brigantine, and one barque.

At Lance-a-Loup is one St. John's concern, with branches, and also one from Jersey.

At Pinware, in Black Bay, is a salmon fishery of small extent, in comparison with those on the coast east and north. The cod fishery was progressing favourably in the bay.

From Black Bay to Chateaux and Henley Harbour, except at Red Bay, there is very little, if anything doing. At Henley Harbour, hook-and-line men had 20 qtls. a man on the 4th August. Cod-seins had done well, and salmon in great abundance; they had no regulations for setting their nets, and professed not to know anything about an Act for that purpose. Here they would also require an assayer of weights and measures. The salmon fishery is altogether on the coast, there being no river or estuary to invite their visits.

From Henley Harbour, as far as Francis Harbour, the result of the cod fishery was the same up to the 14th August, improving as we progressed north, ending in a very good voyage.

There were two foreign-going vessels in Battle Harbour, one in Francis Harbour, one in Venison Tickle, one in Indian Tickle, two in Grady, three in Long or Round Island, one in Cartwright, with a fleet of vessels in these ports from Newfoundland, fishing, or taking away cargoes.

At Sandwich Bay, the take of salmon was reported to be 1,100 or 1,200 tierces. Messrs. Hunt and Henley appear to be the only persons using it.

On our circuit we visited—

Blanc Sablon
Forteau.
Lance-a-Loup.
Pinware.
Chateaux.
Seal Island.
Williams Harbour.
Spear Harbour (twice).
Francis Harbour (twice).
Francis Harbour Bight (twice),
Venison Tickle (twice).
Indian Tickle (twice).
Henley Harbour.
Cape Charles (twice).
Battle Harbour (three times).
Salt Pond (twice).
Long Island.
Cartwright.
Grady.
Bateau.
Square Island.
Hawks Harbour (twice).

We had before the Court six persons concerned in breaches of the peace, two persons for breach of the 8 & 10 s. 26 Vict. c. 1, two trespass cases involving right of fishery, one inquest, one nuisance, 10 cases of account, 1 reference.

Court was open every day, and at all hours, when the vessel was in port, even after night, to accommodate witnesses, who would lose a day's fishing if compelled to attend by day. Like most circuit courts, the moral effect is greater than the amount of business done.

There was no complaint of barring herring, and only in one instance did I hear of its being done; far less drunkenness, and fewer assaults than usually occur in places reported to be very quiet; it is probable this was owing to an absence of idleness.

On our return southward, we found the fishery for cod and herring greatly improved, with a brisk demand for the latter by Nova Scotian and Canadian, as well as our own traders. The whole coast presented a spectacle of the greatest activity and determination on the part of the fishermen to make the most of their harvest.

I would not estimate the resident population on the whole coast to be over 700 or 800.

Our little vessel was large enough, sailed well, and was very manageable; the captain and crew were efficient, and appeared to take a lively interest in the result of the voyage. The only addition requisite being a good whale boat, to be had on the coast for about 12 *l.*, to enable the collector to push into small places in the vicinity, if he wished it, whilst the vessel would be detained on other matters connected with the object of the expedition.

You will perceive I have dwelt longer on the subject of the western part of the coast than any other. I have done so because our fishermen know very little about it, or the advantages it presents to them, and also on account of the extent of its foreign trade.

I have &c.
(signed) *Benjamin Sweetland.*

Enclosure 3, in No. 6.

Secretary's Office, Newfoundland, Encl. 3, in No. 6.
20 November 1863.

Sir,

I HAVE been directed by Sir Alexander Bannerman, Governor of Newfoundland and its Dependencies, to call your attention to an extract herewith enclosed, from a report made to his Excellency by J. Winter, Esq., the officer duly appointed on behalf of the Crown to collect the revenue on dutiable articles on the coasts of Labrador within the jurisdiction of this colony, by the provisions of the Act 26th Vict. c. 2.

While the Governor regrets that the collector of the revenue has had any cause to represent he was obstructed in the discharge of his duties, his regret is increased on seeing in the report to which I refer you, that Mr. Winter complains of your having insulted him by using very gross and abusive language without provocation, not on your own premises, but at the establishment of Messrs. Hunt & Henley, and in presence of their servants and labourers.

The Governor finds that you are one of the gentlemen who were appointed in June 1854 to hold Her Majesty's Commission as a justice of the peace for the coast of Labrador, and he is sure it is needless for him to point out to you that such language as is represented to him to have been used by a magistrate, not only was a pernicious example to the workmen and labourers, but might have incited them to hold the law in contempt, and commit breaches of the peace.

His Excellency would fain hope that the insult alluded to took place at a time of irritation, and when you were labouring under some erroneous impression in regard to the duties which the collector had to discharge. He trusts, therefore, that you will be enabled to offer such an explanation as will prevent any further interference on his part; but he must, at the same time, inform you that it is his duty in all such cases to make the intimation which he now makes to you, and which if unattended to, must be followed by suspension.

I have, &c.
(signed) *R. Carter*,
Acting Collector Secretary.

Thomas G. Larmour, Esq., J. P.,
at Messrs. King & Larmour,
Plymouth, Devon.

EXTRACT.

"IN this place I wish to call particular attention to the disgraceful conduct on the part of Mr. Larmour already referred to (King and Larmour) in obstructing me, while engaged in the discharge of my duties as an officer of the Crown. While I was on board the "Escort," and having just stopped the work of discharging the cargo, he came alongside the vessel and ordered the work to go on, saying, he had as much authority as I had for many years. Seeing that his orders were not noticed, he became furious, and began to abuse me, making use of awful language, while replying to which I advanced towards him on the plank leading from the vessel to the shore, when he ran off; on reaching the stage-head he considered himself safely landed, and suddenly stopped short, and behaved in a manner most unbecoming, and continued to make use of the same disgraceful language, in the presence of all who were assembled on the spot, boasting at the same time of holding a Commission under Her Majesty, and behaving thus, as he said, by virtue of this authority."

(Certified true copy.)

(signed) *R. Carter*, Acting Collector Secretary.

— No. 7. —

(No. 54.)

No. 7.
Governor Sir Alexander Bannerman to the Duke of Newcastle, K.G.
1 December 1863.

EXTRACT of a DESPATCH from Governor Sir *Alexander Bannerman* to His Grace the Duke of *Newcastle*, K.G., dated Government House, Newfoundland, 1 December 1863.

Received 21 December 1863.
Answered, No. 51, 31 December 1863, page 35.

I HAVE the honour to acknowledge the receipt of your Grace's Despatch, No. 40*, of 2d November, with its enclosure, namely, a letter addressed to Sir F. Rogers from Messrs. Hunt and Henley, relative to the collection of revenue on the Labrador.

* Page 33.

Referring to my Despatch No. 53†, of this date, enclosing the reports of the Collector and Circuit Judge at Labrador, I cannot help expressing my surprise at the contents of Messrs. Hunt and Henley's letter to Sir Frederic, as I regret to add the statements from beginning to end are most unfounded; and, by the next mail (as the packet sails this evening) I shall direct the Collector to furnish me with detailed answers to all the statements made by Messrs. Hunt

† Page 18.

and Henley; and it appears to me strange that these gentlemen should not have employed some professional person to have stated their case, instead of assuming to themselves the knowledge of the subject which they seem to be entirely ignorant upon.

They have omitted stating to Sir Frederic that their agent, Mr. Goodridge, holds a commission of the peace for Labrador, and also a license in terms of the Colonial Marriage Act; and that he, Mr. Goodridge (a very intelligent person), along with four other magistrates, has acted as such since the 13th June 1854, the date of their appointment by Governor Kerr Baillie Hamilton. Their names are, Wm. Bush Bendell, Esq., Battle Harbour; Sampson Dawe, Esq., Francis Harbour; Henry Warren, Esq., Indian Tickle; Thomas G. Larmour, Esq., Grady Harbour; and I have no doubt these magistrates would have offered no obstruction had they not received, as they state, express instructions from home to resist the payment of duties; and your Grace will observe from the document which I enclose, namely, a notice served upon me yesterday, that Messrs. Hunt and Henley are, when I return to the United Kingdom, to adopt such legal proceedings against me, as may be advised, to obtain compensation or redress, &c. &c.

Considering the way in which the Labrador merchants appear to act, and persevere in their opposition to the Labrador Act, and although it is legally in operation, I would venture to suggest whether it might not be desirable that it be sanctioned by the Crown.

The most of the bills granted by the merchants' agents have been protested, and the recovery of payment will be sued for in due course of law. One of these, due by Henley and Hunt, is now to be determined in the court here; the Attorney General having proceeded against these gentlemen by seizing one of their vessels in the harbour here, and they will have, in a few days, to pay the proceeds of the bill, with expenses. The same course will be followed with the others; and if the decision of the court here is not satisfactory, the Labrador merchants may appeal to a higher tribunal in England.

Enclosure in No. 7.

Encl. in No. 7.

8, Broad-street Buildings, London,
9 November 1863.

Sir,

We learn from our agents on the coast of Labrador, that a collector and other persons, acting under your authority and instructions, have, during the past summer, committed various illegal acts and outrages against our property, and persons employed by us on that coast. And we hereby give you notice on behalf of ourselves and all others, and especially of Mr. James Finch Jeffery, master of the schooner "Escort," of London, that we hold you responsible for all acts and proceedings of the collector and other persons above referred to, and that we and they shall on your return to the United Kingdom adopt such legal proceedings as may be advised to obtain compensation or other redress for the injuries we and they have respectively sustained.

We remain, &c.
(signed) *Hunt & Henley.*

His Excellency Sir Alexander Bannerman,
&c. &c. &c.
St. John's, Newfoundland.

— No. 8. —

(No. 57.)

No. 8.
Governor Sir A. Bannerman to the Duke of Newcastle, K.G.
8 December 1863.

Copy of a DESPATCH from Governor Sir *Alexander Bannerman* to His Grace the Duke of *Newcastle*, K.G.

Government House, Newfoundland,
18 December 1863.
(Received 30 December 1863.)
(Answered No. 1—9 January 1864, page 36.)

My Lord Duke,

* Page 18.

In my Despatch, No. 53,* of the 1st December, I forwarded the Reports of the Collector of Revenue and the Judge of the Circuit Court of Labrador, and also copy of a letter which I directed the Colonial Secretary to send to a Mr.

Mr. Larmour, who holds the Commission of the Peace, and who the Collector complained of as having obstructed and insulted him in the discharge of his duty.

2. Mr. Larmour has sent a reply, such as was to be expected, with some recrimination, but at the same time making some admissions, which induces him to ask me to continue him on the Commission of the Peace, and to look on his case with favourable consideration.

3. Under these circumstances I shall accede to his request, at the same time expecting that no such occurrence shall again take place; and I shall also caution the Revenue Officers to act with prudence and civility in the performance of the duties they are entrusted to discharge in every part of the Colony.

I have, &c.
(signed) *A. Bannerman*, Governor.

— No. 9. —

(No. 58.)

COPY of a DESPATCH from Governor Sir *Alexander Bannerman* to His Grace the Duke of *Newcastle*, K.G.

No. 9.
Governor Sir Alexander Bannerman to the Duke of Newcastle, K.G.
18 December 1863

Government House, Newfoundland,
18 December 1863.
(Received 30 December 1863.)
(Answered, No. 6, 4 February 1864, page 36.)

My Lord Duke,

REFERRING to my Despatch No. 54* of the 1st instant, I enclose as I promised the answer of Mr. Winter, collector of revenue at the Labrador, to the statement made by Messrs. Hunt and Henley against that officer, in a letter addressed to Sir Frederic Rogers of date the 28th October last, and forwarded to me in your Grace's Despatch, No. 40, of the 2d November.

* Page 23.

5 December 1863.

2. I have no reason to doubt that Mr. Winter's answer to the accusations made against him is correct, and, as he says, could be verified upon oath.

3. That part of Messrs. Hunt and Henley's letter which alludes to the aid rendered by Her Majesty's ship "Vesuvius," I can myself say is unfounded, on Captain's Hamilton's authority. I know that he did not in the smallest degree interfere with the collection of the revenue, and only saw the collector once. Captain Hamilton told me that on several occasions he had (but in absence of the collector) communicated with the merchants in a friendly way, advising them to pay the duties, and if they thought that the collection was illegal, they should appeal to the Governor, who must forward that appeal for the consideration of Her Majesty's Government.

4. There can be no question, however, that the presence of Her Majesty's ship, and the knowledge that aid would be given to the Queen's officers by Captain Hamilton, if legally required, contributed to induce the merchants to offer less resistance than they otherwise would have done.

I have, &c.
(signed) *A. Bannerman*, Governor.

Enclosure in No. 9.

Sir, Custom House, St. John's, 5 December 1863.

Encl. in No. 9.

I HAVE the honour to state in reference to the letter of Messrs. Hunt and Henley, addressed to Sir Frederic Rogers, Bart., of the Colonial Office, that the charges made against me, and the manner in which I discharged the duties entrusted to me by his Excellency the Governor in Council, are totally destitute of foundation, and in fact many of the statements made in this memorial are perfectly false and unfounded.

It would be out of place in me to discuss the question of the legality or otherwise of the collection of revenue on the Labrador, that is a question which entirely belongs to Her Majesty's Government to determine.

 I take

I take the grounds of complaint, viz.: "That only with the assistance of Her Majesty's ship 'Vesuvius,' which, on the authority of the collector himself, accompanied him, the duties have been this year collected without resistance, and that it was found necessary to apply to the commander of that ship again to rejoin him."

In reply, I beg to state that I never saw Captain Hamilton during the four months I was on the Labrador, that no duties were collected through his interference or extorted by fear of his presence.

On arrival at Blanc Sablon on the 20th July, I heard that the "Vesuvius" was at Forteau, a distance of about eight miles, and that she left on the 23d for St. John's, *viâ* Battle Harbour, and I never saw the vessel till on my return homeward at 6½ a.m., on the 5th September, when the "Volant" saluted her, but being at a very considerable distance it was not returned by the steamer.

Finding from Blanc Sablon to Battle Harbour that Mr. Goodridge, agent for Hunt & Henley, had been endeavouring by letters and otherwise, to incite the agents of the English and Jersey houses to resist, by every means in their power, payment of custom's duties, stating their determination to do so, and on receiving duties from Messrs. T. & D. Slade, at Battle Harbour, who had received a similar invitation to resist, and who were naturally anxious that all parties should equally contribute their quota to the revenue, I did, under the belief from these statements, that resistance would be made at Francis Harbour by Messrs. Hunt & Henley, respectfully request Captain Hamilton to be kind enough to give me such assistance as might be necessary for carrying out his Excellency's instructions.

Captain Hamilton, I learned a few days after, had gone to the westward, and therefore the duties on the Labrador were collected without that honourable and gallant officer's assistance, which doubtless would have been cheerfully rendered.

Again, it is said: "But our anticipations of difficulty applied to the traders on the coast, and especially to those of the United States, and it now appears that not a single one of these latter, has been called on to pay duties at all."

So far from this statement being correct, I beg to say that the captains of two vessels belonging to Newbury Port, United States, on being acquainted with the object of the visit of the revenue cruiser, voluntarily came on board and entered their vessels, being the very first that entered at Blanc Sablon on my arrival at this first port, and not having any cash gave bills on their owners, which have been paid; duties have also been collected from about 60 vessels belonging to the British North American Provinces, some in cash, others by bill, nearly the whole of which have been duly honoured; duty was also collected from a vessel belonging to the United States, at Pinware, the beginning of August, and these were the only United States vessels we fell in with.

With reference to any report that Messrs. Hunt and Henley's agent may make as to "partiality or injustice," I can confidently appeal to those best acquainted with all my proceedings to rebut any such charge, my object being from first to last to let no one escape, if possible, the payment of duties, but to treat all alike, and my having forced, at great personal risk, this very house of Hunt and Henley to comply with the law, enabled me on my return to Battle Harbour to obtain a second bill of 123 *l.* sterling, from Messrs. T. & D. Slade (and this after the revenue cruiser and judge had left the Labrador), the payment of which would have been resisted, but from the fact that all were impartially dealt with.

The charge of breaking open warehouses and committing other outrages is purely imaginative on the part of Messrs. Hunt & Henley, no warehouse having been broken open, or any outrages committed; that two captains were charged with a violation of the law, and fined by the judge according to the Revenue Act, is true, and any inconvenience suffered by the captains is attributable to the agents under whose orders they acted, after warning of the consequences of persisting to transgress the law. It must be borne in mind that every difficulty was thrown in my way; that the ship's papers were destroyed, so that they might plead their inability to produce a manifest, as required; in fact, in one case, the master of the "Scout" on oath declared that he had destroyed them for a purpose, that purpose being the defrauding the revenue.

I cannot say that anything was done by Messrs. Hunt & Henley's agent to "avoid bloodshed;" on the contrary, everything was done to provoke it; for upwards of an hour there was an incessant discharge of cannon and firearms, and the people were induced to believe that the object was to seize the provisions in the stores, and to leave them without any supply for a Labrador winter.

That all trading vessels on the Labrador were not boarded, may be true, but whenever information was given of a vessel trading, I immediately proceeded, either by boat or by land, to examine the master and make him comply with the law.

I have the assurance of our Newfoundland traders that very few foreign traders have been on the coast this year, and that they staid in harbour only a short time, their anxiety being to obtain a knowledge of the whereabouts of the revenue cruiser, and that, consequently, the trade of Newfoundland has benefited to a very large amount, as can be proved by parties resident there; and that the enforcement of the revenue law on the Labrador will be one of the greatest blessings our Legislature could confer upon our own people, giving the honest man a protection he does not and cannot enjoy while he can be undersold, through non-payment of duties, by foreign speculators.

I think I have answered all the material objections made by Messrs Hunt & Henley to my proceedings as Collector of the Labrador; I regret that I cannot compliment them on the

the course pursued by their agents on that coast: one, a Mr. Goodridge, attempting to induce the agents of the English and Jersey houses to resist the law, assuring them of his intention to do so; and another at Francis Harbour, a son of Mr. Hunt, deliberately after having been sworn, and as if to convince of the sincerity and truthfulness of his answer, repeating the words, "So help me God;" denying the receipt of the invoices of goods imported by the "Scout," then lying at his wharf, which Mr. Goodridge stated he had forwarded to Mr. Hunt by that vessel; consequently, upon his declaration and oath, I had to take Mr. Hunt's word for the value of the goods, and to see some packages opened to ascertain their worth; the duty paid at Francis Harbour was 85 *l.* sterling.

I trust you will see from this statement, which can be verified on oath, the difficulties I had to encounter, and the complete falseness of every statement made by Messrs. Hunt & Henley to the Colonial Office.

I have, &c.
(signed) *J. Winter*,
Collector, Labrador.

The Hon. the Attorney General,
&c. &c. &c.
St. John's.

— No. 10. —

(No. 59.)

No. 10.
Governor Sir Alex. Bannerman to the Duke of Newcastle, K.G.
18 December 1863.

COPY of a DESPATCH from Governor Sir *Alexander Bannerman* to His Grace the Duke of *Newcastle*, K.G.

Government House, Newfoundland,
18 December 1863.

My Lord Duke, (Received 30 December 1863.)

IN reference to you Grace's Despatch, No. 38,* of the 31st October, intimating that you saw no sufficient reason for advising Her Majesty to disallow the Act, c. 1, No. 305, for "granting to Her Majesty certain duties on goods, wares, and merchandise imported into this colony and its dependencies," and that you had recommended that the Act should be left to its operation, and that the necessary Order in Council would shortly be forwarded for that purpose.

* Page 32.

2. Your Grace at the same time makes observations relative to the duties to be levied under the Act upon bread, &c. imported from Hamburg, which formed the subject of former correspondence, and that Her Majesty's Government retain their opinion as to the impolicy, and objectionable nature of these duties.

3. Having always concurred in these views, I shall again press their adoption by the Legislature in the Session which will open about the end of next month.

4. Your Grace also refers to the imposition by this Act of duties on persons inhabiting the coast of Labrador, and that it appears right that such persons should be enabled to send representatives to the Assembly of Newfoundland.

5. That subject shall also be brought under the consideration of the Legislature, and I trust that they will adopt the suggestion of your Grace, which, in my opinion, is a very proper one.

I have, &c.
(signed) *A. Bannerman*, Governor.

— No. 11. —

(No. 15.)

No. 11.
Governor Sir A. Bannerman to the Duke of Newcastle, K.G.
22 March 1864.

COPY of a DESPATCH from Governor Sir *Alexander Bannerman* to His Grace the Duke of *Newcastle*, K.G.

Government House, Newfoundland,
22 March 1864.

My Lord Duke, (Received 14 April 1864.)

IN accordance with the instructions contained in your Grace's Despatch, No. 6,* of the 4th of February, I have the honour to enclose the Report of Mr. Winter, Collector of the Revenue on the Labrador, in reply to the charge of partiality preferred against him by Messrs. Henley and Hunt.

* Page 36.

2. I also enclose a letter from the Receiver-General, who visited Labrador last year in a steamer, but did not fall in with the Collector. Indeed, your

25 February 1864.
26 February 1864.

Grace may easily conceive that, on a coast embracing upwards of 400 miles, over which the jurisdiction of Newfoundland extends, as defined in my commission, that parts of that coast may be passed over by a Collector of Revenue in so short a time as his visit must necessarily occupy; and, in regard to partiality on the part of that officer either to occupants of establishments or transient traders, there is no motive for him but to act fairly towards all. He has been a considerable time in the Customs Service here, and is considered a faithful, honest man.

3. I enclose, also, a statement of the Articles on which duties were collected at Labrador, all embraced in the Revenue Act, and precisely the same as are levied at all the outports in the island.*

* Printed as an Appendix.

4. In reference to this subject, it has frequently occurred to me to ask whether Messrs. Hunt and Henley, and the other gentlemen who occupy large establishments at the Labrador, can hold them without any right or title further than occupancy for a period exceeding the time (25 years), which gives a permanent right to the occupier who may have have been so long in possession. No one would think of disturbing these gentlemen; but it appears to me that the unsettled parts of the coast of Labrador should be put on the same footing with Crown lands in other parts of the Colony, and I believed that there was no prescription that could apply to Crown land.

This statement was only received on the 9th May.

I have, &c.,
(signed) *A. Bannerman*, Governor.

Enclosure 1, in No. 11.

Encl. 1, in No. 11.

Custom House, St. John's,
25 February 1864.

(Extract.)

With reference to the letter of Messrs. Hunt and Henley, of the 30th January, to the Colonial Office, on the subject of the collection of duties at Labrador. I beg to state that the charge therein contained against me is as unfounded as those made by them on a former occasion, to which I replied.

They state that within certain limits, viz. from Battle Harbour to Sandwich Bay, I only called at six or seven out of 100 harbours for the purpose of collecting duties, and that the merchants of the remaining 90 odd harbours escaped payment.

So far from this being true, I beg to state that within those limits I called at every harbour in which there were mercantile establishments, or any probability of business being transacted by traders, in all 20—viz., Salt Pond, St. Francis Harbour, St. Francis Harbour Bight, Venison Tickle, Indian Tickle, Long Island, Cartwright Grady, Battram, Square Island, Spear Harbour, Trap Cove, Matthew's Cove, Indian Harbour, Scrammy, Assize's Harbour, Occasional Harbour, Ship Harbour, Murray's Harbour, and Petty Harbour,—for the purpose of ascertaining if any duties could be collected.

Messrs. Hunt and Henley have endeavoured to make it appear that there is this large number of harbours in which trade in imports is carried on by merchants, and that those merchants have escaped payment of duties.

In the large number of harbours which I visited, I found that the business was confined (I may say) exclusively to Newfoundland traders, and that not a single foreign trading vessel or importing merchant was to be found in any of them, with the exception of one individual at Indian Tickle, who imported goods to a small extent from Canada, from whom I collected duties. I made diligent inquiries in each of the harbours I visited as to any others which I did not visit, and ascertained beyond doubt that the small amount of business carried on in these was also confined to Newfoundland people; so that had I visited every cove and creek within the limits spoken of, I would not have obtained a shilling of duties more than I did.

I beg further to call your attention to what I before stated in my report—viz. that, within the limits mentioned, I appointed three sub-collectors, whose authority extended over nearly the whole of that extent of coast; and upon my inquiring of them, when about to leave Labrador, they each one informed me that not a single instance of importation of dutiable goods had occurred within their districts, or anywhere along the coast, during the whole summer.

If any such result as that alleged by Messrs. Hunt and Henley arose from the manner in which I collected the duties (which I altogether deny), it is attributable almost solely to themselves; as I might perhaps have visited every harbour on the shore, though without any benefit, had it not been for the invariable opposition and obstruction which I met with from the resident merchants, in which I was assured Messrs. Hunt and Henley were throughout the chief movers, most active and determined, as well by inducing others as by their own acts: they having used every imaginable means, by intimidation, and every other species of hindrance, to delay and obstruct me in my duty, so that nearly the whole of the short period allowed me was spent in contending with the invariable and determined opposition I met with, directly and indirectly, from them.

I beg

I beg further to repeat what I before stated in reference to a former complaint of Messrs. Hunt and Henley; that the charge of partiality in the collection of duties is best answered by the fact, that after the "Volant" had left the coast, and I remained behind, alone and unassisted, I received from Messrs. T. and D. Slade the large amount of 120 *l.*, the payment of which might and would have been effectually resisted had it not been that the agent was satisfied that duties had been collected impartially from all, and that no one had succeeded in escaping.

With reference to Messrs. Hunt and Henley's complaint that they were "compelled to pay duties of a most objectionable kind," viz., on lines and nets, salt, casks, and so forth, I have to state that the duties collected by me were only such as were prescribed by the Revenue Laws, the provisions of which I made their agent, Mr. Goodridge, fully acquainted with, by furnishing him with a copy of the Act, for his own convenience and information; and no such objection as that now taken by them was made at the time of paying the duties on said articles.

I have, &c.
(signed) *J. Winter*,
Collector, Labrador.

The Honourable the Receiver General,
&c. &c. &c.
St. John's.

Enclosure 2, in No. 11.

Receiver General's Office, St. John's, 26 February 1864.

Encl. 2, in No. 11.

Sir,

I HAVE the honour to hand your Excellency, herewith, the Report of Mr. James Winter, collector of revenue at Labrador, respecting some charges made by Messrs. Hunt and Henley, to his Grace the Duke of Newcastle, touching the manner in which that officer had discharged the novel and somewhat difficult duties of his office; and as it is in my power to corroborate his report to a great extent, I have much pleasure in doing it.

Your Excellency is aware that in the latter part of July last year I visited the Coast of Labrador in the steamer "Ariel." We arrived at Long Island on the 29th of that month, between which date and the 4th August we visited and communicated with the following settlements, viz.: South-east Cove, Curlew, Cape Nash, Gready, Black Island, Indian Tickle, Domino, Spotted Island, Black Tickle, Batteau, Sandy Islands, Seal Islands, Hawke Harbour, Venison Tickle, Snug Harbour, Tub Harbour, Dead Island, Triangle, Occasional Harbour, Ship Harbour, Francis Harbour Bight, Francis Harbour, Merchantmen's Harbour, Little Harbour, Murray's Harbour, Spear Harbour, Battle Harbour and Islands, Cape Charles, Henly Harbour, Chatteau, Red Bay, St. Modiste, and Lance-au-Loup.

The result of my observations, as far as they affect the present question, is that up to that date there was not, as far as I could ascertain, one American or Colonial vessel trading on that extent of coast. The only harbours in which there are fixed importing establishments are Long or Round Island, Gready, Indian Tickle, Venison Tickle, St. Francis Harbour, Battle Harbour, Henly Harbour, and Lance-au-Loup. A visit to the other harbours in quest of duties would not result in any benefit, the population being entirely fishermen from this land, supplied before leaving; and as the collector obtained much information from the report brought by us from the north (although it was our misfortune to miss each other), I conceive he was perfectly justified in passing such places until on his return from Sandwich Bay.

The entries passed for duties in the several harbours where there are fixed establishments show that they were visited; whilst there the collector could, and doubtless did, obtain sufficient information to guide him as to the necessity of visiting the adjacent coves and harbours. And as I have it, on good authority, that the number of traders on that coast during last year was much less than any former year—arising probably from the bad fishing of 1862, lateness of the commencement of the fishing 1863, and the determination of the Government to collect duties—I conceive, taking into consideration the delay, annoyance, and obstruction which the collector experienced, through the opposition which Messrs. Hunt and Henley caused him (for others were guided almost entirely by them in resisting), and the short time thus placed at his disposal, the duties of his office were carried out as efficiently as could be expected; and of those who escaped the payment of duties (if any), I have as yet heard of only one instance.

As regards the charge against the collector of exacting duties on the food, nets, &c. of the fishermen, I have to observe, that all duties collected at Labrador were under the Revenue Act of 1863. And since the Collector's return, his accounts have passed under the examination of the constituted authority, and found to be correct in every particular.

I have, &c.
(signed) *J. Bemister*,
Receiver General.

His Excellency Sir A. Bannerman,
&c. &c.

Despatches from the Secretary of State.

— No. 1. —

No. 1.
The Duke of Newcastle, K.G., to Governor Sir A. Bannerman.
16 July 1862.

(No. 171.)

COPY of a DESPATCH from His Grace the Duke of *Newcastle*, K.G., to Governor Sir *A. Bannerman*.

Sir, Downing-street, 16 July 1862.

I HAVE the honour to acknowledge the receipt of your Despatch, No. 35, of the 13th of June,* signifying the intention of your responsible advisers to take steps for creating a Court for the purpose of administering civil and criminal justice in those portions of Labrador which form part of your Government; and I have to acquaint you that I see no reason to doubt that the proposed measure will be very beneficial to that part of Labrador.

* Page 3.

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

— No. 2. —

No. 2.
The Duke of Newcastle, K.G., to Governor Sir A. Bannerman.
14 September 1863.

(No. 33.)

COPY of a DESPATCH from His Grace the Duke of *Newcastle*, K.G., to Governor Sir *A. Bannerman*.

Sir, Downing-street, 14 September 1863.

I HAVE the honour to acknowledge the receipt of your Despatch, No. 40* of the 10th ultimo, upon matters connected with the recent imposition by the Newfoundland Legislature of Customs Duties on articles imported into Labrador, and communicating a copy of further instructions issued by you to the officer appointed to collect those duties.

* Page 16.

Various representations have been made to me of the objections to which the Act by which these duties are imposed is considered liable, and I enclose, as showing the views upon the subject at present entertained by Her Majesty's Government, a copy of a correspondence between Messrs. Hunt and Henley and this Department.

Encls. 1, 2, 3, & 4.

With reference to the instructions enclosed in your Despatch, I must observe that, though the authority of the Colonial Government over waters within three miles of the land within their jurisdiction is undoubted, considerable caution must be used in asserting it beyond that limit, "even in bays, or other inlets lying between headlands or other points of the mainland," inasmuch as the right of jurisdiction over such bays or inlets depends on the particular circumstances of the case, and is frequently open to much question.

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

Enclosure 1 in No. 2.

Encl. 1 in No. 2.

8, Broad Street Buildings, London,
11 August 1863.

My Lord Duke,

SINCE the subject of Courts and Duties in Labrador was brought forward by Mr. Seymour in the House of Commons, we have obtained copies of two documents to which we beg to call your Grace's attention.

The first is the proclamation of King William IV., dated 26th July 1832, establishing the Legislature of Newfoundland. It authorises the Governor of that Colony to call a general assembly "of freeholders and householders within our said island." No reference is made to Labrador, nor to any dependency or territory comprised in the Governor's commission. We submit, therefore, that, as was stated to the English Labrador merchants in 1832, it was not intended that Labrador should be interfered with; and that, legally, the powers of the Legislature are strictly limited to the island of Newfoundland.

The second document is a report of Mr. Prendergast, dated 1st September 1856, to the governor of Newfoundland, by whom he appears to have been appointed "Preventive Officer and Collector of Customs" for Labrador for that year. He states that he demanded duties from sixteen merchants' establishments, and five trading or fishing vessels on the coast,

coast, and payment was refused by all. As he states that in the Straits of Belle Isle alone, he found "nearly 150 vessels" engaged in the fisheries, the whole number on the coast would not be so few as 500—of these he claimed duties from five only. The sixteen harbours he visited were those in which English merchants have their establishments, and it is from these alone that duties would or could be exacted; the other harbours, numbering several hundreds, being unvisited.

Mr. Prendergast also gives in his report a statement of the resident population on the Labrador coast in 1850, from the Straits of Belle Isle to Sandwich Bay, the more frequented part of the coast, and extending about 150 miles. The whole number of residents was 1553, settled in 58 "places," and the number of "dwellings" distributed as follows:—

16	"places"	had each	1	dwelling.		
15	„	„	2	„		
11	„	„	3	„		
11	„	„	5	and under	10	dwellings.
3	„	„	10	„	20	„
1	„	„	—	—	22	„
1	„	„	—	—	31	„

And the place with 22 dwellings is Sandwich Bay, comprising a coast line of 60 to 80 miles; and that with 31 dwellings, the whole of the Battle Islands, and the extensive Bay of St. Lewis. Nothing, we think, can show more forcibly than this statement the absurdity of the proposed system of collectors, sub-collectors, court, judges, bailiffs, &c., and, as has been already explained, it would in practice be as unjust and partial as it is absurd.

As soon as your Grace shall have come to a decision on this subject, we shall be obliged by being informed of it, for the information and guidance of all parties in the United Kingdom interested in the Labrador trade and fisheries.

We are, &c.

His Grace the Duke of Newcastle, K.G., (signed) *Hunt and Henley.*
Colonial Office.

Enclosure 2 in No. 2.

Gentlemen, Downing Street, 15 August 1863. Encl. 2 in No. 2.

I AM directed by the Duke of Newcastle to acknowledge the receipt of your letter of the 11th instant, and to acquaint you that the subject to which it relates is still under the consideration of Her Majesty's Government.

I am, &c.

Messrs. Hunt and Henley. (signed) *T. Frederick Elliot.*

Enclosure 3 in No. 2.

8, Broad-street Buildings, Encl. 3 in No. 2.

My Lord Duke, London, 26 August 1863.

WE duly received Mr. Elliot's letter of 18th inst., informing us that the question of Newfoundland duties in Labrador was still under consideration. A letter has since reached us from Messrs. de Quetteville, of Jersey, advising that a collector from Newfoundland had arrived at one of the harbours in Labrador, and, being refused payment of duties by all the merchants' agents, had commenced by forcing open the stores and seizing the goods of Messrs. Boutillier & Co. Messrs. de Quetteville inquire "if we think it likely the Secretary for the Colonies will be induced to interfere," and we shall be obliged if your Grace will enable us to answer this inquiry.

We much fear that this commencement of violent proceedings will, as we pointed out to your Grace in June last, be followed by more serious occurrences. As the collector proceeds northwards on the coast, he will meet with the fishers and traders of the British American Colonies and the United States. These latter, especially, we know from our personal communications with them, formerly considered, and doubtless do so now, that their treaty rights of fishing and curing fish implied and included that of landing and consuming, free of all duties and imposts, all requisite articles and supplies for the men employed. They stated also, that this was the view of the subject taken by the United States' Government. The attempt to enforce duties on them will therefore, in all probability, be resisted by force, and conflicts thus arise which may end in loss of life, and would certainly be attended with very serious consequences. With such prospects before us, we have thought it our duty to represent once more the position and probable results of this interference of the Newfoundland Legislature.

We are, &c.

(signed) *Hunt & Henley.*

His Grace the Duke of Newcastle, K.G.,
Colonial Office.

Encl. 4 in No. 2.

Enclosure 4 in No. 2.

Gentlemen, Downing-street, 14 September 1863.

I AM directed by the Duke of Newcastle to acknowledge the receipt of your letter of the 26th ult., respecting certain alleged proceedings of the officer appointed to collect import duties on the coast of Labrador, and communicating your apprehension of violent resistance to the collection of such duties.

His Grace desires me to acquaint you, in reply, that Her Majesty's Government are advised that the Newfoundland Legislature are fully competent to impose Customs duties on goods imported into Labrador, and that, according to the last information, these duties have been in fact collected without that resistance which you apprehend.

If the merchants trading with Labrador consider the duties themselves, or the mode of collecting them, to be illegal, their proper course will be to bring the question to trial before a court of law.

On the other hand, so far as they consider that the duties are excessive in amount, or that the provisions made for their collection are unnecessarily arbitrary or vexatious, their proper course is, to represent the particular objections of detail to which these laws are liable either to the Legislature of the Colony, or to the Secretary of State; but they must bear in mind that the only mode by which the Secretary of State can interfere in their favour is, by advising Her Majesty to disallow an Act passed by the Newfoundland Legislature, which cannot usually be done without receiving the Governor's report upon the objections made to the law, and that while the matter is thus under discussion the law will remain in operation.

Such specific objections as have been already urged against the Act are still under the consideration of the Government.

I am, &c.

The Messrs. Hunt & Henley. (signed) *F. Rogers.*

— No. 3. —

No. 3.

The Duke of Newcastle, K.G., to Governor Sir A. Bannerman. 25 September 1863.

(Separate.)

COPY of a DESPATCH from his Grace the Duke of *Newcastle*, K.G., to Governor Sir *A. Bannerman.*

Sir, Downing-street, 25 September 1863.

I HAVE the honour to acknowledge the receipt of your Despatch of the 26th* ultimo, marked "separate," which gives a satisfactory account of the operation of the Labrador Revenue Act.

* Page 17.

In my confidential Despatch of the 14th instant, I transmitted the opinion of the Law Officers of the Crown on the constitutional objections which have been made to the Act.

I am, &c.

(signed) *Newcastle.*

— No. 4. —

No. 4.

The Duke of Newcastle, K.G., to Governor Sir A. Bannerman. 31 October 1863.

(No. 38.)

EXTRACT of a DESPATCH from his Grace the Duke of *Newcastle*, K.G., to Governor Sir *A. Bannerman*, dated Downing-street, 31 October 1863.

I HAVE had under my consideration an Act passed by the Legislature of Newfoundland in March last, entituled cap. 1, No. 305,* "An Act for granting to Her Majesty certain Duties on goods, wares, and merchandize imported into this Colony and its dependencies." You are aware that several communications have been received at this office remonstrating against some of the provisions of this Act; but, after consultation with the proper departments of Her Majesty's Government, I do not perceive that there is sufficient reason for advising Her Majesty to disallow it. I have therefore recommended that the Act should be left to its operation, and the necessary Order in Council for this purpose will shortly be forwarded to you.

* Printed at p. 7.

With reference to the imposition by this Act of duties on persons inhabiting the coast of Labrador, it appears to me that it would be right that such persons should be enabled to send representatives to the Assembly of Newfoundland; I think it therefore necessary that the law regulating the representation of the Colony should be amended so as to effect this object, so far as it can be effected by the mere alteration of the law.

— No. 5. —

(No. 40.)

No. 5.
The Duke of Newcastle, K.G., to Governor Sir A. Bannerman: 2 November 1863.

COPY of a DESPATCH from his Grace the Duke of *Newcastle*, K.G., to Governor Sir *A. Bannerman*.

Sir, Downing-street, 2 November 1863.

WITH reference to my Despatch, No. 33* of the 14th of September, enclosing copies of a correspondence with Messrs. Hunt and Henley, relative to the collection of duties on the Labrador coast, I have the honour to forward to you for your information a copy of a further letter which has been received from Messrs. Hunt and Henley on the same subject.

* Page 30.

Messrs. Hunt and Henley have been informed that their letter has been forwarded to you.

Enclosures.

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

Enclosure 1 in No. 5.

8, Broad-street Buildings, London, 28 October 1863.

Encl. 1 in No. 5.

Sir,

WE duly received your letter of 14th ultimo,* and in reply:—It is possible, though not in accordance with the advice obtained by the memorialists, that the Newfoundland Legislature may, on a narrow legal view, be competent to impose duties in Labrador; but, assuming this, it is, under the circumstances, certainly unconstitutional and unjust; and if duties are to be levied on the coast they should be paid by all frequenting it, whether from Newfoundland or elsewhere. It will, doubtless, be said that the Newfoundland fishermen have already paid duties in Newfoundland, but this is equally the case with the English, Nova Scotian, and other fishermen, who, of course, pay duties at home to their respective Governments. All frequent the Labrador coast, alike during the fishing season, and leave it when the season ends, and all should contribute equally to duties if they are to be levied.

Page 32.

Your suggestion that the question should be tried at law is one which the memorialists are most anxious to adopt, in case the collector, or anyone responsible for his acts, can be found within the jurisdiction of our English courts.

With reference to the statement that the duties have this year been collected without resistance, we can state, on the authority of the collector himself, that he was accompanied by Her Majesty's ship "Vesuvius" to enforce the payment along part of the coast; and that, from the opposition and difficulty he afterwards met with, he found it necessary to apply to the commander of that ship again to rejoin him. But our anticipation of difficulty applied to the traders on the coast, and especially to those of the United States; and it now appears that not a single one of these latter has been called on to pay duties at all.

The agents of the memorialists not having yet returned to England, we are unable to speak quite so confidently as we should wish of the proceedings of the collector during the present season. But we may, we think, venture to say that they fully confirm all the assertions of partiality and injustice contained in the representations submitted to the Colonial Office. He has visited some of the fishing establishments; others he has left unvisited; he has broken open warehouses, taken captains from their ships, and imprisoned them for days in his schooner, and committed other outrages; and only in this way has he forced the agents (one writes "to avoid bloodshed") to give bills for the duties demanded. Of the trading vessels on the coast he has applied to very few; certainly not one in twenty; and of the United States' vessels he has not called on one.

Referring to your remark that the Colonial Secretary could only allow or disallow the Acts of the Newfoundland Legislature, we had understood that his Grace could instruct the Governor to suspend the appointment of a collector for Labrador while the subject was under consideration.

As regards the special grounds on which the memorialists object to the payment of the duties in question, we can do little but repeat those already stated, viz.:—

That they carry on their business in and from England; that they are (two only, we believe, excepted) entirely unconnected with Newfoundland; derive no benefit whatever from their assumed connection with it; and the only way in which they are made acquainted with the existence of its Government is by the exaction of the duties complained of.

That they are not, nor can be, represented in its Legislature; that the Labrador coast is not within or near any electoral district of Newfoundland, nor was intended to be included therein by the applicants for the charter granted to that island in 1830.

That no part of the duties exacted in Labrador is in any way applied for its benefit; and the only way it is even pretended that this is done is by the establishment of the court which accompanies the collector, and which is, except for his support, utterly inoperative and useless.

That the system of collection of duties adopted is most partial and unjust, as it leaves entirely to the collector to determine, according to the state of the wind and weather, or his own convenience, caprice, or interest, which merchants and traders shall be called on, and which allowed to go free.

That the measures by which this system is enforced, as exemplified by those of the present year, are in the highest degree arbitrary and illegal, and such as would not be recognised or tolerated by any English court or jury to which they could be submitted.

Further details might be furnished, but the foregoing are the grounds on which the memorialists applied to Her Majesty's Government to disallow the act of the Newfoundland Legislature, and they submit that the case is one in which that course should, in justice and fairness, be adopted; and they think there would be no difficulty or question on the subject if the Colonial Department would simply consider and deal with Labrador as what it really is, viz., a coast frequented by fishermen from various countries and colonies during the season, and no more connected in fact and truth with Newfoundland than with any other European or American colony or government.

We remain, &c.

Sir F. Rogers, Bart., Colonial Office. (signed) *Hunt & Henley.*

— No. 6. —

(No. 48.)

No. 6.
The Duke of Newcastle, K.G., to Governor Sir A. Bannerman.
5 December 1863.

COPY of a DESPATCH from his Grace the Duke of *Newcastle*, K.G., to Governor Sir *A. Bannerman.*

Sir, Downing-street, 5 December 1863.

WITH reference to my Despatch, No. 46, of the 1st instant, transmitting to you an Order of Her Majesty in Council, leaving to their operation chapters 1, 2, and 3 of the Act of the Legislature of Newfoundland during the year 1863, I have the honour to transmit to you a copy of the answer which has been returned, by my directions, to various remonstrances against that portion of the first-named Act which relates to the imposition and collection of duties on the coast of Labrador.

I take this opportunity of suggesting that the net proceeds of this source of revenue should be applied to the administration of justice and the protection of the fisheries in the district in which they are raised,

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

Encl. 1 in No. 6.

Enclosure 1 in No. 6.

Sir, Downing-street, 5 December 1863.

I AM directed by the Duke of Newcastle to acquaint you that his Grace has had under his consideration the Act of the Legislature of Newfoundland, chapter 1, of 1863, against which you have remonstrated, so far as it provides for the imposition and collection of duties on the coast of Labrador.

On the constitutional objections made to this Act his Grace consulted the Law Officers of the Crown, who are of opinion that it is competent to the Legislature of Newfoundland to pass laws binding on the Labrador Coast, and his Grace thinks it by no means unjust, but the contrary, that a Revenue should be levied there sufficient to defray the expenses incurred, or which ought to be incurred, by the Government on that coast.

With respect to the machinery of the Act, the Commissioners of Customs, to whom that point was referred, are of opinion that the provisions of the law are not unnecessarily oppressive.

Consequently, his Grace has not felt at liberty to advise that Her Majesty should disallow this Act, which accordingly has been left to its operation. At the same time, he considers that if taxes are to be imposed by the Newfoundland Legislature on persons inhabiting the Labrador Coast, those persons should be enabled to send representatives to the Newfoundland Assembly, and his Grace has accordingly recommended to the Governor that the Act regulating the representation should be so altered as to effect this object, so far as it can be effected by the mere alteration of the law.

The Right Hon. Sir Edmund Head, Bart.

I am, &c.
(signed) *F. Rogers.*

[Similar letters were also addressed to Sir R. P. Collier, M. P., and to Messrs Hunt & Henley.]

Enclosure 2 in No. 6.

Encl. 2 in No. 6.

Sir, Downing-street, 5 December 1863.

I AM directed by the Duke of Newcastle to acquaint you that his Grace has had under his consideration the Act of the Legislature of Newfoundland, chapter I. of 1863, against which you have remonstrated, so far as it provides for the imposition and collection of duties on the coast of Labrador.

His Grace did not see anything in the various representations which he has received in opposition to this Act, which would have justified the unusual and expensive course of a discussion before Her Majesty's Privy Council.

On the constitutional objections made to this Act his Grace consulted the Law Officers of the Crown, who are of opinion that it is competent to the legislature of Newfoundland to pass laws binding on the Labrador coast, and his Grace thinks it by no means unjust, but the contrary, that a revenue should be levied there sufficient to defray the expenses incurred, or which ought to be incurred, by the Government on that coast.

With respect to the machinery of the Act, the Commissioners of Customs to whom that point was referred, are of opinion that the provisions of the law are not unnecessarily oppressive.

Consequently his Grace has not felt at liberty to advise that Her Majesty should disallow this Act, which accordingly has been left to its operation. At the same time he considers that if taxes are to be imposed by the Newfoundland legislature on person inhabiting the Labrador coast, those persons should be enabled to send representatives ts the Newfoundland Assembly, and his Grace has accordingly recommended to the Governor that the Act regulating the representation should be so altered as to effect this object, so far as it can be effected by the mere alteration of the law.

I am, &c.

Joshua le Bailly, Esq. (signed) *F. Rogers.*

— No. 7. —

(No. 50.)

No. 7.
The Duke of Newcastle, K.G., to Governor Sir A. Bannerman.
31 December 1863.
* Page 18.

COPY of a DESPATCH from his Grace the Duke of *Newcastle*, K.G., to Governor Sir *A. Bannerman.*

Sir, Downing-street, 31 December 1863.

I HAVE the honour to acknowledge the receipt of your Despatch, No. 53,* of the 1st inst., accompanied by reports received respectively from the Collector of Revenue and the Judge of the district of Labrador, describing their visit to Labrador for the collection of the revenue and the administration of justice.

I have to express to you my approval of the letter written by your direction to M. Larmour, on the subject of the opposition offered by him to the collection of the revenue.

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

— No. 8. —

(No. 51.)

No. 8.
The Duke of Newcastle, K.G., to Governor Sir A. Bannerman.
31 December 1863.
* Page 23.

COPY of a DESPATCH from his Grace the Duke of *Newcastle*, K.G. to Governor Sir *A. Bannerman.*

Sir, Downing-street, 31 December 1863.

I HAVE the honour to acknowledge the receipt of your Despatch, No. 54,* of the 1st instant, on the subject of certain representations which have been made to this Department by the Messrs. Hunt and Henley, respecting the collection of duties on the coast of Labrador.

With reference to your suggestion that the Act by which these duties are imposed should receive Her Majesty's sanction, you will, before the arrival of this Despatch, be in possession of the Order of Her Majesty in Council leaving it to its operation, which was transmitted to you by the mail of the 8th instant.

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

— No. 9. —

(No. 1.)

No. 9.
The Duke of Newcastle, K.G., to Governor Sir A. Bannerman.
9 January 1864.
* Page 24.

COPY of a DESPATCH from His Grace the Duke of *Newcastle*, K.G., to Governor Sir *A. Bannerman.*

Sir, Downing-street, 9 January 1864.

I HAVE the honour to acknowledge the receipt of your Despatch, No. 57,* of the 18th ultimo, and to acquaint you that I see no reason to doubt the propriety of the course which you intend to take with respect to the continuance of Mr. Larmour on the commission of the peace.

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

— No. 10. —

(No. 6.)

No. 10.
The Duke of Newcastle, K.G., to Governor Sir A. Bannerman.
4 February 1864.
* Page 25.

30 February 1864.

COPY of a DESPATCH from his Grace the Duke of *Newcastle*, K.G., to Governor Sir *A. Bannerman.*

Sir, Downing-street, 4 February 1864.

WITH reference to your Despatch, No. 58,* of the 18th December last, I have the honour to transmit to you a copy of a letter which has been received from Messrs. Hunt and Henley, in which they allege that the officer appointed to collect the revenue on the coast of Labrador, under the recent Act, has demanded duties from the inhabitants of certain harbours along the coast, whilst at others no duties have been collected at all.

I have to request that you will furnish me with a report on the subject of this statement, which appears to involve a charge of partiality against the collector.

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

Enclosure in No. 10.

Encl. in No. 10.

Sir, Broad-street Buildings, 30 January 1864.

IN reply to your letter of 12th instant, it is not of course in our power to enter into details of the Labrador Collector's report, unless we are furnished with a copy of it. But we have made some inquiries, and beg to call your attention to the following facts respecting his visit, limiting them for clearness sake to one point, and to the one part of the coast we are best acquainted with, viz., that extending from Battle Harbour in latitude 52 to Sandwich Bay in latitude 54.

Within this district there are 37 harbours named in an official paper of 1856, and at least double that number not there mentioned, in all about 100. The collector has called at six or seven only of these, and in consequence the merchants in these harbours so selected, have been compelled to pay duties, and these of most objectionable kind, say on the food of their fishermen, their lines and nets, the salt used for curing their fish, and the casks used for packing it, while all others in the 90 odd remaining harbours have been exempt.

It is from a system involving this partiality and injustice, and many others such as this, that we ask to be relieved; and we think we have a right to call on the Colonial Office, with whom the power resides, to take some measures to protect us. If you still refuse to disallow the Newfoundland Acts relating to Labrador, let a Bill be introduced into Parliament for removing that coast from the government of Newfoundland, and replacing it under the Governor of Canada. It is not, perhaps, our place to suggest measures, and we are quite aware that in our foregoing remarks, we are merely reiterating complaints and statements already made. But the memorialists feel that they have no alternative but to continue to bring before Her Majesty's Government and before Parliament the statement of their wrongs, until they obtain that redress which the justice of their claim must ultimately insure for them.

We are, &c.
Sir F. Rogers, Bart., Colonial Office. (signed) *Hunt* and *Henley.*

APPENDIX.

No. 1.—GENERAL IMPORTS into the Labrador for the Year 1863.

ARTICLES.	Countries from whence Imported.	Quantities Imported. B. S.	F. S.	Total.	Quantities entered for Home Consumption.	Value in Sterling of Total Imports.	Price.	Gross Amount of Duty Collected.
		£.		£.	£.	£.		£. s. d.
Medicine	United Kingdom	37	–	37	37	37	Decd.	2 1 3
	Jersey	5	–	5	5	5	–	– 5 6
	Canada	3	–	3	3	3	–	– 3 10
		45	–	45	45	45	–	2 10 7
		Cwts.		*Cwts.*	*Cwts.*			
Arms and Ammunition, Lead Shot.	United Kingdom	63	–	63	63	111	Decd.	12 4 2
	Jersey	50	–	50	50	70	–	7 14 –
		113	–	113	113	181	–	19 18 2
		Lbs.		*Lbs.*	*Lbs.*			
Gunpowder	United Kingdom	2,000	–	2,000	2,000	64	Decd.	7 – 10
	Jersey	1,200	–	1,200	1,200	48	„	5 5 7
		3,200	–	3,200	3,200	112	–	12 6 5
		£.		£.	£.			
Guns	United Kingdom	51	–	51	51	51	Decd.	5 12 2
	Jersey	43	–	43	43	43	„	4 14 7
		94	–	94	94	94	–	10 6 9
		Cwts.		*Cwts.*	*Cwts.*			
Bacon and Hams	United Kingdom	2	–	2	2	8	80/	—
	Canada	24	–	24	24	96	50/	—
		26	–	26	26	104	–	—
		Brls.		*Brls.*	*Brls.*			
Beef	Canada	16	–	16	16	24	30/	—
		Cwts.		*Cwts.*	*Cwts.*			
Bread	United Kingdom	1,037	–	1,037	1,037	622	12/	14 5 2
	Jersey	130	–	130	130	78	–	1 15 9
	Canada	195	–	195	195	117	–	2 13 8
	Nova Scotia	10	–	10	10	6	–	– 2 9
		1,372	–	1,372	1,372	823	–	18 17 4
		No.		*No.*	*No.*			
Bricks	United Kingdom	11,000	–	11,000	11,000	24	Decd.	2 12 10
		Cwts.		*Cwts.*	*Cwts.*			
Butter	Canada	34	–	34	34	111	65/	—
	Nova Scotia	13	–	13	13	42	„	—
		47	–	47	47	153	–	—
		£.		£.	£.			
Cabinet Wares	Jersey	14	–	14	14	14	Decd.	1 10 10

General Imports into the Labrador for the Year 1863--*continued.*

ARTICLES.	Countries from whence Imported.	Quantities Imported.			Quantities entered for Home Consumption.	Value in Sterling		Gross Amount of Duty Collected.
		B. S.	F. S.	Total.		of Total Imports.	Price.	
		Lbs.		*Lbs.*	*Lbs.*	£.		£. *s.* *d.*
Candles	United Kingdom	1,400	–	1,400	1,400	34	Decd.	3 14 10
	Jersey	200	–	200	200	6	–	– 13 2
	Nova Scotia	168	–	168	168	5	–	– 11 –
		1,768	–	1,768	1,768	45	–	4 19 –
		Tons.		*Tons.*	*Tons.*			
Coals	United Kingdom	28	–	28	28	14	10/	—
		Lbs.		*Lbs.*	*Lbs.*			
Coffee	United Kingdom	2,044	–	2,044	2,044	60	7 *d.*	9 7 4
	Jersey	900	–	900	900	26	„	4 2 6
	Canada	170	–	170	170	5	„	– 15 7
	Nova Scotia	296	–	296	296	9	–	1 7 2
		3,410	–	3,410	3,410	100	–	15 12 7
		Cwts.		*Cwts.*	*Cwts.*			
Confectionery	Canada	1	–	1	1	5	5	– 13 9
Cordage and Cables	United Kingdom	134	–	134	134	215	Decd.	11 17 –
	Jersey	56	–	56	56	157	„	8 12 3
	Nova Scotia	3	–	3	3	11	„	– 12 1
		193	–	193	193	383	–	21 1 4
		Bshls.		*Bshls.*	*Bshls.*			
Peas	Jersey	12	–	12	12	11	18/	—
	Canada	73	–	73	73	37	10/	—
		85	–	85	85	48	–	—
Oatmeal	United Kingdom	1	–	1	1	1	20/	—
Corn, Meal	Nova Scotia	30	–	30	30	19	12/6	—
Flour	United Kingdom	198	–	198	198	178	18/	—
	Jersey	75	–	75	75	68	„	—
	Canada	745	–	745	745	670	„	—
	Nova Scotia	75	–	75	75	67	„	—
	Prince Edward Island.	24	–	24	24	22	–	—
		1,117	–	1,117	1,117	1,005	–	—
		£.		£.	£.			
Earthenware	United Kingdom	75	–	75	75	75	Decd.	8 5 –
	Jersey	8	–	8	8	8	–	– 17 7
		83	–	83	83	83	–	9 2 7

General Imports into the Labrador for the Year 1863—*continued.*

ARTICLES.	Countries from whence Imported.	Qu antities Imported.			Quanties entered for Home Consumption.	Value in Sterling		Gross Amount of Duty Collected.
		B. S.	F. S.	Total.		of Total Imports.	Price	
		£.	£.	£.	£.	£.		£. s. d.
Fishing Tackle - -	United Kingdom -	872	–	872	872	872	Decd.	47 19 2
	Jersey - - -	218	–	218	218	218	„	12 – 4
	Nova Scotia -	57	–	57	57	57	„	3 2 8
	United States -	6	40	46	46	46	„	2 10 3
		1,153	40	1,193	1,193	1,193	–	65 12 5
		Lbs.		*Lbs.*	*Lbs.*			
Fruit (Dried) - - -	Jersey - - -	740	–	740	740	15	5 *d.*	4 12 6
	Canada - -	184	–	184	184	4	„	1 3 –
	Nova Scotia -	347	–	347	347	7	„	2 3 5
		1,271	–	1,271	1,271	26	–	7 18 11
		£.		£.	£.			
Glassware - - -	United Kingdom -	3	–	3	3	3	Decd.	– 6 7
Hardware, 11 per cent. -	United Kingdom -	293	–	293	293	293	Decd.	32 5 9
	Jersey - - -	119	–	119	119	119	do.	13 1 10
	Canada - -	31	–	31	31	31	do.	3 8 2
	Nova Scotia -	10	–	10	10	10	do.	1 2 3
		453	–	453	453	453	–	49 18 –
Hardware, 5½ per cent. -	United Kingdom -	61	–	61	61	61	Decd.	3 7 1
	Jersey - - -	49	–	49	49	49	do.	2 14 1
	Nova Scotia -	59	–	59	59	59	do.	3 4 11
		169	–	169	169	169	–	9 6 1
		Cwts.		*Cwts.*	*Cwts.*			
Lead - - - - -	United Kingdom -	12	–	12	12	9	Decd.	– 19 10
	Jersey - -	7	–	7	7	10	do.	1 2 –
	Nova Scotia -	4	–	4	4	4	do.	– 8 10
		23	–	23	23	23	–	2 10 8
Lead Paint - - -	United Kingdom -	11	–	11	11	18	Decd.	1 19 7
	Jersey - - -	7	–	7	7	25	„	2 15 –
		18	–	18	18	43	–	4 14 7
		£.		£.	£.			
Leatherware - - -	United Kingdom -	300	–	300	300	300	Decd.	33 – –
	Jersey - - -	117	–	117	117	117	„	12 17 5
	Canada - -	15	–	15	15	15	–	1 13 –
	Nova Scotia -	49	–	49	49	49	–	5 7 10
		481	–	481	481	481	–	52 18 3
Miscellaneous articles -	United Kingdom -	84	–	84	84	84	Decd.	9 4 10
	Jersey - - -	46	–	46	46	46	„	5 1 7
	Canada - -	9	–	9	9	9	„	1 – 11
		139	–	139	139	139	–	15 7 4
Miscellaneous (free) -	United Kingdom -	3	–	3	3	3	Decd.	—

General Imports into the Labrador for the Year 1863—*continued.*

ARTICLES.	Countries from whence Imported.	Quantities Imported.			Quantities entered for Home Consumption.	Value in Sterling		Gross Amount of Duty Collected.
		B. S.	F. S.	Total.		of Total Imports.	Price.	
		Galls.		*Galls.*	*Galls.*	£.		£. s. d.
Molasses	United Kingdom	2,740	–	2,740	2,740	137	1/	28 10 10
	Nova Scotia	1,482	–	1,482	1,482	74	–	15 8 9.
	Prince Edward Island.	120	–	120	120	6	–	1 5 –
		4,342	–	4,342	4,342	217	–	45 4 7
		Cwts.		*Cwts.*	*Cwts.*			
Oakum	United Kingdom	15	–	15	15	15	Decd.	– 17 1
		Galls.		*Galls.*	*Galls.*			
Oil, Linseed	United Kingdom	195	–	195	195	29	Decd.	3 3 10
	Jersey	120	–	120	120	13	–	1 8 7
		315	–	315	315	42	–	4 12 5
Oil, Olive	United Kingdom	480	–	480	480	56	Decd.	6 3 2
	Jersey	120	–	120	120	12	–	1 6 5
		600	–	600	600	68	–	7 9 7
		£.		£.	£.			
Paper Manufactures	United Kingdom	35	–	35	35	35	Decd.	3 17 –
	Jersey	10	–	10	10	10	„	1 3 1
		45	–	45	45	45	–	5 – 1
		Brls.		*Brls.*	*Brls.*			
Pitch, Tar, &c.	United Kingdom	53	–	53	53	80	30/	—
	Jersey	10	–	10	10	15	„	—
	Canada	1	–	1	1	1	„	—
		64	–	64	64	96	–	—
Pork	United Kingdom	5	–	5	5	15	60/	– 16 6
	Jersey	48	–	48	48	144	„	—
	Canada	113	–	113	113	198	35/	—
	Nova Scotia	15	–	15	15	26	„	—
	Prince Edward Island.	20	–	20	20	35	„	—
		201	–	201	201	418	–	– 16 6
		Bshls.		*Bshls.*	*Bshls.*			
Potatoes	Canada	40	–	40	40	2	1/	—
	Prince Edward Island.	800	–	800	800	40	„	—
		840	–	840	840	42	–	—
		Cwts.		*Cwts.*	*Cwst.*			
Rice	United Kingdom	12	–	12	12	15	Decd.	1 13 –
	Jersey	6	–	6	6	6	„	– 13 2
	Canada	6	–	6	6	4	14/	—
		24	–	24	24	25	–	2 6 2

General Imports into the Labrador for the Year 1863—*continued.*

ARTICLES.	Countries from whence Imported.	Quantities Imported.			Quantities entered for Home Consumption.	Value in Sterling.		Gross Amount of Duty Collected.
		B. S.	F. S.	Total.		of Total Imports.	Price.	
		Tons.	*Tons.*	*Tons.*	*Tons.*	£.		£. s. d.
Salt	United Kingdom	764	–	764	764	382	10/	19 2 –
	Jersey	424	–	424	424	212	„	10 12 –
	Canada	46	–	46	46	23	„	1 3 –
	Nova Scotia	427	–	427	427	213	„	10 13 6
	Spain	290	–	290	290	145	–	7 5 –
	Portugal	100	–	100	100	50	–	2 10 –
	United States	20	65	85	85	43	–	2 2 6
		2,071	65	2,136	2,136	1,068	–	53 8 –
		Cwts.		*Cwts.*	*Cwts.*			
Soap	United Kingdom	72	–	72	72	85	Decd.	9 7 –
	Jersey	22	–	22	22	28	–	3 1 7
	Canada	4	–	4	4	5	–	– 11 –
	Nova Scotia	11	–	11	11	11	–	1 4 2
		109	–	109	109	129	–	14 3 9
		Galls.		*Galls.*	*Galls.*			
Spirits, viz., Geneva	United Kingdom	64	–	64	64	6	2/	16 – –
	Jersey	728	–	728	728	73	„	182 – –
		792	–	792	792	79	–	198 – –
Whisky	Jersey	155	–	155	155	35	4/6	38 15 –
	Canada	232	–	232	232	52	„	58 – –
		387	–	387	387	87	–	96 15 –
Rum	United Kingdom	290	–	290	290	29	2/	36 5 –
	Jersey	60	–	60	60	6	„	7 10 –
		350	–	350	350	35	–	43 15 –
		Cwts. qrs. lbs.		*Cwts. qrs. lbs.*	*Cwts. qrs. lbs.*			
Sugar, Refined	United Kingdom	1 0 0	–	1 0 0	1 0 0	2	40/	– 13 3
	Jersey	7 2 0	–	7 2 0	7 2 0	15	„	4 19 –
		8 2 0	–	8 2 0	8 2 0	17	–	5 12 3
Ditto, Unrefined	United Kingdom	41 0 0	–	41 0 0	41 0 0	41	20/	16 18 3
	Canada	9 0 26	–	9 0 26	9 0 26	9	–	3 16 3
	Nova Scotia	15 0 0	–	15 0 0	15 0 0	15	–	6 3 9
		65 0 26	–	65 0 26	65 0 26	65	–	26 18 3
		Lbs.		*Lbs.*	*Lbs.*			
Tea, Souchong, &c.	United Kingdom	3,872	–	3,872	3,872	177	11 *d.*	64 10 8
	Jersey	2,403	–	2,403	2,403	110	„	40 1 –
	Canada	656	–	656	656	30	–	10 18 8
	Nova Scotia	703	–	703	703	32	–	11 14 4
	Prince Edward Island.	100	–	100	100	5	–	1 13 4
		7,734	–	7,734	7,734	354	–	128 18 –

General Imports into the Labrador for the Year 1863—*continued.*

ARTICLES.	Countries from which Imported.	Quantities Imported.			Quantities entered for Home Consumption.	Value in Sterling		Gross Amount of Duty Collected.
		B. S.	F. S.	Total.		of Total Imports.	Price.	
		Lbs.		*Lbs.*	*Lbs.*	£.		£. s. d.
Tea, viz., other Sorts -	United Kingdom -	205	–	205	205	15	1/6	4 5 5
	Jersey - - -	74	–	74	74	6	„	1 10 10
		279	–	279	279	21	–	5 16 3
Tobacco - - - - -	Jersey - - -	1,301	–	1,301	1,301	60	11 *d.*	17 17 10
	Canada - -	817	–	817	817	37	–	11 4 8
	Nova Scotia -	723	–	723	723	33	–	9 18 10
	Prince Edward Island.	100	–	100	100	5	–	1 7 6
		2,941	–	2,941	2,941	135	–	40 8 10
Tobacco Leaf - - -	Canada - -	3,472	–	3,472	3,472	116	8 *d.*	—
		Galls.		*Galls.*	*Galls.*			
Vinegar - - - - -	United Kingdom -	134	–	134	134	10	1/6	1 16 10
	Jersey - - -	50	–	50	50	4	–	– 13 9
	Canada - -	16	–	16	16	1	–	– 4 5
		200	–	200	200	15	–	2 15 –
Wine (in Bottles) - -	Jersey - -	14	–	14	14	11	16/	4 4 –
		£.		£.	£.			
Woollens and Cottons -	United Kingdom -	1,400	–	1,400	1,400	1,400	Decd.	154 – –
	Jersey - -	425	–	425	425	425	–	46 15 –
	Nova Scotia -	124	–	124	124	124	–	13 12 10
		1,949	–	1,949	1,949	1,949	–	214 7 10
Canvas - - - - -	United Kingdom -	115	–	115	115	115	Decd.	6 6 6
	Jersey - - -	44	–	44	44	44	–	2 8 5
		159	–	159	159	159	–	8 14 11
Wood Wares - - -	United Kingdom -	47	–	47	47	47	Decd.	5 4 6
	Canada - -	252	–	252	252	252	do. -	27 14 5
	Nova Scotia - -	24	–	24	24	24	do. -	2 12 2
	Prince Edward Island.	5	–	5	5	5	do. -	– 11 –
		328	–	328	328	328	–	36 2 1
		Feet.		*Feet.*	*Feet.*			
Board and Plank - -	Nova Scotia -	53,500	–	53,500	53,500	107	40/per M.	—
	Prince Edward Island.	4,000	–	4,000	4,000	8	„	—
		57,500	–	57,500	57,500	115	–	—
		No.		*No.*	*No.*			
Spars - - - - -	Canada - -	8	–	8	8	8	20/-	—

J. Winter,
Collector, Labrador.

No. 2.—A Consolidated Account of Dutiable Goods Imported in the Year ended 30 September 1863, showing the aggregate Quantities and Value of the various Articles, and Amount of Duty collected thereon.

Articles Imported.	Quantity.	Value.	Duty.
		£. s. d.	£. s. d.
Biscuit	1,372 cwts.	- - -	18 17 4
Coffee	3,410 lbs.	- - -	15 12 7
Confectionery	1 cwt.	- - -	- 13 9
Fruit (dried)	1,271 lbs.	- - -	7 18 11
Molasses	4,342 gallons	- - -	45 4 7
Oatmeal and Indian Meal	1 barrel	- - -	- - 6
Pork	5 barrels	- - -	- 16 6
Salt	2,136 tons	- - -	53 8 -
Spirits, viz., Brandy, Gin, Whisky, and undefined Spirits.	1,179 gallons	- - -	294 15 -
Rum	350 gallons	- - -	43 15 -
	Cwts. qrs. lbs.		
Sugar, viz., refined	8 2 0	- - -	5 12 3
„ unrefined	65 0 26	- - -	26 18 3
Tea, viz., Souchong, Congou, and Bohea	7,734 lbs.	- - -	128 18 -
„ all other sorts	279 lbs.	- - -	5 16 3
Tobacco (manufactured)	2,941 lbs.	- - -	40 8 10
Vinegar	200 gallons	- - -	2 15 -
Wines, viz., in bottles	14 gallons	- - -	4 4 -
Goods, Wares, and merchandise, enumerated, to pay Duty at the rate of 5½ per cent.	- - -	1,965 16 9	108 2 5
Goods not otherwise enumerated or described	- - -	4,279 - -	470 13 11
Goods, Wares, 5½ per cent., viz., Canvas, Cordage and Cables. Fishing Tackle, viz., Nets, Lines and Twines. Iron, viz., Bar, Bolt and Wrought, Nails. Medicines, Oakam, Pitch, Tar, and Rosin.			
		Total - - - £.	1,274 11 1

A Consolidated Account Current of Receipts and Payments for the Year ended the 30th day of September 1863.

Dr.

		£. s. d.
30 September	To Receipts as per account of Goods imported - - -	1,274 11 1

Cr.

		£. s. d.
30 September	By Orders and Cash remitted this date - - - -	1,274 11 1

I certify that the foregoing Account is just and true in every particular, to the best of my knowledge and belief.

Custom House, Labrador,
30 September 1863.

J. Winter, Collector.

LABRADOR CUSTOMS DUTIES.

COPY of PAPERS and CORRESPONDENCE between the Colonial Office and the Government of *Newfoundland* relating to the Levy of CUSTOMS DUTIES on the Coast of *Labrador*, and REPORTS of the Collectors, Judges, or other Officers sent to that Coast last Season.

(*Mr. Henry Seymour.*)

Ordered, by The House of Commons, *to be Printed*
18 *March* 1864.

159.

Under 8 *oz.*

NORTH AMERICA (INTERCOLONIAL RAILWAY).

RETURN to an Address of the Honourable The House of Commons, dated 30 June 1864;—*for*,

"COPY of CORRESPONDENCE between any of the NORTH AMERICAN PROVINCES and the IMPERIAL GOVERNMENT, relating to their Application for Assistance in raising a LOAN for an INTERNATIONAL RAILWAY."

(In continuation of Parliamentary Paper, No. 210, of 1862.)

Colonial Office, 25 July 1864.

FREDERIC ROGERS.

(*Mr. Adderley.*)

Ordered, by The House of Commons, *to be Printed*, 26 *July* 1864.

SCHEDULE.

— I. —

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ANSWERS from the THREE PROVINCES to the Duke of Newcastle's Despatch, 12 April 1862.

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4	Lieutenant Governor the Honourable Arthur Gordon to his Grace the Duke of Newcastle, K. G.	No. 61. 6 May 1862 - -	4
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6	His Grace the Duke of Newcastle, K. G., to Lieutenant Governor the Honourable Arthur Gordon.	No. 74. 20 June 1862 - -	6
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— II. —

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— III. —

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— IV. —

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COPY of CORRESPONDENCE between any of the NORTH AMERICAN PROVINCES and the IMPERIAL GOVERNMENT, relating to their Application for Assistance in raising a LOAN for an INTERCOLONIAL RAILWAY.

— No. 1. —

No. 1.
The Duke of Newcastle, K.G., to Viscount Monck.
12 April 1862.

COPY of a DESPATCH from the Duke of *Newcastle*, K.G., to Governor General Viscount *Monck*.

My Lord, Downing-street, 12 April 1862.

You are aware that I duly received your Despatch, No. 4,* of the 31st October last, reporting that at a meeting in the Council Chamber at Quebec of Members of the Councils of Canada, Nova Scotia, and New Brunswick, it was resolved that those three Governments should renew the offer made to the Imperial Government on the 26th October 1858, to aid in the construction of an Intercolonial Railway between Halifax and Quebec, and that a delegation from the Provinces should proceed to England with the view of promoting this object.

* Printed in House of Commons Paper, No. 210 of 1862, page 15.

You reported to me that the Honourable Philip Vankoughnet was appointed to represent Canada, and not long afterwards this gentleman, associated with the Honourable Joseph Howe from Nova Scotia, and the Honourable Samuel Tilley from New Brunswick, arrived in England.

I had several interviews with these gentlemen, who urged with great ability the project committed to their charge, and eventually embodied their views in a Memorandum communicated to me in a letter dated the 2d December 1861.† But owing to the urgency of business connected with the threatening aspect of affairs in the United States, I was unable to bring the subject under the consideration of Her Majesty's Government before the deputies were obliged to return to their homes, and other urgent matters have hitherto prevented the adoption of a decision. The subject has now been before Her Majesty's Government, and I need scarcely assure you that they have examined it with the care due to the importance of the question, to the high authorities from whom it has emanated in the Provinces, and to the character and position of the delegates by whom it has been so powerfully presented to notice in this country.

† *Vide* same paper, page 1.

The length of railway necessary to complete the communication between Halifax and Quebec is estimated at 350 miles, and the cost, after deducting the right of way which the Provinces will provide, is estimated at three millions sterling. Such being the data supplied by the deputation, the project is that the Imperial Government should join the three Provinces in a guarantee of four per cent. upon 3,000,000 *l.*, in which case the Provinces are ready to pass bills of supply for 60,000 *l.* a year (20,000 *l.* in each Province) if the Imperial Government will do the same. The selection of the route is left solely to the British Government.

Should the sum of three millions be found insufficient, nothing very definite is said on the essential point of the provision to be made for the completion of the railway.

I much regret to inform you that, after giving the subject their best consideration, Her Majesty's Government have not felt themselves at liberty to concur in this mode of assistance. Anxious, however, to promote as far as they can the important object of completing the great line of railway communication on British ground, between the Atlantic and the westernmost parts of Canada, and to assist the Provinces in a scheme which would so materially promote their interests, Her Majesty's Government are willing to offer to the Provincial Governments an Imperial guarantee of interest, towards enabling them to raise by public loan, if they should desire it, at a moderate rate, the requisite funds for constructing

structing the railway. This was the mode of action contemplated by Earl Grey in the year 1851; and is the same method which was adopted by Parliament in the Act of 1842, in order to afford to Canada the benefit of British credit in raising the money with which she has completed her great system of internal water communications. The nature and extent of the guarantee which Her Majesty's Government could undertake to recommend to Parliament, must be determined by the particulars of any scheme which the Provincial Governments may be disposed to found on the present proposal, and on the kind of security which they would offer.

I fear that this course will not be so acceptable to the Provincial Governments as that which the delegates were authorised to propose for consideration. It is, however, the only one in which Her Majesty's Government, after anxious deliberation, feel that they would be at liberty to participate. I trust that the proposal will at all events be received as a proof of their earnest wish to find some method in which they can co-operate with the Provinces in their laudable desire to complete a perfect intercolonial communication over British territory, And it will be a source of sincere pleasure to me if, adverting to all the different bearings of the subject, and to the condition of their respective finances, the Provincial Governments should end by finding it in their power to make use of the present offer, and to propound some practicable scheme for applying it to the attainment of the desired object.

I have addressed a similar Despatch to the Lieutenant Governors of Nova Scotia and New Brunswick, and I must now leave the subject in the hands of the several Provincial Governments, who will best know, in case they prosecute the subject further, how to provide for the requisite mutual consultations.

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

[Similar Despatches, with the requisite adaptations, were addressed at the same date to the Lieutenant Governors of New Brunswick and Nova Scotia.]

— I. —

ANSWERS from the THREE PROVINCES to the Duke of *Newcastle*'s Despatch of 12 April 1862; page 1.

— No. 2. —

(No. 136.)

No. 2.
Viscount Monck to the Duke of Newcastle, K.G. 12 September 1862.

COPY of a DESPATCH from Governor General Viscount *Monck*, to His Grace the Duke of *Newcastle*, K.G.

Quebec, 12 September 1862.

My Lord Duke, (Answered, No. 176, 14 October 1862, page 4.)

* Page 1.

REFERRING to your Grace's Despatch, of 12th* April, I have great satisfaction in transmitting to you the accompanying approved Minute of my Executive Council on the subject of the mode of executing the proposed railway between this Province and Nova Scotia.

12 September 1862.

I have to add that it is intended that a deputation of my Executive Council should proceed in the course of the autumn to England in order to give further facilities, by means of personal communications, for completing the arrangements proposed.

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

Enclosure in No. 2.

COPY of a REPORT of a Committee of the Executive Council, dated 12 September 1862, approved by his Excellency the Governor General. Encl. in No. 2.

THE Committee of Council have given their earnest consideration to the annexed Memorandum of agreement, adopted at a meeting of the delegates from the Provinces of Nova Scotia and New Brunswick, and your Excellency's Advisers in this Province, on the subject of the construction of an Intercolonial Railway, and they humbly advise that the same be approved by your Excellency.

Certified.

W. H. Lee, Clerk Executive Council.

MEMORANDUM.

THE undersigned, representing the three Governments of Canada, Nova Scotia, and New Brunwick, convened to consider the Despatch of his Grace the Duke of Newcastle, of the 12th April 1862, with reference to the colonial railway, having given the very important matters contained in that Despatch their attentive consideration, are agreed:

I. That whilst they have learned with very great regret that Her Majesty's Imperial Government has finally declined to sanction the proposals made on behalf of these Provinces in December 1861, and at previous periods, they at the same time acknowledge the consideration exhibited in substituting the proposal of "an Imperial guarantee of interest towards enabling them to raise, by public loan, if they should desire it, at a moderate rate, the requisite funds for constructing the railway."

II. That with an anxious desire to bind the Provinces more closely together, to strengthen their connexion with the mother country, to promote their common commercial interests, and to provide facilities essential to the public defences of these Provinces as integral parts of the Empire, the undersigned are prepared to assume, under the Imperial guarantee, the liability for the expenditure necessary to construct this great work.

III. That the three Governments are agreed that the proportions of liability for the necessary expenditure shall be apportioned as follows, viz., five-twelfths for Canada and seven-twelfths to be equally divided between the Provinces of New Brunswick and Nova Scotia.

IV. But it is understood that the liability for principal and interest shall be borne by each Province, to the extent only of the proportion hereby agreed upon.

That in arriving at this conclusion, the undersigned have been greatly influenced by the conviction, that the construction of the road between Halifax and Quebec must supply an essential link in the chain of an unbroken highway extending through British territory from the Atlantic to the Pacific, in the completion of which every Imperial interest in North America is most deeply involved. And the undersigned are agreed, that to present properly this part of the subject to the Imperial authorities, the three Provinces will unite at an early day in a joint representation on the immense political and commercial importance of the western extension of the projected work.

(signed)	*J. S. Macdonald*, *L. V. Sicotte*, *J. Morris*, *W. M'Dougall*, *W. P. Howland*, *U. T. Tessier*, *F. Eventurel*, *Thos. D'Arcy M'Gee*,	Representing Canada.
	Joseph Howe, *J. M'Cully*, *W. Annand*,	Nova Scotia.
	S. L. Tilley, *W. H. Steeves*, *P. Mitchell*,	New Brunswick.

Quebec, 12 September 1862.

— No. 3. —

(No. 176.)

No. 3.
The Duke of Newcastle, K.G., to Viscount Monck.
14 October 1862.

COPY of a DESPATCH from his Grace the Duke of *Newcastle*, K.G., to Governor General Viscount *Monck*.

My Lord, Downing-street, 14 October 1862.

* Page 2.

I HAVE had the honour to receive your Lordship's Despatch, No. 136,* of the 12th of September, accompanied by a Minute of your Executive Council, containing a Memorandum, by which it appears that the several gentlemen from Canada, Nova Scotia, and New Brunswick, who consulted on the subject, had arrived at a conclusion in favour of assuming, with the aid of an Imperial guarantee of interest, the liability for the expenditure necessary to construct the Intercolonial Railway.

I have received this intelligence with much satisfaction.

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

— No. 4. —

(No. 61.)

No. 4.
Lieut. Governor Hon. A. H. Gordon to the Duke of Newcastle.
6 May 1862.

COPY of a DESPATCH from Lieutenant Governor the Honourable *Arthur H. Gordon* to his Grace the Duke of *Newcastle*, K.G.

Fredericton, New Brunswick, 6 May 1862.

My Lord Duke, (Answered No. 74, 20 June 1864, page 6.)

† Page 1.

I HAVE the honour to acknowledge the receipt of your Grace's Despatch of the 12th ultimo,† containing the reply of Her Majesty's Government to the application made by the Provinces of Canada, New Brunswick, and Nova Scotia, for Imperial aid towards the construction of an Intercolonial Railway.

2. I shall lose no time in submitting this important communication to the consideration of my Council, but the members of that body are at present without exception absent, and some little time must elapse before they can be again collected here.

3. In the meanwhile, however, I may venture to assure your Grace that no step will be hastily taken on the part of this Province, and that the consideration of the offer, now made by Her Majesty's Government, will be undertaken with a strong desire to adopt the proposed arrangement.

4. At the same time it is, of course, felt, that although the proposal now made by Her Majesty's Government is similar to that made by the Provinces 10 years ago, the position of the question as regards New Brunswick is by no means the same as it then was; a considerable extent of railway having since that period been constructed, and a heavy amount of debt consequently incurred by the Province, and it is my duty frankly to confess to your Grace, that I see very great difficulty in the adoption of a course which, even at the most moderate rate of interest, must add so largely to the burdens of the Colony.

5. I shall have the honour of addressing your Grace on this subject again, and probably at greater length when I have ascertained the views of my Executive Council.

I have, &c.
(signed) *Arthur H. Gordon.*

— No. 5. —

(No. 66.)

COPY of a DESPATCH from Lieutenant Governor the Honourable *Arthur H. Gordon*, to his Grace the Duke of *Newcastle*, K.G.

No. 5.
Lieut. Governor Hon. A. H. Gordon to the Duke of Newcastle, K.G.
26 May 1862.

Fredericton, New Brunswick, 26 May 1862.
(Answered, No. 74, 20 June 1862. Page 6.)

My Lord Duke,

IT was only on Thursday last, the 22d instant, that I was enabled to collect my Executive Council together at this place in order to communicate to them your Grace's important Despatch of the 12th u'lt.* on the subject of the aid to be afforded by the Imperial Government towards the construction of an Intercolonial Railway.

* Page 1.

2. I accompanied the communication of your Grace's Despatch by the Minute of which I have the honour to inclose a copy.

3. I was aware that much timidity existed in the minds of my Council that some unwillingness would be expressed with respect to a further prosecution of the scheme. It was, therefore, my object to confine the discussion within the narrowest possible limits, and to secure the appointment of delegates to meet those of the other Provinces at Quebec.

4. In this object I am glad to say I entirely succeeded; and, although one or two members of the Council appeared averse even to such an appointment, or at all events to that of delegates unfettered by precise instructions, a decision was finally adopted in accordance with the views which I had expressed.

5. It is my intention to repair to Quebec, at the time at which the delegation will be there. Lord Mulgrave will, I believe, take the same opportunity of meeting the Governor General and myself.

6. I cannot be insensible to the great difficulty which will be felt in the assumption of new liabilities by this Province, the estimated revenue of which for the current year amounts only to about 120,000 *l.*, and which is already burdened by a debt of above 1,000,000 *l.* sterling; but I look upon the question as one which largely affects the welfare of British North America as a whole, and which must, therefore, not be regarded from too exclusively a Provincial point of view by any one of the separate Colonies interested.

7. Should, therefore, Canada and Nova Scotia both desire the prosecution of the work on the terms now proposed, and should the people of those Provinces express their willingness cheerfully to bear the additional burdens which must be imposed, in order to attain the accomplishment of this great object, I certainly shall be indisposed to permit it to be defeated by the reluctance of my Responsible Advisers to incur the unpopularity attaching to an augmentation of the public burdens, and I should at least require ample evidence that they were expressing the deliberate sentiments of the Legislature, and people of this Province, before I acquiesced in the rejection of an offer of the Imperial Government, which had been accepted as a boon by the sister Colonies.

I have, &c.
(signed) *Arthur H. Gordon.*

Enclosure in No. 5.

MEMORANDUM for the EXECUTIVE COUNCIL.

THE Lieutenant Governor cannot communicate to his Council the Despatch of the Duke of Newcastle, of the 12th ult., without accompanying it by a few remarks. Encl. in No 5.

2. The proposition contained in that Despatch is one of so great importance, and concerns so deeply the future prospects, not of this Province alone, but of British North America as a whole, that the Lieutenant Governor feels persuaded that, even if it were deemed absolutely impracticable for New Brunswick to close with that proposal, it would appear to his Council to be adopting too precipitate a course of action, were the Government

ment of this Province to come to an absolute decision upon the question, without previous consultation with the Governments of those other Provinces, which are, to say the least, as deeply interested in the question at issue.

3. The Lieutenant Governor assumes, therefore, that his Council will agree with him in the expediency of appointing a delegation to confer with representatives of Canada and Nova Scotia on the subject; and he requests their advice as to the persons to whom, in their opinion, the interests of the Province may be most safely entrusted.

4. The importance of the decision which has ultimately to be made with respect to the proposals of the British Government cannot well be overrated. It may be considered certain that no other or more favourable offer will be now made, and that the rejection of the present proposition will be tantamount to the abandonment for an indefinite period of all hope of the completion of the great work of establishing an Intercolonial Railway.

5. At the same time the Province cannot prudently, or indeed honestly, incur liabilities which it might be unable to discharge; and the Lieutenant Governor has no hesitation in declaring his decided opinion, that unless the Province of Canada undertakes a very large proportion of the whole responsibilities of the loan required, it would be idle for New Brunswick to move in the matter. If half the burden were to be borne by Canada, the adjustment of the incidence of the remaining half between Nova Scotia and New Brunswick might perhaps be satisfactorily arranged.

6. But his Excellency considers that it would be injudicious to fetter the delegation by instructions of too precise a character as to the proposals which they may or may not be at liberty to discuss. The final adoption or rejection of any scheme proposed will not rest with them, but with the Provincial Governments; and it is well that the subject should be fully and patiently considered in all its bearings before that decision be made.

The Lieutenant Governor has reason to believe that the Canadian Government are anxious that the proposed consultation should take place at an early period; and he therefore hopes that the Council will not separate without coming to a decision as to the propriety of dispatching a delegation to Quebec, and as to the persons who in their opinion should be employed on that service.

(signed) *Arthur H. Gordon.*

22 April 1862.

— No. 6. —

No. 6.
The Duke of Newcastle, K.G., to Lieut. Governor Hon. A.H. Gordon.
20 June 1862.

(No. 74.)

COPY of a DESPATCH from His Grace the Duke of *Newcastle*, K.G., to Lieutenant Governor Honourable *Arthur H. Gordon*.

Sir, Downing-street, 20 June 1862.

I HAVE the honour to acknowledge the receipt of your Despatches, Nos. 61* and 66 of the 6th and 26th of May, on the subject of the aid which the Imperial Government have offered to afford towards the construction of an Intercolonial Railway.

* Pages 4 and 5.

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

— No. 7. —

No. 7.
Lieut. Governor Hon. A. H. Gordon to the Duke of Newcastle, K. G.
9 June 1862.

(No. 71.)

COPY of a DESPATCH from Lieutenant Governor the Honourable *Arthur H. Gordon* to his Grace the Duke of *Newcastle*, K.G.

My Lord Duke, Fredericton, 9 June 1862.

OWING to the change which has taken place in the composition of the Canadian Cabinet, all discussion upon the question of the Intercolonial Railroad is at present deferred.

2. In all probability a conference between the representatives of the several local Governments interested will now take place in the early part of the month of September.

3. I do not myself regret this postponement, as I think the delay will probably lead to the adoption of juster views on the subject than at present prevail in this Province,

Province, and will allow the feelings of disappointment caused by the rejection of the proposition made from hence to subside before it becomes necessary to take any decisive action.

I have, &c.
(signed) *Arthur H. Gordon.*

— No. 8. —

(No. 87.)

No. 8.
Lieut.-Governor Hon. A. H. Gordon to the Duke of Newcastle, K.G.
21 August 1862.

COPY of a DESPATCH from Lieutenant Governor the Honourable *Arthur H. Gordon* to his Grace the Duke of *Newcastle*, K.G.

Fredericton, 21 August 1862.

My Lord Duke, (Answered No. 95, 26 September 1862, page 9.)

I HAVE the honour to enclose for your Grace's information a copy of a Despatch from the Governor General of Canada, suggesting that a conference should take place at Quebec on the 10th proximo, between members of the Canadian Government and those of New Brunswick and Nova Scotia, with a view of entering into an arrangement for the completion of an Intercolonial Railway upon the basis suggested by the Imperial Government. 15 August 1862.

2. I have also the honour to enclose for your Grace's information the copy of a Minute of my Executive Council in committee, recommending me to appoint three members of the Government as a delegation to attend the proposed conference, and also to authorise them to enter into arrangements with the delegates of the other Provinces, interested for the construction of an Intercolonial Railway, provided the liabilities to be incurred by New Brunswick for that purpose do not exceed 35,000 *l.* sterling per annum. 20 August 1862.

3. This Minute is signed by all the members of the Executive Council, with two exceptions. The Solicitor General, as your Grace will perceive, appends to the Minute a note assenting to the appointment of the delegation, but recording his opinion that the liabilities to be incurred by the Province should not exceed a capital sum of 3,000,000 *l.*, whilst the Attorney General, in a separate Minute, of which I have also the honour to enclose a copy, records his dissent from the policy of his colleagues, and reserves to himself such liberty of action as he may deem necessary. 20 August 1862.

I have further the honour to inform your Grace, that in compliance with the advice of my Council, I have nominated as delegates the Honourable the Provincial Secretary, the Honourable W. H. Steeves, and the Honourable P. Mitchell.

These gentlemen will leave Fredericton for Quebec in about a week's time.

I have, &c.
(signed) *Arthur H. Gordon.*

Enclosure 1, in No. 8.

Sir, Quebec, 15 August 1862. Encl. 1, in No. 8.

IN a Despatch which I have received from the Duke of Newcastle, dated 12th April 1862, containing the conditions under which Her Majesty's Government propose to assist the Colonies in the construction of a railway connecting Halifax with Rivière du Loup, his Grace mentions that he had sent at the same time identical Despatches to your Excellency and the Lieutenant Governor of Nova Scotia.

It is very desirable in order to return a satisfactory answer to the Despatch in question, that the Ministers of the three Provinces interested, Canada, New Brunswick, and Nova Scotia should come to a distinct understanding as to the part which each of those Provinces will undertake in reference to the execution of the proposed work.

I think this end will be best attained by a personal conference between the members of the administrations of the three Provinces.

I am aware that it is the intention of your Excellency to visit Canada in the beginning of next month, and I expect the Lieutenant Governor of Nova Scotia will be here about the same time.

It appears to me, therefore, that the time which I have mentioned offers peculiar advantages for holding the proposed consultation, and I shall feel much obliged if your Excellency

will arrange with such members of your Administration as may be deputed to assist at the conference to attend at Quebec on Wednesday, September 10th, for that purpose.

The question of intercolonial trade will probably be discussed at the same time.

I have addressed a Despatch of the same import as this communication to the Lieutenant Governor of Nova Scotia.

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

His Excellency the Honourable A. H. Gordon,
&c. &c. &c. New Brunswick.

Enclosure 2, in No. 8.

Encl. 2, in No. 8. To His Excellency the Honourable Arthur *H. Gordon*, C.M.G., Lieutenant Governor of the Province of New Brunswick, &c. &c. &c.

THE Committee of Council have had under consideration the communication of the Governor General of Canada, inviting a Conference of the Governments of Canada, Nova Scotia, and New Brunswick at Quebec, on the 10th of September next, to take into consideration the proposition of his Grace the Duke of Newcastle of the 12th of April last, relative to the construction of an Intercolonial Railway ; and they advise your Excellency to comply with the request of Lord Monck, and to appoint three members of your Government as such delegation ; and that they be authorised to make an arrangement for the building of such road, providing the liabilities to be borne by this Province shall not exceed 35,000 *l.* sterling per annum.

(signed) *S. L. Tilley.*
John M'Millan.
W. H. Steeves.
P. Mitchell.
Jas. Steadman.
W. E. Perley.
George L. Hatheway.

Executive Council Chambers,
20 August 1862.

I am willing that the delegates from New Brunswick may agree to any scheme for the building of a railway from Halifax to Quebec, provided that the cost thereof do not exceed 3,000,000 *l.* sterling. I also consent to the capitalization of the interest thereon for such time as may by the delegates be deemed prudent.

(signed) *Charles Watters.*

20 August 1862.

Enclosure 3, in No. 8.

Encl. 3, in No. 8. MEMORANDUM or STATEMENT which I require may be entered in the Records of the Executive Council.

I MAKE no objection to the delegation appointed to proceed to Canada to confer with the Government of that Province, and a delegation from Nova Scotia upon the subject of the Intercolonial Railway. This, I think, under the circumstances could not well be avoided ; but as a majority of the Council has determined to authorise the delegates to assume on behalf of this Province, not only the sum of 20,000 *l.* sterling, the amount heretofore offered to aid in its construction, but the further responsibility of 15,000 *l.* sterling, I desire to record my protest against such a proposition, the reasons for which I have endeavoured to impress upon my colleagues ; and in the event of the delegation making an arrangement which involves the extent of the liability authorised by these instructions, and the Government decide after their return to give effect to such arrangement by legislation, I shall feel it my duty to adopt such a course as will relieve myself from the responsibility of the measure, and enable me to give opposition to a scheme which, in my judgment, is fraught with consequences highly prejudicial to the material interests and welfare of this Province.

Dated 20 August 1862. (signed) *A. J. Smith.*

— No. 9 —

(No. 95.)

No. 9.
Duke of Newcastle, K.G., to Lieut.-Governor Hon. A. H. Gordon.
26 Sept. 1862.

COPY of a DESPATCH from His Grace the Duke of *Newcastle*, K.G., to Lieutenant-Governor the Honourable *Arthur H. Gordon*.

Sir, Downing-street, 26 September 1862.

I HAVE the honour to acknowledge the receipt of your Despatch, No. 87,* of the 21st of August, respecting the Conference which was proposed to be held at Quebec on the 10th of this month, relative to the construction of the Intercolonial Railway, and stating that you had nominated as Delegates from New Brunswick the Provincial Secretary, the Honourable W. H. Steeves, and the Honourable P. Mitchell.

* Page 7.

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

— No. 10. —

(No. 102.)

No. 10.
Lieut.-Governor Hon. A. H. Gordon, to the Duke of Newcastle, K. G.
4 October 1862.

COPY of a DESPATCH from Lieutenant-Governor the Honourable *Arthur H. Gordon* to His Grace the Duke of *Newcastle*, K.G.

Fredericton, 4 October 1862.

My Lord Duke, (Answered No. 102.—3 November 1862, page 11.)

YOUR GRACE has already been informed by the Governor General of Canada of the result of the Conference at Quebec of the Delegates of Canada, New Brunswick, and Nova Scotia, on the subject of the completion of an Intercolonial Railway.

It is, however, my duty formally to transmit to your Grace a copy of the report presented to me by the Delegates from this Province, which accordingly I have now the honour to enclose.

I have, &c.
(signed) *Arthur H. Gordon.*

Enclosure in No. 10.

To His Excellency the Honourable *A. H. Gordon*, C.M.G., Lieutenant-Governor of the Province of New Brunswick, &c. &c.

Encl. in No. 10.

Fredericton, October 1862.

YOUR EXCELLENCY having appointed the undersigned delegates from the Government of this Province to attend a Conference at Quebec, to be composed of the Governments of Canada, Nova Scotia, and New Brunswick, and summoned by his Excellency the Governor General to consider the proposition contained in the Despatch of his Grace the Duke of Newcastle, of the 12th April 1862, in relation to the construction of the Intercolonial Railway, we beg to submit the accompanying memoranda as the result of the deliberations of the Conference.

(signed) *S. L. Tilley.*
W. H. Steeves.
P. Mitchell.

MEMORANDUM.

THE undersigned, representing the three Governments of Canada, Nova Scotia, and New Brunswick, convened to consider the Despatch of his Grace the Duke of Newcastle, of the 12th April 1862, with reference to the Intercolonial Railway, having given the very important matters contained in that Despatch their attentive consideration, are agreed,—

1. That while they have learned with very great regret that Her Majesty's Imperial Government has finally declined to sanction the proposals made on behalf of these Provinces in December 1861, and at previous periods, they, at the same time, acknowledge the consideration exhibited in substituting the proposal of "an Imperial guarantee of interest towards enabling them to raise by public loan, if they should desire it, at a moderate rate, the requisite funds for constructing the railway."

2. That,

2. That, with an anxious desire to bind the Provinces more closely together, to strengthen their connexion with the mother-country, to promote their common commercial interests, and to provide facilities essential to the public defences of these Provinces as integral parts of the Empire, the undersigned are prepared to assume, under the Imperial guarantee, the liability for the expenditure necessary to construct this great work.

3. That the three Governments are agreed that the proportions of liability for the necessary expenditure shall be apportioned as follows, viz.: five-twelfths for Canada, and seven-twelfths to be equally divided between the Provinces of New Brunswick and Nova Scotia.

4. But it is understood that the liability for principal and interest shall be borne by each Province to the extent only of the proportion hereby agreed upon.

5. That in arriving at this conclusion, the undersigned have been greatly influenced by the conviction that the construction of the road between Halifax and Quebec must supply an essential link in the chain of an unbroken highway extending through British territory from the Atlantic to the Pacific, in the completion of which every Imperial interest in North America is most deeply involved; and the undersigned are agreed that, to present properly this part of the subject to the Imperial authorities, the three Provinces will unite at an early day in a joint representation on the immense political and commercial importance of the western extension of the projected work.

(signed) *J. S. Macdonald,*
L. V. Sicotte,
J. Morris,
W. P. Howland,
W. M'Dougall,
U. T. Tessier,
T. D'Arcy M'Gee,
F. Eventurel,
Adam Wilson,
} Representing Canada.

Quebec, 12 September 1862.

Joseph Howe,
William Annand,
J. M'Cully,
} Nova Scotia.

S. L. Tilley,
W. H. Steeves,
P. Mitchell,
} New Brunswick.

Quebec, 13 September 1862.

MEMORANDUM agreed at the Conference of the Delegates of *Nova Scotia* and *New Brunswick* and the Government of *Canada*.

1. IF it should be concluded that the work shall be constructed and managed by a joint commission of the three Provinces, it shall be constituted in the proportion of two appointed by the Government of Canada, and one each by the Governments of Nova Scotia and New Brunswick—the four to select a fifth before entering upon the discharge of their duties.

2. That a joint delegation proceed, with as little loss of time as possible, to England, to arrange with the Imperial Government the terms of the loans, the nature of the securities required, the amounts to be paid for the transport of troops and mails, and, if possible, to obtain a modification of the terms proposed to the extent of the interest accruing during the construction of the work.

3. That no surveys be authorised until the laws contemplated shall have been passed, and the joint commissioners appointed.

4. That any profit or loss, after paying working expenses, shall be divided in proportion to the contributions of the several provinces.

5. That such portions of the railways now owned by the Governments of Nova Scotia and New Brunswick, which may be required to form part of the Intercolonial Road, shall be worked under such joint authority as may be appointed by the three Provinces. That the rates collected shall be uniform over each respective portion of the road. That all net gain or loss resulting from the working and keeping in repair of any portion of the road constructed by Nova Scotia or New Brunswick, and to be used as a part of the Intercolonial Railway, shall be received and borne by the said Provinces respectively; and the surplus (if any) after the payment of interest, shall go in abatement of interest on the Crown-lands required for the line or for stations, shall be provided by each Province.

(signed) *Thos. D. M'Gee,*
President of Council.
Joseph Howe.
S. L. Tilley.

— No. 11. —

(No. 102.)

No. 11.
Duke of Newcastle, K.G., to Lieut. Governor Hon. A. H. Gordon. 3 November 1862.

COPY of a DESPATCH from His Grace the Duke of *Newcastle*, K.G., to Lieutenant-Governor the Honourable *Arthur H. Gordon*.

Sir, Downing-street, 3 November 1862.

I HAVE the honour to acknowledge the receipt of your Despatch, No. 102,* of the 4th October, forwarding memoranda agreed to by the Delegates of Canada, New Brunswick, and Nova Scotia, at the late Conference held at Quebec, on the subject of the Intercolonial Railway.

* Page 9.

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

— No. 12. —

(No. 105.)

No. 12.
Lieut. General Hon. A. H. Gordon to Duke of Newcastle, K.G. 13 October 1862.

COPY of a DESPATCH from Lieutenant-Governor the Honourable *Arthur H. Gordon* to His Grace the Duke of *Newcastle*, K. G.

My Lord Duke, Fredericton, 13 October 1862.

I HAVE the honour to inform your Grace that I have directed the Provincial Secretary, the Honourable S. L. Tilley, to proceed to England immediately, to confer with the Imperial Government on the subject of the proposed Intercolonial Railway, and that I have accordingly granted him leave of absence from the Province for two months.

I have, &c.
(signed) *Arthur H. Gordon.*

— No. 13. —

(No. 92.)

No. 13.
Major-General H. Doyle to Duke of Newcastle, K.G. 16 October 1862.

COPY of a DESPATCH from the Officer Administering the Government, to His Grace the Duke of *Newcastle*, K.G.

Government House, Halifax, Nova Scotia,
16 October 1862.

My Lord Duke, (Answered, No. 212, 3 November 1862, page 13.)

YOUR GRACE has already, I am informed, been made aware, by his Excellency the Governor General of Canada, of the result of the deliberations which took place at Quebec last month, when the Lieutenant Governors of Nova Scotia and New Brunswick, with certain delegates selected from the leading men of these Provinces, assembled there for the purpose of discussing the subject of the proposed Intercolonial Railroad.

I conceive it, nevertheless, to be my duty to transmit to your Grace a copy of the Resolutions adopted on that occasion, and to inform you, that as it has been determined by the sister Provinces to send certain members of their Government to England, for the purpose of arranging with Her Majesty's Ministers the nature of the securities to be given to the Imperial Government, with a view to uniformity of legislation in all the Provinces, I have commissioned the Honourable Joseph Howe to proceed to England, and to put himself in communication with your Grace for that purpose.

So much has already been written and said upon the subject of the very great importance of this line of railroad, and being fully aware of the favourable opinion entertained by your Grace with reference to it, I feel I should only intrude upon your time if I were to enter generally upon the whole question; but I trust I may be excused in bringing to your notice the very essential benefit in a military point of view which would be derived from its construction.

I would take leave to bring to your Grace's recollection the very great difficulty and enormous expense which was incurred in December last, when I was called upon to pass a force, consisting of upwards of 10,000 men, through the Province of New Brunswick, along the frontier of the State of Maine, into Canada; which owing to a combination of favourable circumstances was successfully performed, but which in a time of war could scarcely be accomplished at all, and certainly not without great loss of life.

Although, in the event of any rupture between Great Britain and the United States, the Metis Road is being prepared for the purpose of enabling troops to proceed to Canada during the winter, out of the reach of any hostile force, it must be borne in mind that the risk of passing large bodies of men over it during an inclement season would, as in the former case, be considerable, the delay unavoidably great, and the expense enormous; whereas if railway communication were once established, both troops and munitions of war could at all times be rapidly and safely transported to Canada, and mutual military operations would thereby be vastly facilitated.

Under all these circumstances, the great advantage which would be derived from the establishment of a railway such as is in contemplation (provided the site be judiciously selected) cannot, in my opinion, be over-estimated.

I have, &c.
(signed) *Hastings Doyle*, Major-General,
Administering the Government.

Enclosure in No. 13.

Memorandum.

Encl. in No 13. The undersigned, representing the three Governments of Canada, Nova Scotia, and New Brunswick, convened to consider the Despatch of his Grace the Duke of Newcastle, of the 12th April 1862, with reference to the Intercolonial Railway, having given the very important matters contained in that Despatch their attentive consideration, are agreed,—

I. That whilst they have learned with very great regret that Her Majesty's Imperial Government has finally declined to sanction the proposals made on behalf of these Provinces in December 1861, and at previous periods, they at the same time acknowledge the consideration exhibited in substituting the proposal of "an Imperial guarantee of interest towards enabling them to raise by public loan, if they should desire it at a moderate rate, the requisite funds for constructing the railway."

II. That with an anxious desire to bind the Provinces more closely together, to strengthen their connexion with the mother-country, to promote their common commercial interests, and to provide facilities essential to the public defences of these Provinces as integral parts of the Empire, the undersigned are prepared to assume, under the Imperial guarantee, the liability for the expenditure necessary to construct this great work.

III. That the three Governments are agreed that the proportion of liability for the necessary expenditure shall be apportioned as follows: viz., 5-12ths for Canada, and 7-12ths to be equally divided between the Provinces of New Brunswick and Nova Scotia.

IV. But it is understood that the liability for principal and interest shall be borne by each Province to the extent only of the proportion hereby agreed upon.

V. That in arriving at this conclusion, the undersigned have been greatly influenced by the conviction that the construction of the road between Halifax and Quebec must supply an essential link in the chain of an unbroken highway extending through British territory from the Atlantic to the Pacific, in the completion of which every Imperial interest in North America is most deeply involved; and the undersigned are agreed that to present properly this part of the subject to the Imperial authorities, the three Provinces will unite, at an early day, in a joint representation on the immense political and commercial importance of the western extension of the projected work.

(signed) *J. S. Macdonald*,
L. V. Sicotte,
J. Morris,
W. P. Howland,
Wm. M'Dougall,
U. T. Tessier,
Thos. D'Arcy M'Gee,
F. Eventurel,
Adam Wilson,
} Representing. Canada.

Joseph Howe,
J. M'Cully,
William Annand,
} Representing Nova Scotia.

S. L. Tilley,
W. H. Steeves,
P. Mitchell,
} Representing New Brunswick.

Quebec, 12 September 1862.

MEMORANDUM agreed at the Conference of the Delegates of *Nova Scotia* and *New Brunswick* and the Government of *Canada*.

I. If it should be concluded that the work shall be constructed and managed by a joint commission of the three Provinces, it shall be constituted in the proportion of two appointed by the Government of Canada and one each by the Governments of Nova Scotia and New Brunswick—the four to select a fifth before entering upon the discharge of their duties.

II. That a joint delegation proceed with as little loss of time as possible to England, to arrange with the Imperial Government the terms of the loans, the nature of the securities required, the amounts to be paid for the transport of troops and mails, and, if possible, to obtain a modification of the terms proposed, to the extent of the interest accruing during the construction of the work.

III. That no surveys be authorised until the laws contemplated shall have been passed, and the joint commissioners appointed.

IV. That any profit or loss, after paying working expenses, shall be divided in proportion to the contributions of the several Provinces.

V. That such portions of the railways now owned by the Governments of Nova Scotia and New Brunswick, which may be required to form part of the Intercolonial Road, shall be worked under such joint authority as may be appointed by the three Provinces. That the rates collected shall be uniform over each respective portion of the road. That all net gain or loss resulting from the working and keeping in repair of any portion of the road constructed by Nova Scotia or New Brunswick, and to be used as a part of the Intercolonial Railway, shall be received and borne by the said Provinces respectively; and the surplus (if any), after the payment of interest, shall go in abatement of interest on the whole line between Halifax and Rivière du Loup.

VI. That Crown-lands required for the line or for stations shall be provided by each Province.

(signed) *Thomas D'Arcy M'Gee* (for Canada).
Joseph Howe,
S. L. Tilley.

MEMORANDUM.

THE Delegates from Nova Scotia and New Brunswick and the Government of Canada, having under consideration the Report of the Honourable the Finance Minister of Canada, of the 8th September instant, on the subject of intercolonial reciprocity, agree—

I. That the free interchange of goods, the growth, produce, and manufacture of the Provinces, and uniformity of tariff, are considered to be an indispensable consequence of the construction of the Intercolonial Railway.

II. But that in consequence of the recent diminution of the revenues of the respective Provinces, arising out of the war in the neighbouring Republic, and the increased liabilities incurred by the additional obligations necessary to the construction of the proposed road, the Delegates from New Brunswick and Nova Scotia regret that they are not at this moment in a position to adopt measures to carry this important principle into practical effect.

(signed) *J. S. Macdonald* (for Canada).
Joseph Howe.
S. L. Tilley.

— No. 14. —

(No. 212.)

No. 14.
Duke of *Newcastle*, K.G., to the Governor of Nova Scotia.
3 Nov. 1862.

COPY of a DESPATCH from His Grace the Duke of *Newcastle*, K.G., to the Officer Administering the Government of *Nova Scotia*.

Sir, Downing-street, 3 November 1862.

I HAVE the honour to acknowledge the receipt of your Despatch,* No. 92, of the 16th October, forwarding memoranda agreed to by the Delegates of Canada, Nova Scotia, and New Brunswick, at the late Conference held at Quebec on the subject of the Intercolonial Railway.

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

* Page 11.

II.

The following Memorandum was prepared at the Treasury, explanatory of the terms on which Her Majesty's Government could concur, subject to the sanction of Parliament, in the proposed plan of assistance to the construction of the Intercolonial Railway. It was communicated, on the 13th December 1862, to the Delegates of Nova Scotia and New Brunswick, the Canadian Delegates being at that time absent at Paris.

— No. 1. —

TREASURY MEMORANDUM.

No. 1.
Treasury Memorandum.

IT is proposed,—

1. That Bills shall be immediately submitted to the Legislatures of Canada, Nova Scotia, and New Brunswick, authorising the respective Governments to borrow 3,000,000 *l.*, under the guarantee of the British Government, in the following proportions:—5-twelfths, Canada; 3½-twelfths, Nova Scotia; 3½-twelfths, New Brunswick.

2. But no such loan to be coutracted on behalf of any one Colony until corresponding powers have been given to the Governments of the other two Colonies concerned, nor unless the Imperial Government shall guarantee payment of interest on such loan until repaid.

3. The money to be applied to the completion of a Railway connecting Halifax with Quebec, on a line to be approved by the Imperial Government.

4. The interest to be a first-charge on the Consolidated Revenue Funds of the different Provinces, after the Civil List and the interest of existing debts, and as regards Canada after the rest of the six charges enumerated in the 5 & 6 Vict. c. 118 and 3 & 4 Vict. c. 35 (Act of Union).

5. The Debentures to be in series as follows, viz.:—

£. 250,000	to be payable	10 years	after	contracting loan.
£. 500,000	„	20 years	„	„
£. 1,000,000	„	30 years	„	„
£. 1,250,000	„	40 years	„	„

In the event of these debentures, or any of them, not being redeemed by the Colonies at the period when they fall due, the amount unpaid shall become a charge on their respective revenues, next after the loan, until paid. The principal to be repaid as follows:

First decade (say 1863 to 1872 inclusive), 250,000 *l.* in redemption of the first series, at or before the close of the first decade from the contracting of the loan.

Second decade (say 1873 to 1882 inclusive), a sinking fund of 40,000 *l.* to be remitted annually, being an amount adequate, if invested at five per cent. compound interest, to provide 500,000 *l.* at the end of the decade; the sum to be remitted annually to be invested, in the names of trustees, in Colonial securities of any of the three Provinces prior to or forming part of the loan now to be raised, or in such other Colonial securities as Her Majesty's Government shall direct and the then Colonial Governments approve.

Third decade (say 1883 to 1892 inclusive), a sinking fund of 80,000 *l.* to be remitted annually, being an amount adequate, if invested at five per cent. compound interest, to provide 1,000,000 *l.* at the end of the decade; the amount when remitted to be invested as in the case of the sinking fund for the preceding decade.

Fourth decade (say 1893 to 1902 inclusive), a sinking fund of 100,000 *l.* to be remitted annually, being an amount adequate, if invested at five per cent. compound interest, to provide 1,250,000 *l.*, being the balance of the loan at the end

end of the decade. This amount, when remitted, to be invested as in the preceding decade.

Should the sinking fund of any decade produce a surplus, it will go to the credit of the next decade; and in the last decade the sinking fund will be remitted or reduced accordingly.

It is of course understood that the assent of the Treasury to these arrangements presupposes adequate proof of the sufficiency of the Colonial revenues to meet the charges intended to be imposed upon them.

6. The construction of the Railway to be conducted by five Commissioners, two to be appointed by Canada, one by Nova Scotia, and one by New Brunswick; these four to choose the remaining Commissioner.

7. The preliminary surveys to be effected, at the expense of the Colonies, by three engineers and other officers nominated, two by the Commissioners, and one by the Home Government.

8. Fitting provision to be made for carriage of troops, &c.

9. Parliament not to be asked for this guarantee until the line and surveys shall have been submitted to and approved of by Her Majesty's Government, and until it shall have been shown, to the satisfaction of Her Majesty's Government, that the line can be constructed without further application for an Imperial guarantee.

CANADA, NEW BRUNSWICK, AND NOVA SCOTIA INTERCOLONIAL RAILWAY LOAN.

	1st Decade.	2d Decade.	3d Decade.	4th Decade.
CANADA:	£.	£.	£.	£.
To pay annually for interest - - - -	50,000	45,833⅓	37,500	20,833⅓
At the end of the first 10 years a principal sum of - - - - - - - - - -	104,583⅓	—	—	—
And after the first 10 years a sinking fund, per annum - - - - - - - - -	- -	16,666⅔	33,333⅓	41,666⅔
Per annum - - - £.	50,000	62,500	70,833⅓	62,500
And at the end of first 10 years a principal sum of - - - - - - - - -	104,583⅓	—	—	—
NEW BRUNSWICK:				
To pay annually for interest - - - -	35,000	32,083⅓	26,250	14,583⅓
At the end of the first 10 years a principal sum of - - - - - - - - - -	72,708⅓	—	—	—
After the first 10 years a sinking fund, per annum - - - - - - - - -	- -	11,666⅔	23,333⅓	29,166⅔
Per annum - - - £.	35,000	43,750	49,583⅓	43,750
And at the end of first 10 years a principal sum of - - - - - - - - -	72,708⅓	—	—	—
NOVA SCOTIA:				
To pay annually for interest - - - -	35,000	32,083⅓	26,250	14,583⅓
At the end of the first 10 years a principal sum of - - - - - - - - - -	72,708⅓	—	—	—
After the first 10 years a sinking fund, per annum - - - - - - - - -	- -	11,666⅔	23,333⅓	29,166⅔
Per annum - - - £.	35,000	43,750	49,583⅓	43,750
And at the end of first 10 years a principal sum of - - - - - - - - -	72,708⅓	—	—	—

— No. 2. —

No. 2.
S. L. Tilley, Esq., to Sir F. Rogers, Bart.
13 December 1862.

S. L. Tilley, Esq., to Sir *Frederic Rogers*, Bart.

Dear Sir, London, 13 December 1862.

As I must return home by this night's mail, Mr. Howe and I have anxiously conferred upon the draft of the Treasury Minute read to us this morning. It accurately describes the terms proposed to the Delegates in the various interviews with which we have been honoured by his Grace the Colonial Secretary and the Right Honourable the Chancellor of the Exchequer.

As I understand the matter, the Delegates have obtained the assent of Her Majesty's Government to every proposition they submitted, and there is no difference of opinion except on the single point of the sinking fund.

As the Intercolonial Railway is a work in which the Imperial and Colonial Governments are assumed to have a joint interest—as in the Provinces we regard it as indispensable to national defence and to the transportation to this country in winter of breadstuffs, in case war with the United States should ever arise, I hope that Mr. Gladstone may be induced to reconsider the matter of the sinking fund, and trust that the Cabinet may be enabled to convince Parliament that, under all the circumstances of this peculiar case, a sinking fund should not be insisted upon. But if it is, Mr. Gladstone having consented that this sinking fund may be invested in our own or other Colonial securities, I will not assume the responsibility of perilling or delaying this great enterprise by rejecting what the Chancellor of the Exchequer and the Cabinet may regard as an indispensable condition.

I have, &c.
(signed) *S. L. Tilley.*

— No. 3. —

No. 3.
Messrs. Sicotte & Howland to His Grace the Duke of Newcastle, K. G.

Messrs. *Sicotte & Howland* to His Grace the Duke of *Newcastle*, K. G.

The undersigned, representing the Government of Canada, as Delegates specially deputed to arrange with the Imperial Government the terms of the loan to be effected upon the Imperial guarantee offered, as well as the nature of the security, concerning the construction of the International Railway between Halifax and Quebec, have the honour to submit to your Grace the following Memorial.

On the part of the Government of Canada, they must again assert—what has been admitted at every period of the negotiations both by British statesmen and by Colonial Governments—that the construction of a Railway connecting the British North American Colonies ought to be regarded as a matter of Imperial concern, and, to use the words of the late Colonial Minister, as a great national road.

A brief review of the opinions expressed by public men, and of the views entertained by the different Governments of Great Britain and of the Colonies since 1839, is perhaps necessary now, to explain fully the conditions proposed on the part of the Imperial Government as well as on the part of the Colonial Governments.

In 1839, Lord Durham, in an answer to the Secretary of State for the Colonies, instructing him to turn his attention to the formation of a road between Halifax and Quebec, in connexion with the determination of the Imperial Goverment to establish steam communication between the former port and Great Britain, strongly recommended the construction of a railway between the two cities.

During Sir Robert Peel's Administration, in 1843, they caused a survey of a military road, but, when nearly completed, it was abandoned by the Imperial Government in favour of railroad.

In 1846 Mr. Gladstone, then Colonial Secretary, organized a survey for the Railroad at the joint expense of Canada, New Brunswick, and Nova Scotia, and the Imperial Government.

Major Robinson, in his report, expresses himself as follows, as to the nature and

and object of such a Railroad: "In a political and military point of view, the proposed Railroad must be regarded as becoming a work of necessity.

"The increasing population and wealth of the United States, and the diffusion of Railroads over their territory, especially in the direction of the Canadian frontier, renders it absolutely necessary to counterbalance, by corresponding means, their otherwise preponderating power.

"It is most essential that the Mother Country should be able to keep up the communication with the Canadas at all times and all seasons. However powerful England may be at sea, no navy could save Canada from a land force.

"Weakness invites aggression, and as the Railroad would be a lever of power by which Great Britain could bring her strength to bear in the contest, it is not improbable that its construction would be the means of preventing a war at some more distant period."

The expense of one year's war would pay the expense for a Railway two or three times over.

In 1848, Earl Grey, in transmitting the report of Major Robinson to Lord Elgin, stated in his Despatch:—

"I have perused this able document with the interest and attention it so well merits, and I have to convey to you the assurance of Her Majesty's Government that we fully appreciate the importance of the proposed undertaking, and entertain no doubt of the great advantages which would result, not only to the Provinces interested in the work, but to the empire at large, from the construction of such a Railway; but, great as these advantages would be, it is impossible not to be sensible that the obstacles to be overcome in providing for so large an expenditure as would be thus incurred would be of a very formidable kind.

"Before, therefore, Her Majesty's Government proceed to consider the question as to whether any steps should be taken to carry this plan into effect, it is necessary that we should be informed how the several Provinces would be prepared to co-operate in its execution."

Lord Elgin declared in his answer to that Despatch:

"It is obvious, that as soon as Railway communication is extended throughout the Provinces, a smaller military force than is now requisite will suffice for their protection.

"But, looking to the anxiety which your Lordship has repeatedly expressed, that a diminution in the expenditure incurred by Great Britain on this account should be effected at the earliest period, I am prepared to go a step further in this direction, so confident am I that the mere undertaking of the work in question will tend to raise the Colonists from the despondency into which recent changes in the commercial policy of the empire has plunged them; to unite the Provinces to one another and to the Mother Country, to inspire them with that consciousness of their own strength, and of the value of the connection with Great Britain, which is their best security against aggression, that I would not hesitate to recommend that an immediate and considerable reduction should take place in the force stationed in Canada, in the event of the execution of the Quebec and Halifax Railway being determined on."

In 1851, Lord Stanley, in the House of Lords, reviewing the scheme propounded by Earl Grey, stated in a speech, which was accepted by the Colonies as the expression of the opinions and feelings of the people of England: "We hold, therefore, that the establishment for a line of communication between Halifax and Quebec, for a distance of about 700 miles through an exclusively British territory, rendering two points and two points essential for the power of this country, which are now separated by a vast extent of wilderness on the one side, and by a difficult, and for a great portion of the year, frozen coast on the other, rendering their communication from being what they now are, most uncertain, most difficult, and most dilatory, rendering it rapid, easy, and constant; that, he said, was an object in itself of primary importance to the interests and to the Imperial power of this country on the Continent of America.

"But it was also a matter of incalculable importance that we should open to the teeming thousands and millions we were pouring out from this country, where they were unable to obtain a livelihood, that we should open to them in a healthy climate, and within a very limited distance from our own shores, which

did not exceed a 12 days' passage by steam, and the rapidity of that passage was every day increasing; it was of the highest importance, whether we looked at it as affording a relief for our pauperism, or an increase of our power in those regions, that we had 11 or 12 millions of acres of unoccupied lands, fertile and possessed of great mineral wealth, and which at the same time would be the means of extending our military power and securing the permanence of our empire in America. This was no ordinary case of a Railway project where the question very properly might be, would the line pay or not? But it is a Railway which, even in a pecuniary sense, he had sanguine expectations would pay if they took into consideration not merely the traffic on the Railway, but the adjuncts they would raise by the formation of it. But he said if it would not pay 1*s.* for the 100*l.* in a pecuniary point of view for the next 10 years to come, the interposition of this country, not for the purpose of involving itself in an enormous and needless expense, but for the purpose of aiding with its credit, if not by more than its credit, those who were anxious to the utmost of their power, and even beyond their power, not for a local but for an Imperial object, this was a subject well worthy of the consideration of the Imperial Parliament, and was not to be looked upon as a matter of pounds, shillings, and pence.

"Now he felt that to grant our aid was a wise, a sound, and even an economical course in the end, even though in the first instance it would involve an outlay; and sure he was that it would confer immense benefits on the Colony, and bestow incalculable advantages on this country itself, and confirm its territorial power in North America.

"And if the noble Earl would only say which course he should be prepared to take, and if the Government would give any sanction and assistance for the execution of what these Colonies could not accomplish unassisted, although he believed a comparatively small aid on the part of the Government, or its liberal guarantee for the capital required, on account of which guarantee they would never be called upon to pay a single shilling; such an amount of assistance from the Government, he firmly believed, would enable the great work to be carried to a successful completion, and equally certain he was that unless our Government and our Parliament did interfere, these advantages would be indefinitely postponed, the communication between two most important points would be permanently cut off, the stream of emigration would continue to be directed, as it was now directed, from this country and Ireland, not to our own Colonies but to the territories of the United States; the communication between Halifax and Quebec would ultimately be through the United States, be wholly dependent upon them, and liable at any moment to be cut off in the case of hostilities, while the United States would be able to reap all the advantages of the transit in times of peace.

"Now we had the option whether we should give to the United States these great advantages, and at the same time deprive the subjects of this country of the opportunity of receiving a useful and most valuable population settling in our Colonies, and by their emigration relieving the overburdened Mother Country of its surplus labour, or whether we would by a prompt and liberal course of action, which would ultimately cost us nothing, enable our dependencies to complete that which would cement a stronger union between our North American possessions, and to teach them to feel that they were regarded by the Imperial Government and Parliament as an integral portion of the Empire." On the other hand, we beg to recal to your Grace's recollection the fact that—

The Legislature of the Colonies and their Governments have always represented the road as a necessary means for the defence of the country, and as a work of national concern.

"On the 6th January 1849, the Legislative Council of New Brunswick passed a series of resolutions from which the following extracts are made:—

"Viewing the relative positions of the North American Colonies, and the great importance, in a national point of view, of improving the facilities for mutual intercourse, we consider it a matter of the greatest moment for the permanency of British interests in this Continent that a Railway should be laid down to connect the Lower Provinces with the interior of Canada.

"We believe that no measure can be devised which will so certainly consolidate the Colonies and perpetuate our connection with Great Britain; while without it we fear that our position as Colonies will be of short duration.

"We think the plain broad question on this subject is, 'Do the people of England

England wish to retain the North American Colonies or not?' If they do, the Trunk Railway is indispensable, and should be completed at any cost.

"On the 1st May 1858, the Legislature of Nova Scotia addressed Her Majesty as follows:—

"This great enterprise of National, no less than Colonial importance, has been through many years pressed upon the consideration of Your Majesty's Government.

"The benefits of the measure, both in its National and Colonial relations, are acknowledged.

"The gigantic work has been facilitated by the efforts and expenditure of the Provinces, but its accomplishment is beyond their unaided resources, and on the efficient assistance of Your Majesty's Government depends the great result."

In 1858, the Legislature of Canada passed the following Resolutions:—

1. "That the construction of an Intercolonial Railway, connecting the Provinces of New Brunswick and Nova Scotia with Canada, has long been regarded as a matter of national concern, and ought earnestly to be pressed on the consideration of the Imperial Government.

2. "That, during several months of the year, intercourse between the United Kingdom and Canada can only be carried on through the territory of the United States of America, and that such dependence on, and exclusive relations with a foreign country cannot even in time of peace, but exercise an important and unwholesome influence on the State of Canada as a portion of the Empire, and may tend to establish elsewhere that identity of interest which ought to exist between the Mother Country and her Colonies.

3. "That while the House implicitly relies on the repeated assurance of the Imperial Government that the strength of the Empire would be put forth to secure this province against external aggression, it is convinced that such strength cannot be sufficiently exerted during a large portion of the year from the absence of sufficient means of communication, and that should the amicable relations which at present so happily exist between Great Britain and the United States be ever disturbed, the difficulty of access to the ocean during the winter months, might seriously endanger the safety of the province.

4. "That in view of the speedy opening up of the territories now occupied by the Hudson Bay Company, and of the development and settlement of the vast regions between Canada and the Pacific Ocean, it is essential to the interests of the Empire at large that a highway extending from the Atlantic Ocean, westward, should exist, which should at once place the whole British possessions in America within the ready access and easy protection of Great Britain, whilst by the facilities for internal communication thus afforded, the prosperity of those great dependencies would be promoted, their strength consolidated and added to the strength of the Empire, and their permanent union with the Mother-Country secured."

In 1861 the Colonies pressed again upon the Imperial Government the advantages and necessity of constructing the Railway.

Their delegates strongly urged that—

"Without that road the provinces are dislocated and almost incapable of defence for a great portion of the year, except at such a sacrifice of life and property, and at such an enormous cost to the Mother Country, as makes the small contribution sink into insignificance. With that Railroad we can concentrate our forces on the menaced parts of our frontier, guard the citadels and works which have been erected by Great Britain at vast expense, cover our cities from surprise, and hold our own till reinforcements can be sent across the sea; while, without the Railway, if an attack were made in winter, the Mother Country could put no army worthy of the national honour, and adequate to the existence of the Canadian frontier, without a positive waste of treasure far greater than the principal of the sum the interest of which she is asked to contribute, or rather to risk.

"The British Government have built expensive citadels at Halifax, Quebec, and Kingston, and have stores of munitions and warlike materials in them; but their feeble garrisons will be inadequate for their defence, unless the provincial forces can be concentrated in and around them. An enterprising enemy would carry them by *coups de main* before they could be reinforced from England, and

once taken the ports and roadsteads which they have been erected to defend, would not be over-safe for the naval armaments sent out too late for their relief.

"That the subject should be looked upon and dealt with mainly to the consideration of permanent connection between Great Britain and the provinces, and the relative positions of England and the United States, in the event of hostilities between them."

The Imperial Government gave a final answer to all these demands and considerations, by the Despatch of your Grace of the 12th April 1862, in which your Grace says,—

"I much regret to inform you that after giving the subject the best consideration, Her Majesty's Government have not felt themselves at liberty to concur in this mode of assistance. Anxious, however, to promote, as far as they can, the important object of completing the great line of Railway communication on British ground between the Atlantic and the westernmost parts of Canada, and to assist the provinces in a scheme which would so materially promote their interests, Her Majesty's Government are willing to offer to the Provincial Governments an imperial guarantee of interest towards enabling them to raise by public loan, if they should desire it, at a moderate rate, the requisite funds for constructing the Railway."

The Colonies held, in consequence, a conference at Quebec in September, and then by their delegates agreed,—

1st. "That whilst they had learned with very great regret that Her Majesty's Imperial Government has finally declined to sanction the proposals made on behalf of these provinces in December 1861, and at previous periods, they at the same time acknowledged the consideration exhibited in substituting the proposal of an Imperial guarantee of interest towards enabling them to raise by public loan, if they should desire it, at a moderate rate, the requisite funds for constructing the Railway."

2d. "That with an anxious desire to bind the provinces more closely together, to strengthen their connection with the Mother-Country, to promote their common commercial interests, and to provide facilities essential to the public defences of these provinces, as integral parts of the Empire, the undersigned are prepared to assume under the Imperial guarantee the liability for the expenditure necessary to construct this great work.

3d. "That, in arriving at this conclusion, the undersigned have been greatly influenced by the conviction that the construction of the road between Halifax and Quebec must supply an essential link in the chain of an unbroken highway extending through British territory from the Atlantic to the Pacific, in the completion of which every Imperial interest in North America is most deeply involved."

The Colonies have declared their willingness to assume the whole liability of the cost of the road, provided they are assisted in raising the requisite funds for its construction at a moderate rate of interest by the Imperial guarantee. It may fairly be said that the proposal now is, not of a loan of Imperial monies to the Colonies for Colonial purposes only, but of a mode involving no actual liability to the Imperial Government, to facilitate the construction of a great national work in the interest of the Empire, as well as of the Colonies.

The only question involved, as regards Great Britain, is the sufficiency of the security offered by the Colonies to cover this distant liability resulting from the Imperial guarantee.

If their past condition, compared with the present, does not establish fully their ability to repay the loan in the periods proposed, such a comparison would only prove more strongly than any other fact that this admittedly necessary work of military defence ought to be adopted by the Imperial Government alone.

But to make evident the ampleness of the security offered by the Colony, it is sufficient to compare the Revenue of the Colony in 1842, when the first Imperial Guaranteed Loan was effectuated with the Revenues in 1861.

In 1842 it was 365,605 *l.* currency; in 1861 it was 1,785,156 *l.*, after deduction of the costs of collection.

After several interviews with your Grace and the Chancellor of the Exchequer, when

when the conditions of the loan, the nature of the security, and the arrangements of a sinking fund were discussed without coming to any positive understanding, the delegates have now been officially informed that the Imperial guarantee will be given on certain conditions stated in the annexed document.

The delegates regret to state that, in their opinion, some of these conditions are of a nature to render the Imperial guarantee of no advantage, and others to render its availableness so remote or encumbered with difficulties that the Colonies could not accept it, as an assistance towards an undertaking, and a measure to provide facilities essential to the public defences of the provinces as integral parts of the Empire.

The stipulation that the loan is to be the first charge after the interest of existing debts seems to them shaped so as to operate against the payment of other debts coming due before the repayment of the loan.

The annual repayment of the loan renders the period of payment much shorter than the period proposed; and, beside the loss it involves, it deprives the Colony of a large sum which, employed during such a period towards internal improvements, would afford a greater security than this annual payment, by the development of the resources and of the wealth of the country. In any arrangement the Colonies ought not to be fettered by conditions of payment through any form of sinking fund, which would make this Imperial guarantee an impediment to future internal improvement, while, by increasing the rate of interest and by the expenses and loss incurred in its management, the Imperial guarantee would thus cease to be of any real aid and advantage.

The investment of these annual payments into colonial securities will not give a better security than the engagement of the Colonial Government to pay a fixed sum at a fixed period.

These investments into colonial securities, "as Her Majesty's Government shall direct, and the Colonial Government shall approve," will lead to difficulties which, if not of a graver character than those that have already arisen out of the disposal of the sinking fund created for the first Imperial guarantee, fully satisfy the delegates that these arrangements are not more favourable than the former.

The experience of Canada is strongly adverse to a sinking fund; it created annoyances and difficulties, made the rate of interest higher than she would have paid by borrowing on her unassisted credit.

The delegates are informed that "it is of course understood that the assent of the Treasury to these arrangements pre-supposes adequate proof of the sufficiency of the Colonial resources to meet the charges intended to be imposed upon them."

When, after more than 20 years negotiation, the offer of an Imperial guarantee was made, the Colonies had some right to believe that the sufficiency of their revenues to meet these increased charges was known and acknowledged, as all information which they could give is already in the possession of the Treasury, and is set forth in the fullest detail in the statistical table annually published by Her Majesty's Government. No survey, no legislation, can take place before the Colonies are made aware that adequate proof has been made of the sufficiency of their revenues to meet the intended charges; and it would be important for the Colonies to be informed, at the earliest period, what further proof is wanted.

The 8th condition is, that fitting provision is to be made for the carriage of troops, &c. &c.

If it is meant that the troops are to be carried free of any charge, the delegates must observe that, when this was offered by the Colonies, it was as a part of the scheme then proposed, that England should contribute half the cost of the construction of the road.

When it is now proposed that the whole cost should be borne by the Colonies, it cannot be expected that they must also relieve the Imperial Government from all expenditure attending the transport of troops, &c.

All these conditions pre-suppose that the Imperial government has no interest to serve, or no policy to uphold in the construction of this great railway, that the Colonies must be treated as any other government asking a loan from the Imperial Treasury; proof is required, as it is enacted from any unknown debtor, as to the sufficiency of his means to meet his engagement. With an ordinary debtor, when this sufficiency is established, he may do what he pleases with the

monies borrowed; but, in this instance, the funds are to be applied to an undertaking admitted by all to afford an immense development to the wealth of the creditor, enabling him to maintain more efficiently his power and supremacy, with the control even of directing the location of this work where, in his opinion, it will secure all these advantages most efficiently, although the cost to the debtor may be much increased and the pecuniary advantages made much less, if not a great loss, thereby.

The Treasury proposes another condition, which must greatly delay all the arrangements, and may, after all the expenses attending the requisite surveys, the trouble and the difficulties of carrying the necessary legislation in the different Colonial Legislatures, render all this trouble, all this expenditure, all this legislation, useless and of no avail, leaving certainly a strong feeling of dissatisfaction in the minds of the inhabitants of the Colonies.

"The Imperial Government is not to be asked for this guarantee until the line and the surveys shall have been submitted to and approved by Her Majesty's Government, and until it shall have been proved to the satisfaction of Her Majesty's Government that the line can be constructed without further application for an Imperial guarantee."

The proposed guarantee is limited by the Treasury to 3,000,000 *l.* It is possible that the railroad may cost half a million or more above this fixed sum of 3,000,000 *l.*, and this, by the fact of a selection of a route chosen for its military advantages and upon consideration certainly as Imperial as Colonial. And then the Colonies, before obtaining this guarantee, must prove to parties not always showing too much confidence in their wealth, that the line can be constructed without further application for an Imperial Guarantee.

Another period of many years will probably elapse before the discussions upon this point close.

The Schedule pre-supposes that the rate of interest is fixed by the Treasury at four per cent., while it was demanded by the delegates, after consultation with the fiscal agents of the province, that the rate should be fixed at 3½ per cent., and that the debentures should bear that rate of interest.

The surveys and the selection of the route must be settled as preliminary proceedings to any legislation prepared to carry out the offer of the Imperial guarantee in the Colonial Legislature.

By the proposal of the Treasury, it is only after the surveys and after the selection of the route that the provinces can act in regard to their guarantee, if the cost is established at no more than 3,000,000 *l.*, and when information is given to the Colonies that their resources are judged sufficient to bear the charge.

If the cost of construction is above 3,000,000 *l.*, proof must be made, to the satisfaction of Her Majesty's Government, that the line can be constructed without further application for an Imperial guarantee. Pending the discussion which may follow during a long period, to establish this fact or this possibility, no action, no legislation, can be adopted.

Some of these conditions and demands are a strange commentary upon the official statement made by Earl Grey, in 1848. "Her Majesty's Government fully appreciates the importance of the proposed undertaking, and entertains no doubt of the great advantages which would result not only to the provinces interested in the work, but to the Empire at large, from the construction of such a railway; but before proceeding to consider the question whether steps should be taken by Her Majesty's Government to carry this plan into effect, it was necessary that they should be informed how the several provinces were disposed to co-operate in its execution."

These demands, rather ungracefully unsay the eloquent words of Earl Derby, that to grant an Imperial aid was a wise, a sound, and even an economical course in the end, even though, in the first instance, it would involve an outlay; and sure he was that it would confer immense benefits to the Colonies, and bestow incalculable advantages on this country itself, and confirm its territorial power in North America.

The question of the public defences of the Colonies, as integral parts of the Empire; the question of the maintenance, of the extension of the political and social influence of England over the whole of her immense possessions in North America; the economical questions of so vast magnitude to the welfare of the nation;

nation; the question of unemployed capital, of surplus labour, underlie every link of the great and national road which Canada is anxious to build by the largest and most liberal contribution, from the Atlantic to the Pacific.

They had a just right to ask the co-operation of Great Britain, and when she only demands an advance of guarantee, which can by no eventualities involve the liability of a single halfpenny, to use the language of Earl Derby, she has certainly fair grounds to expect a prompt and liberal course of action.

If the different groups of population spread over British America, and which will numerate at least 12 or 15 millions in twenty-five years, are allowed to proceed in different directions, to have no common tendencies, without any centralisation of their political existence, no other bond but their disjointed interest, fostered by different commercial policies, and settled upon principles of localities, they must continue weak and powerless, and an easy prey to the powerful Republic girdled round these Colonies.

Bind all these small communities by closer intercourses; make a whole strong by its unity of interest, of tendencies, of political organisation, of common views; create by commercial relations mutual interests amongst themselves and with England, direct the minds towards a general and comprehensive policy; you will thus benefit the industry, the wealth of England, extend your power of civilization, and lay the foundations of large and important States, friendly and grateful.

The Canadian Government does not press this undertaking because it is popular with their people; on the contrary, they have to encounter a strong and popular opposition; but fully appreciating the strength and the importance it will eventually give their country, and more particularly the facilities it will provide for the public defences of their part of the Empire, they have not hesitated to adopt a policy which appeared to them sound, highly national, and conducive to the greatness and the defence of the Empire at large.

As a measure of defence, Canada will cheerfully bear her share of the large burden imposed by the construction of the road. But if the policy of the Imperial Government in relation to this work is practically a declaration that they are not disposed to treat it as a measure of national concern and of public defence of a portion of the Empire, the enterprise will not become more popular.

The views and the policy involved and following out of the conditions attached to this so distant liability of the Imperial Exchequer, are so much at variance with the views and the policy entertained by Canada, that the undersigned have considered themselves bound to review these long pending negotiations, and to contrast the views of the Colonies as to the military and Imperial character of the work, with the Imperial policy refusing to contribute towards it, and arranging, not an advance of money, but of a simple guarantee, which the work alone would sufficiently protect, in a manner illiberal, obstructive, and which refuses to acknowledge any corresponding duty on the part of the Mother Country.

They will hasten to submit to their Government the conditions and arrangements proposed by the Imperial Government to carry out the offer of an imperial guarantee, with the hope that upon the pressing instances of the Colonies this aid of an Imperial guarantee will be given in the manner explained by the Delegates at their different interviews with your Grace and the Treasury.

These conditions, urged by the Delegates, and detailed in the annexed paper, in enabling the Colonies to borrow the requisite funds at the low rate of 3½ per cent. would render the Imperial guarantee a real and tangible assistance, accepted as an equivalent to the contribution of the Imperial Government towards a work of national concern and a measure of public defence. The actual and future wealth of the Colonies are ample and sufficient securities to the Imperial Exchequer against the possibilities, even the most remote, of any loss, and a satisfactory proof that the road would be constructed if these conditions were accepted.

We have, &c.

London,
23 December 1862.

(signed) *L. V. Sicotte.*
Wm. P. Howland.

Enclosed in the above letter from Messrs. Sicotte and Howland was a Copy of the Treasury Memorandum and Schedule, printed on pages 14 *and* 15, *but with the addition of the following note by themselves :—*

It is proposed by the Delegates—

1. That the loan shall be for 3,000,000*l.* sterling.
2. That the liability of each Colony shall be apportioned as follows:

£. 1,250,000	for Canada.
875,000	for New Brunswick.
875,000	for Nova Scotia.

3. That the debentures issued shall bear interest at the rate of 3½ per cent.
4. That the interest shall be paid half-yearly, in London, on the 1st of May and the 1st of November.
5. That the loan shall be repaid in four instalments:

£. 250,000	in 10 years.
500,000	in 20 years.
1,000,000	in 30 years.
1,250,000	in 40 years.

6. That the net profits of the road shall be applied towards the extinction of the loan.
7. That the loan shall be the first charge upon the revenues of each colony, after the existing debts and charges.
8. That the Imperial Government shall have the right to select one of the engineers appointed to make the surveys for the location of the line.
9. That the selection of the line shall rest with the Imperial Government.
10. If it is concluded that the work is to be constructed by a joint commission, it shall be constituted in the following proportions: Canada shall appoint two of the Commissioners, New Brunswick and Nova Scotia, each, one.

These four shall name a fifth before entering upon the discharge of their duties.

11. Such portions of the Railways now owned by the Governments of Nova Scotia and New Brunswick, which may be required to form part of the Inter-colonial Road, will be worked under the above commission.
12. All net gain or loss resulting from the working and keeping in repair of any portion of the roads constructed by Nova Scotia or New Brunswick, and to be used as a part of the Inter-colonial Road, shall be received and borne by these Provinces respectively, and the surplus, if any, after the payment of interest, shall go in abatement of interest, on the whole line between Halifax and Rivière-du-Loup.
13. That the rates shall be uniform over each respective portion of the road.
14. That Crown lands required for the Railway or stations shall be provided by each Province.

— No. 4. —

(No. 4.)

No. 4.
Duke of Newcastle, K.G., to Governor General Viscount Monck.
17 January 1863.

COPY of a DESPATCH from His Grace the Duke of *Newcastle*, K.G., to Governor General Viscount *Monck*.

My Lord, Downing-street, 17 January 1863.

You will no doubt have received from Messrs. Sicotte and Howland, the copy of a Memorandum which they have addressed to me respecting the proposed loan for the construction of the Intercolonial Railway.

My first impression derived from the language and general character of that document, was that it amounted to a final though indirect rejection on the part of Canada, of the terms offered by Her Majesty's Government, and thus required no present notice from me. As, however, the Act of the Canadian delegates is not necessary to be taken as that of the Government, and as, therefore, the question will probably be further agitated in the Colony, I have thought it best to inform you generally of the circumstances under which this Memorandum was sent to me.

The whole question of the loan was very fully canvassed at this office in repeated interviews between the four delegates and myself; and I was certainly under the impression that, with a single exception, the very numerous objections interposed by Mr. Sicotte had been successively removed by explanation or concession: the exception related to the mode of securing repayment of the principal sum borrowed, but I collected that, even on this head, the substantial objection to a sinking fund was admitted to have been removed by providing that the payments to that fund might be employed in extinguishing the debt or invest it in other Colonial securities.

At this period of the negotiation the Canadian delegates left London for Paris, where, I presume, they received a copy of the memorandum embodying the

the terms, as altered after discussion, which Her Majesty's Government were prepared to sanction, and which the delegates of Nova Scotia and New Brunswick have signified their readiness to accept. On their return to England, Messrs. Sicotte and Howland sought no further communication with, or explanation from, this department, but on the day on which they embarked for Canada, left this statement, repudiating the terms which had been accepted by their colleagues, and which I had been led to suppose contained little that was unacceptable to themselves.

Some of the grounds alleged for that repudiation would, I think, hardly have been advanced had the objectors thought it advisable to ascertain, by further conference, the intentions of Her Majesty's Government. I will myself only observe upon them, first, that the repudiation by Messrs. Sicotte and Howland of any fixed arrangement for securing payment of the principal borrowed does not appear wholly consistent with the sixth article of their own counter-proposal; and next, that the British Treasury, in proposing 4 % as the rate of interest, can hardly be supposed to insist on that rate being offered, if it should appear that the money could be obtained at par on more advantageous terms.

I shall, of course, wish to be informed whether the views set forth in the delegates' paper are adopted by the Canadian Government, and whether I am to understand that the offer of Her Majesty's Government is finally rejected.

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

— No. 5. —

(No. 8.)

No. 5.
Duke of Newcastle, K.G., to Governor General Viscount Monck.
29 January 1863.

COPY of a DESPATCH from His Grace the Duke of *Newcastle*, K.G., to Governor General Viscount *Monck*.

My Lord, Downing-street, 29 January 1863.

WITH reference to my Despatch, No. 4*, of the 17th of January, I transmit to you herewith a copy of a Minute by the Secretary to the Treasury,† upon two questions raised in the annexed letter from Mr. Tilley, the New Brunswick delegate, on the subject of the proposed loan for the construction of the Intercolonial Railway, viz., the mode in which the loan should be raised, and the extent to which it should form a first charge on the provincial revenues.

* Page 24.

† Treasury Minute, page 14.

Mr. Tilley to Sir F. Rogers.

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

Enclosure in No. 5.

S. L. Tilley, Esq., to Sir *Frederic Rogers*, Bart.

Encl. in No. 5.

Provincial Secretary's Office, Fredericton, New Brunswick,
Dear Sir, 5 January 1863.

JUST before leaving London, I received the copy of the paper you read to me at the Colonial Office on the morning of the 13th December last, as embodying the terms on which the Duke of Newcastle and Mr. Gladstone would be prepared to propose to Parliament an Imperial guarantee of the Railway Loan of 3,000,000 *l.*

In the letter accompanying the Memorandum, you state that the 4th clause is not altered so as to meet my objections, as Mr. Hamilton thought it best that I should receive the paper as it stood, and that I could make my observations upon that section.

As worded, the provisions of Section 4, if embodied in an Act of our Legislature, would change the character of our debentures now outstanding. Such a measure could not be sanctioned by the Government or Legislature, and I am confident it will not be insisted upon, when understood, by Mr. Gladstone. The proposed loan must stand as a first charge on the Consolidated Revenues, after the Civil List, and existing legal liabilities, including principal as well as interest.

During one of the interviews with which Mr. Howland and I were favoured by Mr. Hamilton, it was understood that if the Imperial guarantee was given, the debentures would be issued by the Lords Commissioners of Her Majesty's Treasury, and these Commissioners would act as trustees of this loan and the Sinking Fund. This arrangement is only indirectly referred to in the Memorandum transmitted to me on the

13th December. You will please obtain the sanction of the Treasury to an additional section containing this proposal.

It is possible that these matters have all been arranged by the Canadian and Nova Scotia delegates before leaving, and the necessary records made; if so, an answer to this letter will not be necessary.

I am, &c.
(signed) *S. L. Tilley.*

WITH reference to the two questions raised by Mr. Tilley upon the stipulations embodied in the Memorandum relating to the proposed Loan for the construction of an Intercolonial Railway, the Treasury considers that an answer should be sent to the following effect:—

1. Her Majesty's Government never contemplated acquiring a precedence over existing engagements of the Colonial Governments, whether for interest or principal; but the assent of the Treasury to the arrangement, as stated in Article V., pre-supposes adequate proof of the sufficiency of the Colonial revenues to meet the charges imposed upon them, which charges would comprise not only the Civil List, and the accruing interest of any existing debt standing in priority to the proposed railway loan, but also any payment of principal standing in the same priority, which may fall due within the period at the expiration of which the railway loan is required to be fully liquidated, as well as the current interest and the decennial accumulation for extinction of principal, of the proposed railway loan.

No statement of revenue or liabilities which would afford this evidence has as yet been exhibited to Her Majesty's Government.

2. In the event of the proposed arrangement being carried into effect, the Treasury will not object to issue the debentures, upon the precedent of the Canada Guaranteed Loan of 1843, under the hand of the Lords Commissioners, and to authorise one of their officers to act as trustee, together with a nominee of the Colony, for the investment in their joint names of the instalments remitted from time to time on account of Sinking Fund, provided such a course shall be deemed advisable by the Colonial Governments.

— No. 6. —

No. 6.
Duke of Newcastle, K.G., to Lieut. Governor Hon. A. H. Gordon. 24 January 1863.
* Page 16.

(No. 2.)

COPY of a DESPATCH from His Grace the Duke of *Newcastle*, K.G., to Lieutenant Governor the Honourable *A. H. Gordon.*

Sir, Downing-street, 24 January 1863.

I HAVE the honour to transmit to you herewith a copy of a Memorandum* which Messrs. Sicotte and Howland, the delegates from Canada, on the subject of the Inter-colonial Railway, have addressed to me, on their departure from England.

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

— No. 7. —

No. 7.
Duke of Newcastle, K.G., to Lieut. Governor Hon. A. H. Gordon. 24 January 1863.
* Page 25.
† Page 14.

(No. 3.)

COPY of a DESPATCH from His Grace the Duke of *Newcastle*, K.G., to Lieutenant Governor the Honourable *Arthur H. Gordon.*

Sir, Downing-street, 24 January 1863.

I HAVE to request that you will acquaint Mr. Tilley that his letter of the 5th* instant, addressed to Sir Frederic Rogers, on the subject of the Treasury Minute on the proposed loan for the construction of the Inter-colonial Railway, has been received in this department, and I enclose a copy of a memorandum† which I have received from the Secretary to the Treasury on the points raised by Mr. Tilley respecting the mode of raising the loan, and the priority of charge on the Colonial Revenues, which I trust will be satisfactory to him.

Mr. Tilley will doubtless communicate this information to his colleague, Mr. Howe. I have therefore not sent a copy of this paper to Lord Mulgrave.

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

— No. 8. —

(No. 4.)

No. 8.
Duke of Newcastle, K.G., to Lieut. Governor the Earl of Mulgrave.
24 January 1863.
* Page 16.

COPY of a DESPATCH from His Grace the Duke of *Newcastle*, K.G., to Lieutenant Governor the Earl of *Mulgrave*.

Sir, Downing-street, 24 January 1863.

I HAVE the honour to transmit to you herewith a copy of a Memorandum* which Messrs. Sicotte and Howland, the delegates from Canada, on the subject of the Inter-colonial Railway, have addressed to me on their departure from England.

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

— No. 9. —

(No. 10.)

No. 9.
Duke of Newcastle, K.G., to Lieut. Governor the Earl of Mulgrave.
31 January 1863.
* Page 27 (above).
† Page 14.
‡ Mr. Tilley, 5 Jan. Page 25.

COPY of a DESPATCH from his Grace the Duke of *Newcastle*, K.G., to Lieutenant Governor the Earl of *Mulgrave*.

My Lord, Downing-street, 31 January 1863.

WITH reference to my Despatch, No. 4,* of the 24th of January, I have the honour to transmit to your Lordship a copy of a Minute† by the Secretary to the Treasury upon two questions raised in the annexed letter from Mr. Tilley,‡ the delegate of New Brunswick, on the subject of the proposed Loan for the construction of the Inter-colonial Railway; viz., the mode in which the loan should be raised, and the extent to which it should form a first charge on the Provincial Revenue.

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

— III. —

ACTS passed by NEW BRUNSWICK and NOVA SCOTIA.

— No. 1. —

(No. 31.)

No. 1.
Lieut. Governor Hon. A. H. Gordon to the Duke of Newcastle, K.G.
27 April 1863.

COPY of a DESPATCH from Lieutenant Governor the Honourable *Arthur H. Gordon*, to his Grace the Duke of *Newcastle*, K. C.

Fredericton, 27 April 1863.

My Lord Duke, (Answered, No. 29, 16 May 1863, page 33.)

IT is with great satisfaction that I transmit to your Grace a copy of a Bill to authorise a loan, and for the construction and management of an intercolonial railway, as finally assented to by me on the 20th instant.

2. The Bill passed through all its stages in the House of Assembly by considerable majorities, and in the Legislative Council only two votes were recorded against it.

3. So far as this Province is concerned, no more can at present be done towards the completion of this great work, but I earnestly trust that the Government of Canada may, before long, be induced to perceive the necessity of fulfilling their part of the agreement entered into between the different Provinces in September 1862.

I have, &c.
(signed) *Arthur H. Gordon.*

Enclosure in No. 1.

Encl. in No. 1.

A BILL to authorise a LOAN, and for the Construction and Management of an INTERCOLONIAL RAILWAY.

WHEREAS, in reply to an application for Imperial aid to construct a railroad from Truro, in Nova Scotia, through New Brunswick, to Rivière du Loup, in Canada, his Grace the Duke of Newcastle, Her Majesty's Principal Secretary of State for the Colonies, transmitted

mitted to the Governor General of Canada, and to each of the Lieutenant Governors of Nova Scotia and New Brunwick, a Despatch bearing date the 12th day of April, A. D. 1862, in which, among other things, it is declared that Her Majesty's Government, anxious to promote, as far as they can, the important object of completing the great line of railway communication on British ground, between the Atlantic and the westernmost parts of Canada, and to assist the Provinces in a scheme which would materially promote their interest, Her Majesty's Government are willing to offer to the provincial Governments an Imperial guarantee of interest towards enabling them to raise by public loan, if they should desire it, at a moderate rate, the requisite funds for constructing the railway.

And whereas, at a meeting of delegates from the Provinces of Nova Scotia and New Brunswick, with members of the Government of Canada, held at Quebec on the 10th day of September, in the year last aforesaid, to consider such proposition and to adjust the terms upon which the same should be accepted, after deliberation had, two memoranda in writing were drawn up and signed on behalf of the Governments of Canada, Nova Scotia, and New Brunswick, relating to the several matters under consideration, copies of which are contained in a Schedule hereunto annexed, marked respectively A and B.

And whereas, in pursuance of the provisions in said memoranda contained, a delegation from the Provinces of Canada, Nova Scotia, and New Brunswick, proceeded to London, with a view of carrying out the objects therein set forth; and, after consultation with Members of Her Majesty's Government, a Paper, stating the terms and conditions upon which the British Government would afford their guarantee, was submitted by Sir Frederic Rogers, on the 13th December, in the year aforesaid, as a basis for Colonial legislation, a copy of which Paper is set forth in said schedule, and marked C, followed by a further Paper from Sir Frederic Rogers, on behalf of the Duke of Newcastle, dated 21st of January 1863, transmitting a copy of a Minute by the Secretary of the Treasury also hereto annexed, and marked D.

And whereas, on the part of the Province of New Brunswick, it has been determined to accept this offer of Imperial aid to construct the said railway, upon the terms in the said papers set forth, and to assume the liability of three and one-half twelfths of three millions of pounds sterling, as specified therein;—

Be it therefore enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows:—

1. The Governor in Council is hereby authorised to borrow through and upon the guarantee of the British Government, three and one-half twelfths of three millions of pounds sterling, for the purpose of aiding in the construction of an intercolonial line of railway between Truro, in the Province of Nova Scotia, through the Province of New Brunswick, and Rivière du Loup in the Province of Canada.

2. No such loan shall be contracted on behalf of the Province of New Brunswick until corresponding powers have been given by the Legislature of Canada to the Government of Canada, to borrow, under like guarantee, five-twelfths of three millions of pounds sterling, nor until corresponding powers shall have been given by the Legislature of Nova Scotia to the Government of Nova Scotia, to borrow, under like guarantee, three and one-half twelfths of three millions of pounds sterling for the same object.

3. The amount so borrowed shall be applied towards the completion of the said railway, on a line to be approved by the Imperial Government.

4. The principal and interest on the said loan of three and one-half twelfths of three millions of pounds sterling, shall be a first charge on the revenue of the Provinces after the Civil List and the principal and interest of existing debts and liabilities, the interest on the said loan to be payable semi-annually at London on or before the 1st day of May and November in each year.

5. The loan to be liquidated as follows:—Three and one-half twelfths of two hundred and fifty thousand pounds sterling, to be payable ten years after contracting such loan; three and one-half twelfths of five hundred thousand pounds sterling, twenty years; three and one-half twelfths of one million of pounds sterling; thirty years; and three and one-half twelfths of one million two hundred and fifty thousand pounds sterling, forty years, after contracting such loan.

6. The payment of the three last instalments to be provided for as follows:—

2d Decade (say 1873 to 1882 inclusive).

A Sinking Fund of three and one-half twelfths of 40,000 *l.* sterling, to be remitted annually to the Imperial Treasury, being an amount adequate, if invested at five per centum compound interest, to provide three and one-half twelfths of five hundred thousand pounds sterling at the end of the decade; the sum to be remitted annually, to be invested in the names of trustees, in Colonial securities of any of the three Provinces aforesaid, prior to or forming part of the loan to be raised, or in such other Colonial securities as Her Majesty's Government shall direct, and the Government of New Brunswick shall approve.

3d Decade (say 1883 to 1892 inclusive).

A Sinking Fund of three and one-half twelfths of eighty thousand pounds sterling, to be remitted annually to the Imperial Treasury, being an amount adequate, if invested at five per centum compound interest, to provide three and one-half twelfths of one million of pounds sterling at the end of the decade; the amount when remitted to be invested as in the case of the Sinking Fund for the preceding decade.

4th Decade (say 1893 to 1902 inclusive).

A Sinking Fund of three and one-half twelfths of one hundred thousand pounds sterling to be remitted annually to the Imperial Treasury, being an amount adequate, if invested at five per centum compound interest, to provide three and one-half twelfths of one million two hundred and fifty thousand pounds sterling, being the balance of the loan, at the end of the decade. This amount, when remitted, to be invested as in the preceding decades.

Should the Sinking Fund of any decade produce a surplus, it will go to the credit of the next decade; and in the last decade, the Sinking Fund will be remitted or reduced accordingly.

7. The construction of said Railway, if by the Governments, shall be conducted by five Commissioners—two to be appointed by Canada, one by Nova Scotia, and one by New Brunswick; these four to choose the remaining Commissioner. The preliminary surveys shall be effected at the expense of the Colonies, by three engineers and other officers to be nominated, two of such engineers to be chosen by the Governments of Canada, Nova Scotia, and New Brunswick, and one by the Imperial Government; and of such expense the Province of New Brunswick shall be liable for three and one-half twelfths.

8. The road to be at the service of the Imperial Government for the carriage of troops and munitions of war, on such terms and at such rate of tariff as may from time to time be agreed upon between the Imperial and Colonial Governments.

9. As soon as the Provinces of Canada and Nova Scotia shall have provided the necessary legislation to carry into effect the stipulations contained in the Memoranda A. and B, and upon the terms and conditions set forth in the Paper marked C, in the Schedule annexed, furnished by the British Government, the Governor in Council may appoint a suitable person, to hold office during pleasure, as one of the Commissioners to be selected in conformity with the provisions of Sections One of Memorandum B in said Schedule, who shall be clothed with all the powers necessary to carry out the provisions of this Act in conjunction with Commissioners to be appointed by the Governments of Canada and Nova Scotia, as in said Section set forth.

10. If any company or body corporate now or hereafter to be organized, possessing sufficient capital, shall offer to construct the contemplated railway between Truro, in Nova Scotia, and Rivière du Loup, in Canada, and shall give such guarantee or assurance that they will complete the same as the several Governments of Canada, Nova Scotia, and New Brunswick may deem necessary, the Governor in Council is hereby authorized and empowered on the part and behalf of New Brunswick, to enter into an agreement, conjointly with Canada and Nova Scotia, with such company or body corporate, for the construction of said railway, upon the following terms, viz.:—That upon completion of such railway, the Province of New Brunswick shall each and every year for and during the first period of ten years thereafter, in which the said railway shall be effectually worked, pay to the said company or body corporate, a sum which, together with the net earnings of the said railway, shall be equal to the interest, at the rate of three and a half per centum on three and one-half twelfths of three millions of pounds sterling. Each and every year for and during the second period of ten years thereafter in which the said railway shall be effectually worked, a sum which, together with the net earnings of said railway, shall be equal to the interest at the rate of three and a half per centum on three and one-half twelfths of three millions of pounds sterling, but not exceeding in any one year the sum of twenty thousand pounds sterling. Each and every year for and during the third period of ten years thereafter, in which the said railway shall be effectually worked, a sum which, together with the net earnings of the said railway, shall be equal to the interest at the rate of three and a half per centum on three and one-half twelfths of three millions of pounds sterling, but not exceeding in any one year the sum of twelve thousand pounds sterling. Each and every year for and during the fourth period of ten years thereafter, in which the said railway shall be effectually worked, a sum which, together with the net earnings of the said railway, shall be equal to the interest at three and a half per centum on three and one half twelfths of three millions pounds sterling, but not exceeding in any one year the sum of six thousand pounds sterling; which said payments shall be and are hereby made a first charge upon the revenues of the Province next after the Civil List and the debts and liabilities existing at the time of the passing of this Act.

11. In case that no suitable company, or body corporate, shall offer or be found willing to construct and manage the said railway, upon terms and conditions provided in the preceding section, then the Commissioner to be appointed on behalf of this Province shall be empowered to act conjointly with the other Commissioners to construct the said road, by public tender and contract, in the cheapest and most efficient manner the said Commissioners can devise, and upon the site that shall have been surveyed and approved by the Governments of the three Provinces.

12. When the preliminary surveys shall have been completed in the manner above provided, and the British Government shall have approved of a line and surveys, the work shall commence and be continued simultaneously in each of the Provinces, and such portions, or the whole of the line, shall be immediately put under contract of construction, in sections or otherwise, to be finished at such dates, with such guarantees and securities for completion as shall be deemed most advisable by such Commissioners.

13. No such loan shall be contracted without the assent of the Legislature, until it shall be satisfactorily made to appear to the Governor in Council by the estimates and certificates of the engineers appointed under the authority of this Act, that a first class railway can

be constructed from Truro, in Nova Scotia to Rivière du Loup, in Canada, on the line selected and under the terms of the proffered guarantee.

14. Three of the five Commissioners shall be a quorum for the transaction of business, and in case of disagreement, the decision of a majority shall be binding.

15. No person holding a seat in the Legislature shall become security for the performance of any contract with the Commissioners, or for any work or engagement in relation to the railway to be constructed referred to in this Act; and no Member of the Legislature of this Province shall hold the office of Commissioner, or hold or be appointed to any office of emolument under the Commissioners, or be a contractor or party to any contract arising out of the construction, management, or working of the road, or any part thereof.

16. Where the road shall pass through Crown Lands, the Governor in Council is hereby authorized to grant, for the purposes of the road, the necessary Crown Lands for track, sidings, and stations.

17. The Commissioners to be appointed for carrying out the provisions of this Act, when the line shall be constructed, are authorized to make rules and regulations for managing and working the entire line, in conformity with the stipulations in the Memoranda aforesaid mentioned; and so far as the Province of New Brunswick is concerned, such rules and regulations, when approved by the Governor in Council, shall have all the force of law within the boundaries of this Province.

18. If either the Province of Canada or the Province of Nova Scotia shall not legislate within two years after the passing of this Act, providing for the construction of the said Intercolonial Railway, on the terms of the said Memoranda and Papers in the said Schedule, or some modification of them to be agreed upon by the Legislatures of the three Provinces and the Imperial Government, then this Act, and every matter and thing herein contained, shall, at the end of two years from the passing hereof, be and stand repealed.

19. The Legislature will make such further provisions as may be deemed necessary to give effect to this Act, for the purpose of raising the loan, paying the interest, liquidating the debt, and for the construction and management of the road.

SCHEDULE in the Foregoing Act referred to.

MEMORANDUM A.

THE undersigned, representing the three Governments of Canada, Nova Scotia, and New Brunswick, convened to consider the Despatch of his Grace the Duke of Newcastle of 12th April 1862, with reference to the intercolonial railway, having given the very important matters contained in that Despatch their attentive consideration, are agreed—

I. That whilst they have learnt with very great regret that Her Majesty's Imperial Government has finally declined to sanction the proposals made in behalf of these Provinces in December 1861, and at previous periods, they at the same time acknowledge the consideration exhibited in substituting the proposal of "an Imperial guarantee of interest towards enabling them to raise by public loan, if they should desire it, at a moderate rate, the requisite funds for constructing the railway."

II. That, with an anxious desire to bind the Provinces more closely together, to strengthen their connection with the mother country, to promote their common commercial interests, and to provide facilities essential for the public defence of these Provinces as integral parts of the Empire, the undersigned are prepared to assume, under the Imperial guarantee, the liability necessary to construct this great work.

III. That the three Governments are agreed that the proportions of liability for the necessary expenditure shall be appropriated as follows, viz.—five-twelfths for Canada, and seven-twelfths to be equally divided between the Provinces of Nova Scotia and New Brunswick.

IV. But it is understood that the liability for principal and interest shall be borne by each province to the extent only of the proportion hereby agreed upon.

V. That, in arriving at this conclusion, the undersigned have been greatly influenced by the conviction that the construction of the road between Halifax and Quebec must supply an essential link in the chain of an unbroken highway extending through British territory from the Atlantic to the Pacific, and in the completion of which every Imperial interest in North America is most deeply involved; and the undersigned are agreed that, to present properly this part of the subject to the Imperial authorities, the three Provinces will unite at an early day in a joint representation on the immense political and commercial importance of the western extension of the projected line.

(signed) *J. S. Macdonald,*
L. V. Sicotte,
J. Morris,
W. P. Howland,
Wm. M^c Dougall,
U. T. Tessier,
T. D'Arcy M^c Gee,
F. Eventurel,
Adam Wilson,
} Representing Canada.

Joseph Howe,
William Annand,
J. M^c Cully,
} Representing Nova Scotia.

S. L. Tilley,
W. H. Steeves,
P. Mitchell,
} Representing New Brunswick.

12 September 1862.

MEMORANDUM B.

I. IF it should be concluded that the work shall be constructed and managed by a joint Commission of the three Provinces, it shall be constituted in the proportion of two appointed by the Government of Canada, and one each by the Governments of Nova Scotia and New Brunswick, the four to select a fifth before entering upon the discharge of their duties.

II. That a joint delegation proceed with as little loss of time as possible to England to arrange with the Imperial Government the terms of the loans, the nature of the securities required, the amount to be paid for the transport of troops and mails, and, if possible, to obtain a modification of the terms proposed, to the extent of the interest accruing during the construction of the work.

III. That no surveys be authorised until the laws contemplated shall have been passed, and the joint Commissioners appointed.

IV. That any profit or loss, after paying working expenses, shall be divided in proportion to the contributions of the several Provinces.

V. That such portions of the railways now owned by the Governments of Nova Scotia and New Brunswick, which may be required to form part of the intercolonial road, shall be worked under such joint authority as may be appointed by the three Provinces; that the rates collected shall be uniform over each respective portion of the road; that all net gain or loss resulting from the working or keeping in repair of any portion of the road constructed by Nova Scotia or New Brunswick, and to be used as a part of the Intercolonial Railway, shall be received and borne by the said Provinces respectively, and the surplus, if any, after the payment of interest, shall go in abatement of interest on the whole line between Halifax and Rivière du Loup.

Crown lands required for the line or for stations, shall be provided by each Province.

(signed) *Thos. D'Arcy M'Gee*, for Canada.
Joseph Howe, for Nova Scotia.
S. L. Tilley, for New Brunswick.

MEMORANDUM C.

PAPER furnished by Sir *Frederic Rogers*.

IT is proposed—

1. That Bills shall be immediately submitted to the Legislatures of Canada, Nova Scotia, and New Brunswick, authorising the respective Governments to borrow 3,000,000 *l.*, under the guarantee of the British Government, in the following proportions:—five-twelfths, Canada; three and a half twelfths, Nova Scotia; three and a half twelfths, New Brunswick.

2. But no such loan to be contracted on behalf of any one Colony, until corresponding powers have been given to the Governments of the other two Colonies concerned, nor unless the Imperial Government shall guarantee payment of interest on such loan until repaid.

3. The money to be applied to the completion of a railway connecting Halifax with Quebec, on a line to be approved by the Imperial Government.

4. The interest to be a first-charge on the Consolidated Revenue Funds of the different Provinces, after the Civil List and the interest of existing debts; and, as regards Canada, after the rest of the six charges enumerated in the 5 & 6 Vict. cap. 118, and 3 & 4 Vict. cap. 35 (Acts of Union).

5. The debentures to be in series as follows, viz:—

£. 250,000	to be payable	10	years	after contracting loan.
£. 500,000	„	20	„	„
£. 1,000,000	„	30	„	„
£. 1,250,000	„	40	„	„

In the event of these debentures, or any of them, not being redeemed by the Colonies at the period when they fall due, the amount unpaid shall become a charge on their respective revenues, next after the loan, until paid. The principal to be repaid as follows:—

1st Decade (say 1863 to 1872, inclusive), 250,000 *l.* in redemption of the first series, at or before the close of the first decade from the contracting of the loan.

2d Decade (say 1873 to 1882 inclusive).—A Sinking Fund of 40,000 *l.*, to be remitted annually; being an amount adequate, if invested at 5 per cent. compound interest, to provide 500,000 *l.* at the end of the decade; the sum to be remitted annually, to be invested in the names of trustees in Colonial securities of any of the three Provinces prior to, or forming part of the loan now to be raised, or in such other Colonial securities as Her Majesty's Government shall direct, and the three Colonial Governments approve.

3d Decade (say 1883 to 1892 inclusive). A Sinking Fund of 80,000*l.*, to be remitted annually; being an amount adequate, if invested at 5 per cent. compound interest, to provide 1,000,000 *l.* at the end of the decade; the amount, when remitted, to be invested, as in the case of the Sinking Fund for the preceding decade.

4th Decade (say 1893 to 1902 inclusive). A Sinking Fund of 100,000*l.*, to be remitted annually; being an amount adequate, if invested at 5 per cent. compound interest, to provide 1,250,000*l.*, being the balance of the loan, at the end of the decade. This amount, when remitted, to be invested as in the preceding decade.

Should the Sinking Fund of any decade produce a surplus, it will go to the credit of the next decade. And, in the last decade, the Sinking Fund will be remitted or reduced accordingly.

It is, of course, understood, that the assent of the Treasury to these arrangements, presupposes adequate proof of the sufficiency of the Colonial revenues to meet the charges intended to be imposed upon them.

6. The construction of the railway to be conducted by five Commissioners. Two to be appointed by Canada, one by Nova Scotia, and one by New Brunswick. These four to choose the remaining Commissioner.

7. The preliminary surveys to be effected at the expense of the Colonies by three engineers, or other officers nominated, two by the Commissioners, and one by the Home Government.

8. Fitting provision to be made for carriage of troops, &c.

9. Parliament not to be asked for the guarantee until the line and surveys shall have been submitted to and approved of by Her Majesty's Government, and until it shall have been shown, to the satisfaction of Her Majesty's Government, that the line can be constructed without further application for an Imperial guarantee.

MEMORANDUM D.

Sir, Downing-street, 24 January 1863.

I HAVE to request that you will acquaint Mr. Tilley that his letter of the 5th instant, addressed to Sir Frederic Rogers, on the subject of the Treasury Minute on the proposed loan for the construction of the Intercolonial Railway, has been received in this Department; and I enclose a copy of a Memorandum which I have received from the Secretary to the Treasury, on the points raised by Mr. Tilley respecting the mode of raising the loan, and the priority of charge on the Colonial revenues, which I trust will be satisfactory to him.

Mr. Tilley will, doubtless, communicate this information to his colleague, Mr. Howe; I have therefore not sent a copy of this paper to Lord Mulgrave.

I have, &c.
(signed) *Frederic Rogers*,
(In the absence of the Duke of Newcastle).

Lieutenant Governor Honourable A. H. Gordon,
&c. &c. &c.

(Enclosure.)

WITH reference to the two questions raised by Mr. Tilley upon the stipulations embodied in the Memorandum relating to the proposed Loan for the construction of an Intercolonial Railway, the Treasury considers that an answer should be sent to the following effect:—

1. Her Majesty's Government never contemplated acquiring a precedence over existing engagements of the Colonial Governments, whether for interest or principal; but the assent of the Treasury to the arrangement, as stated in Article V., pre-supposes adequate proof of the sufficiency of the Colonial revenues to meet the charges imposed upon them, which charges would comprise not only the Civil List, and the accruing interest of any existing debt standing in priority to the proposed railway loan, but also any payment of principal standing in the same priority, which may fall due within the period at the expiration of which the railway loan is required to be fully liquidated, as well as the current interest and the decennial accumulation for extinction of principal, of the proposed railway loan.

No statement of revenue or liabilities which would afford this evidence has as yet been exhibited to Her Majesty's Government.

2. In the event of the proposed arrangement being carried into effect, the Treasury will not object to issue the debentures, upon the precedent of the Canada Guaranteed Loan of 1843, under the hand of the Lords Commissioners, and to authorise one of their officers to act as trustee, together with a nominee of the Colony, for the investment in their joint names of the instalments remitted from time to time on account of Sinking Fund, provided such a course shall be deemed advisable by the Colonial Governments.

— No. 2. —

(No. 29.)

No. 2.
The Duke of Newcastle, K.G., to Lieut. Governor Hon. A. H. Gordon.
16 May 1863.

COPY of a DESPATCH from His Grace the Duke of *Newcastle*, K.G., to Lieutenant Governor the Honourable *Arthur H. Gordon*.

Sir, Downing-street, 16 May 1863.

I HAVE the honour to acknowledge the receipt of your Despatch, No. 31*, of the 27th ultimo, enclosing a copy of the Bill to which you had assented "to authorise a loan, and for the construction and management of an Intercolonial Railway." The readines of the Legislature of New Brunswick to forward the work of an Intercolonial Railway has afforded much satisfaction to Her Majesty's Government.

* Page 27.

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

— No. 3. —

(No. 52.)

No. 3.
The Duke of Newcastle, K.G., to Lieut. Governor Hon. A. H. Gordon.
10 October 1863.

COPY of a DESPATCH from His Grace the Duke of *Newcastle*, K.G., to Lieutenant Governor the Honourable *Arthur H. Gordon*.

Sir, Downing-street, 10 October 1863.

I HAVE the honour to acknowledge the receipt, together with other Acts of the Legislature of New Brunswick, of "Chapter V., an Act to authorise a Loan, and for the Construction and Management of an Intercolonial Railway,"* passed in April last.

This evidence of the readiness of the Legislature of New Brunswick to promote this important project of intercolonial communication has afforded me much satisfaction.

Her Majesty's decision upon this Act, as well as upon a similar one received from Nova Scotia will, however, be reserved until the arrival of the corresponding Act from Canada.

* The Act is the same as the Bill enclosed in Governor Gordon's Despatch, No. 31, 27 April 1863, printed at page 27.

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

— No. 4. —

(No. 43.)

No. 4.
The Earl of Mulgrave to the Duke of Newcastle, K.G.
29 April 1863.

COPY of a DESPATCH from Lieutenant Governor the Earl of *Mulgrave* to His Grace the Duke of *Newcastle*, K.G.

Government House, Halifax, Nova Scotia,
29 April 1863.

My Lord Duke, (Answered No. 33; 16 May 1863, page 34.)

I HAVE much satisfaction in informing your Grace that I have this day assented to an Act passed by the Legislature of this Province, accepting the terms offered by Her Majesty's Government for the construction of an intercolonial railroad; and I now enclose the copy of a Minute of my Executive Council, together with a copy of the Bill which has been passed.

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

The Nova Scotia Act enclosed in this Despatch from Lord Mulgrave, and the Papers appended to it, coincide with the New Brunswick Bill and Papers above printed.

— No. 5. —

No. 5.
Duke of Newcastle, K.G., to Lieut. Governor the Earl of Mulgrave.
16 May 1863.
* Page 33.

(No. 33.)

COPY of a DESPATCH from His Grace the Duke of *Newcastle*, K.G., to Lieutenant Governor the Earl of *Mulgrave*.

My Lord, Downing-street, 16 May 1863.

I HAVE the honour to acknowledge the receipt of your Despatch, No. 43* of the 29th ultimo, enclosing, together with a Minute of the Executive Council on the subject, a Bill to which you had assented "to authorise a loan, and for the construction and management of an Intercolonial Railway." Her Majesty's Government regard with much satisfaction this evidence of the readiness of the Legislature of Nova Scotia to promote this important undertaking.

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

— No. 6. —

No. 6.
Duke of Newcastle, K.G., to the Officer Administering the Government of Nova Scotia.
10 October 1863.

* Page 34 (above).

(No. 60.)

COPY of a DESPATCH from His Grace the Duke of *Newcastle*, K.G., to the Officer Administering the Government of *Nova Scotia*.

Sir, Downing-street, 10 October 1863.

I HAVE the honour to acknowledge the receipt, together with other Acts of the Legislature of Nova Scotia, of "chapter 21, an Act to authorise a loan, and for the construction and management of an Intercolonial Railway," passed in April last. In my Despatch, No. 33* of the 16th May last, I intimated to you my satisfaction at this evidence of the readiness of the Legislature of Nova Scotia to promote this undertaking.

Her Majesty's decision upon this Act, as well as upon a similar one received from New Brunswick, will, however, be reserved until the arrival of the corresponding Act from Canada.

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

— IV. —

CORRESPONDENCE relating to the SURVEY of the INTERCOLONIAL LINE, and the CONSTRUCTION of the TRURO and the BEND LINE.

— No. 1. —

No. 1.
Governor General Viscount Monck to the Duke of Newcastle, K.G.
1 October 1863.

18 September 1863.
29 September 1863.

(No. 93.)

COPY of a DESPATCH from Governor General Viscount *Monck*, to His Grace the Duke of *Newcastle*, K.G.

Quebec, 1 October 1863.

My Lord Duke, (Answered No. 108; 20 October 1863. Page 36.)

I HAVE the honour to send for your Grace's information a copy of a Despatch, and Enclosure which I have received from the Lieutenant Governor of New Brunswick, in reference to the proposed Survey of the Line of the Intercolonial Railway, and a Minute of the Executive Council of this Province in answer to that Despatch.

I have sent a copy of this Minute to Mr. Gordon.

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

Enclosure 1, in No. 1.

My Lord, Fredericton, 18 September 1863. Encl. 1, in No. 1.

I HAVE the honour to transmit to your Excellency the accompanying copy of a Minute of my Executive Council presented to me to-day.

2. I readily assent to the adoption of the course recommended by this Minute, and entirely concur in the hope therein expressed that no further departure from the terms of the agreement entered into by the three Provinces will be hereafter proposed by your Excellency's Advisers.

I have, &c.
(signed) *Arthur H. Gordon.*

His Excellency Viscount Monck,
&c. &c. &c.

Sub-enclosure.

To His Excellency the Honourable *A. H. Gordon*, C.M.G., Lieutenant Governor of the Province of New Brunswick.

Executive Council Room, 16 September 1863.

IN recommending your Excellency to appoint, in conjunction with the Government of Nova Scotia, an engineer to make the preliminary exploration and survey of the line of the proposed railway, previous to the passing of the Railway Bills by the Canadian Legislature, we are aware that we are not adhering strictly to the arrangements agreed upon at Quebec by the representatives of the three Provinces in September last, and subsequently confirmed by Her Majesty's representative in each, which provided that no surveys should be authorised until the necessary Legislation should be had by the several Colonies and joint Commissioners appointed.

As such previous survey, however, is desired by the Canadian Government, they bearing five-twelfths of the cost, we are induced to advise your Excellency to make the necessary appointments for that purpose in full faith that no other departure from the compact entered into between the Provinces will be proposed, and that the construction of the railway, if found practicable, will be undertaken upon the basis of that agreement.

We respectfully recommend that a copy of this Minute be transmitted to the Governor General of Canada.

I have, &c.
(signed) *S. L. Tilley.*
W. H. Steeves.
Charles Watters.
P. Mitchell.
John M'Millan.
James Steadman.
George L. Hatheway.
William E. Perley.

Enclosure 2, in No. 1.

COPY of a REPORT of a Committee of the Executive Council; approved by His Excellency the Governor General, 29 September 1863. Encl. 2, in No. 1.

THE Committee of the Executive Council having had referred to them the Despatch of the 18th September instant of His Excellency, the Lieutenant Governor of New Brunswick, transmitting copy of a Minute of his Executive Council on the subject of the contemplated survey for an Intercolonial Railway, have the honour to submit for your Excellency's consideration the following observations in relation thereto:—

The Committee find that whilst the Executive Council of New Brunswick advise the appointment of a surveyor to act in conjunction with the surveyor appointed by this Province to conduct the proposed survey, they would seem to qualify the recommendation by associating with it a hope that the survey being accomplished, the basis agreed upon by the Convention held in September 1862 will be adhered to, if the construction of the railway be hereafter found practicable.

The Committee learn with pleasure that so far as the survey is concerned, their plans are cordially acquiesced in by the Executive of New Brunswick, and they look forward with satisfaction to the consummation of the important undertaking, of which the survey is the preliminary step. In order that there may be no misapprehension however between the Governments of the Provinces having a common interest in this matter, the Committee think it right to call to mind the manner in which the negotiations conducted in London terminated, and the general position in which the question of any Intercolonial Railway at present stands in this Province.

The Committee would remind your Excellency that the conditions proposed by the Imperial Government in connexion with the assistance to be rendered towards the construction of the railway, differed in some important particulars from the agreement of September 1862, and from the instructions which the delegates sent on the part of Canada, were charged to carry into effect. The Committee may refer to the distinct refusal on the part of the Imperial Government to regard the contribution which Canada might make to the Intercolonial Railway as being to that extent an expenditure for defensive purposes, the proposed sinking fund, and to the conditions set forth as in the ninth of the series of propositions presented by the Imperial Government.

"Parliament not to be asked for this guarantee until the line and surveys shall have been submitted to and approved by Her Majesty's Government, and until it shall have been shown to the satisfaction of Her Majesty's Government that the line can be constructed without further application for an Imperial Guarantee;" the Imperial Government thus making the proposed assistance by way of loan contingent upon the results of a previous survey, establishing the sufficiency of the guarantee for the full purposes for which it was to be granted; the delegates were therefore constrained to decline the acceptance of a proposal fettered by conditions so much at variance with their instructions, and their decision received the approval of their colleagues as being in harmony with the spirit of the agreement arrived at by the Quebec Convention, and in entire conformity with the unequivocal tone of public opinion in the Province.

The negotiations founded upon the understanding entered into by the Convention of September 1862, were regarded as terminated with the return of the delegates to this Province, and it was hoped that the report of this Council of 25th February last would have sufficed to prevent misconception as to the necessary abandonment of the basis upon which the negotiations up to that time had been founded, and to show that any further action by the Government of this Province must be the subject of subsequent consideration.

It is further to be observed that the carrying out of the agreement of September 1862, necessarily depended upon the success of the negotiations with the Imperial Government, and the assent of the Legislatures of the three Provinces being obtained. These negotiations having failed, and it being manifest that the construction of the railway could not be attempted without Imperial aid, the Canadian Government did not feel that they were in a position to invite any action on the part of the Canadian Legislature, beyond making a provision for a preliminary survey, the results of which may lead to further negotiations, and on a different basis from that agreed to by the Convention.

In order to promote the construction of a work which the events of each succeeding year invest with greater importance, the Committee addressed themselves to the task of devising plans whereby the attainment of the object might be secured in a manner consistent with the interests and resources of this Province. They found that the examination of the route and the satisfactory completion of a survey were also indicated by the Imperial Government as conditions precedent of any negotiations, and they then informed your Excellency that they had decided upon recommending an appropriation by the Legislature of Canada for the purpose of making such a survey as is necessary to the final determination of the several proposals. In conformity with this determination, they have asked an appropriation of 10,000 dollars during the present Session, and they have also appointed an engineer to proceed with the survey so soon as the requisite arrangements can be completed. The action of the Legislature has proceeded so far as that it may be regarded as having rendered the appropriation a certainty, and the immediate commencement of the survey is therefore dependent only upon the unqualified concurrence of the Provinces of Nova Scotia and New Brunswick.

The necessity of a prompt decision on the part of the Government of New Brunswick, with a view to an early commencement of the survey, is obvious, inasmuch as the season during which this survey may be most advantageously performed is rapidly passing away.

(Certified.)

William H. Lee, C.E.C.

— No. 2. —

(No. 108.)

No. 2.
Duke of Newcastle, K.G., to Governor General Viscount Monck.
20 October 1863.

COPY of a DESPATCH from his Grace the Duke of *Newcastle*, K.G., to Governor General Viscount *Monck*.

My Lord, Downing-street, 20 October 1863.

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch, No. 93,* of the 1st instant, enclosing a Minute of your Executive Council, approved by yourself, arising out of the proposed commencement of the preliminary surveys for the Intercolonial Railway.

* Page 34.

I understand this Minute to embody the decision of the Canadian Government to the following effect: that the negotiations with the Imperial Government, commenced last winter, with a view to the construction of that railway, are conclusively

clusively abandoned; that the Provincial Governments (and therefore, of course, the Government of this country), are no longer bound by their respective proposals in relation to that project, and that by rejecting the offers made last winter by the Home Government, the Canadian Government has placed itself at liberty to repudiate also the Convention of the previous September.

I find some difficulty in reconciling the terms of this Minute with those of your Lordship's Despatch, No. 87, of the 14th ultimo, in which you conveyed the recommendation of your Government that an engineer should be appointed by the Imperial Government for the preliminary surveys in apparent pursuance of the terms embodied in the Treasury Memorandum of December last, which Memorandum was based upon the negotiations which your Government now treat as abortive, and I am therefore somewhat at a loss to understand on what grounds, or in what capacity I have been requested to nominate a surveyor on behalf of the British Government. I have, however, no difficulty in stating that I have every desire to facilitate the operations of the Provincial Government in this matter, and in repeating that the preliminary survey may, in my opinion, very properly be placed in Mr. Fleming's hands.

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

— No. 3. —

(No. 110.)

No. 3.
Governor Viscount Monck to the Duke of Newcastle, K. G.
7 November 1863.

COPY of a DESPATCH from Governor General Viscount *Monck* to His Grace the Duke of *Newcastle*, K. G.

Government House, Quebec,
My Lord Duke, 7 November 1863.

I HAVE the honour to acknowledge the receipt of your Grace's Despatch, No. 108,* of 20 October, in reference to the last Minute of the Executive Council of this Province, which I transmitted to your Grace on the subject of the contemplated survey of the proposed line of the Intercolonial Railway.

* Page 36.

In reply, I have to inform your Grace, that the Government of Canada considers that the disagreement between the Imperial Government and the delegates of Canada with regard to the terms on which it was proposed to grant the Imperial guarantee for the loan necessary for the construction of the line has rendered further proceedings on the basis of the agreement of 1862 impossible, and that, as a necessary consequence, neither the Imperial Government, nor that of Canada, should be considered as concluded by any of the stipulations entered into on that occasion.

The Canadian Government is however impressed with the importance of the proposed work, and desirous of taking every measure calculated to lead to its execution.

This Government entertains the strongest conviction, that in order to render the scheme acceptable to the public of Canada, and thereby to secure for it that support in the Legislature, without which it is useless for the Executive to enter into any further preliminary negotiations on the subject, a survey, which will afford a trustworthy basis for an estimate of the probable cost of the work, is indispensable.

Should the results of the survey prove satisfactory, the Canadian Government look forward to obtaining at some future period the co-operation and assistance of the Imperial Government in the execution of this work, and it is with the design that Her Majesty's Ministers may be officially satisfied with the competence of the persons appointed to conduct the proposed survey, and of the trust which should be reposed in their reports that I have, at the desire of the Executive Council, requested your Grace to appoint an engineer to act on the part of the Imperial Government in the survey with those nominated by the Provinces interested in the work.

It is a matter of great satisfaction, both to myself and to the Executive Council of Canada, that your Grace is disposed to join with us in the proposed survey, and to express your approbation of the selection we have made of Mr. Sandford Fleming, as the engineer to represent Canada in the duties connected with it.

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

— No. 4. —

(No. 24.)

No. 4.
Governor Viscount Monck to the Duke of Newcastle, K.G.
26 February 1864.

COPY of a DESPATCH from Governor General Viscount *Monck* to his Grace the Duke of *Newcastle*, K.G.

Quebec, 26 February 1864.

My Lord Duke, (Answered, No. 31, 26 March 1864, Page 38.)

I HAVE the honour to enclose for your Grace's information, a copy of a Despatch which I have addressed to the Governors of Nova Scotia and New Brunswick respecting the survey of the line of the proposed Intercolonial Railway.

I have, &c.

His Grace the Duke of Newcastle, &c., &c. (signed) *Monck.*

Enclosure in No. 4.

Government House, Quebec.

Encl. in No. 4. Sir, 20 February 1864.

REFERRING to the correspondence which has taken place between the Government of Canada and that of New Brunswick, in reference to the execution of a survey of the route of the proposed inter-colonial railway, I have the honour to inform your Excellency, that, in order to avoid further delay, the Government of Canada has decided to undertake the survey on its own responsibility, and at its sole expense.

It will be for the Governments of New Brunswick and Nova Scotia hereafter to consider whether, if the results of the survey shall prove useful to the enterprise, they will deem it right to reimburse to Canada their proportions of the cost of the work.

Mr. Sandford Fleming, the engineer appointed to conduct the survey will be despatched to the seat of his operations as soon as the necessary arrangements can be completed, and I have to request that you will give directions that he may receive any assistance in the discharge of his duties which it may be in the power of your Government to afford him.

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

His Excellency the Honourable A. H. Gordon, C. M. G.,
&c. &c. &c.
Fredericton, New Brunswick.
His Excellency Major General Doyle,
&c. &c. &c.
Administrator, Halifax.

— No. 5. —

(No. 31.)

No. 5.
Duke of Newcastle, K.G., to Viscount Monck.
26 March 1864.

COPY of a DESPATCH from His Grace the Duke of *Newcastle*, K. G, to Governor General Viscount *Monck*.

My Lord, Downing-street, 26 March 1864.

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch, No. 24,* of the 26th ultimo, enclosing a copy of a Despatch which you had addressed to the Lieutenant Governor of New Brunswick, communicating the decision of the Canadian Government to undertake the survey of the line of the proposed Intercolonial Railway on its own responsibility, and at its sole expense, leaving the question of making any reimbursement to the discretion of the Governments of Nova Scotia and New Brunswick.

* Page 38 (above).

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

— No. 6. —

(No. 32.)

No. 6.
Viscount Monck to the Duke of Newcastle, K.G.
15 March 1864.

COPY of a DESPATCH from Governor General Viscount *Monck* to His Grace the Duke of *Newcastle*, K.G.

My Lord Duke, Quebec, 15 March 1864.

I HAVE the honour to enclose for your Grace's information, a copy of the instructions given by this Government to Mr. Sandford Fleming, for the survey of the line of the Intercolonial Railway.

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

Enclosure in No. 6.

Encl. in No. 6.

Secretary's Office, Quebec,
11 March 1864.

Sir,

I HAVE the honour to enclose to you herewith, a copy of my letter which I have this day addressed to Mr. Sandford Fleming, C. E., at Fredericton, New Brunswick, on the subject of his instructions with reference to the survey of the proposed route of the Intercolonial Railway.

I have, &c.
(signed) *A. J. Fergusson Blair.*

The Governor's Secretary,
&c. &c. &c.
Quebec.

Sub-Enclosure.

Secretary's Office, Quebec,
11 March 1864.

Sir,

I NOW address to you in writing instructions by the Government of Canada for the survey intrusted to you of the route of the proposed Intercolonial Railway, the substance of which instructions has already been communicated to you in a verbal manner, such mode of communication having been adopted at the time in order to avoid delay in your departure from Quebec on the duty in question.

1. You are instructed on the part of the Government of Canada to proceed immediately to a survey and examination of the territory through which the proposed line of railway between this Province and those of New Brunswick and Nova Scotia would run.

2. This survey and examination are intended for the purpose of enabling the Government of Canada to form an estimate of the practicability of the proposed undertaking, and of its probable cost in order that the expediency of engaging in the work itself may be judged of in a satisfactory manner.

3. The information so obtained will also be at the service of the other Governments interested if desired.

4. On a general examination of the country you will consider the routes which have on previous occasions been contemplated for the object in question, as well as any others which may seem to you worthy of attention.

5. Your notice will be especially given to any obstacles which may present themselves as requiring serious expense to surmount, and to the best methods of overcoming such obstacles, or of avoiding them by deviations from the direct line.

6. You will also pay attention to the distance of what may in other respects appear the most eligible line from the frontier of the United States at various points.

7. You will make your calculations in the matter of the probable cost of the work with a due regard to economy, but at the same time to full efficiency.

8. Similar considerations will guide you as regards the survey and examination.

9. You will endeavour to act in a cordial and harmonious spirit with any persons who may be appointed either on the part of the sister colonies or of the Imperial Government to co-operate with you.

10. The completion of the survey and examination at as early a period as possible is highly desirable.

11. You will report your progress from time to time to the Provincial Secretary of Canada.

I have, &c.
(signed) *A. J. Fergusson Blair*, Secretary.

Sandford Fleming, Esq., Civil Engineer,
Fredericton, New Brunswick.

— No. 7. —

(No. 56.)

No. 7.
Duke of Newcastle, K.G., to Lieut. Governor Hon. A.H. Gordon.
23 October 1863.

COPY of a DESPATCH from His Grace the Duke of *Newcastle*, K. G., to Lieutenant Governor the Honourable *Arthur Gordon*.

Sir, Downing-street, 23 October 1863.

LEARNING from Lord Monck's Despatch to me of the 1st October (No. 93),* that his Lordship had sent you a copy of an approved Minute of the Executive Council of Canada, dated the 29th of last September, purporting to be an answer to your Despatch to his Lordship of the 18th of the same month, on the subject of the contemplated survey of the line for the Intercolonial Railroad, I deem it advisable to put you in possession of the Despatch which I have addressed to Lord Monck. I accordingly enclose you a copy for your information.

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

* Page 34.

(No. 108) 20 October 1863, page 36.

— No. 8. —

(No. 18.)

No. 8.
Duke of Newcastle, K.G., to Lieut. Governor Hon. A.H. Gordon.
19 March 1863.

COPY of a DESPATCH from his Grace the Duke of *Newcastle*, K. G., to Lieutenant Governor the Honourable *Arthur Gordon*.

Sir, Downing-street, 19 March 1864.

I TRANSMIT to you, for your information, a copy of a correspondence which has passed between this Department, the Treasury, and Mr. Watkin, the President of the Grand Trunk Railway, on the subject of the proposed Intercolonial Railway.

From this correspondence you will learn the understanding upon which Her Majesty's Government are prepared to accede to the proposition now submitted to them, with regard to the construction of a line of Railway between Truro and the Bend, in the Provinces of New Brunswick and Nova Scotia, as a part of the larger project for completing the railway communication between Halifax and Quebec.

The question whether this section of the railway should be at once undertaken is, of course, entirely for the decision of the Provincial Legislatures. I need hardly say that I shall myself view with interest any step which tends to facilitate the completion of the plan contemplated in the negotiations of 1862-3.

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

Colonial Office to Treasury. 11 March 1864, page 42.
Treasury to Colonial Office. 18 March 1864, page 44.
Sir Frederic Rogers to Mr. Watkin. 19 March 1864, page 45.

— No. 9. —

(No. 64.)

No. 9.
Duke of Newcastle, K.G., to the Officer administering the Government of Nova Scotia.
23 October 1863.

COPY of a DESPATCH from his Grace the Duke of *Newcastle*, K. G., to the Officer Administering the Government of Nova Scotia.

Sir, Downing-street, 23 October 1863.

I HAVE the honour to transmit, for your information, the copy of a recent correspondence between the Governor of Canada and myself, on the subject of the survey of the line for the Intercolonial Railway.

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

Viscount Monck to the Duke of Newcastle, K.G. (No. 93) 1 October 1863, page 34.
Duke of Newcastle, K.G., to Viscount Monck. (No. 108.) 20 October 1863, page 36.

— No. 10. —

(No. 15.)

No. 10.
Sir F. Rogers, Bart., to the Officer administering the Government of Nova Scotia.
19 March 1864,

Colonial Office to Treasury.
11 March 1864, page 42.

Treasury to Colonial Office.
18 March 1864. page 44.

Sir F. Rogers to Mr. Watkin.
19 March, 1864, page 45.

COPY of a DESPATCH from His Grace the Duke of *Newcastle*, K.G., to the Officer Administering the Government of Nova Scotia.

Sir, Downing-street, 19 March 1864.

I TRANSMIT to you, for your information, a copy of a correspondence which has passed between this Department, the Treasury, and Mr. Watkin, the President of the Grand Trunk Railway, on the subject of the proposed Intercolonial Railway.

From this correspondence you will learn the understanding upon which Her Majesty's Government are prepared to accede to the proposition now submitted to them, with regard to the construction of a line of railway between Truro and the Bend, in the Provinces of New Brunswick and Nova Scotia, as a part of the larger project for completing the railway communication between Halifax and Quebec.

The question whether this section of the railway should be at once undertaken is, of course, entirely for the decision of the Provincial Legislatures. I need hardly say that I shall myself view with interest any step which tends to facilitate the completion of the plan contemplated in the negotiations of 1862–63.

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

— No. 11. —

(No. 35.)

No. 11.
The Officer administering the Government of Nova Scotia to the Duke of Newcastle, K.G.
13 April 1864.

COPY of a DESPATCH from the Officer Administering the Government of Nova Scotia to his Grace the Duke of *Newcastle*, K.G.

Halifax, Nova Scotia, 13 April 1864.

My Lord Duke, Answered, No. 8, 5 May 1864, page 42.)

I THINK it right to keep your Grace informed with reference to the action lately taken in the Legislature of this Province on the subject of the Intercolonial and other railway projects.

A Bill has passed both branches of the Legislature providing for the extension of the railway from Truro to Pictou.

A Bill has also passed the Lower House, by a very large majority, repealing the Intercolonial Railway Bill, passed last Session.

Your Grace's Despatch, No. 15,* of the 19th March, on the subject of the Intercolonial Railway received by last mail, was immediately on its receipt laid upon the table of both Houses.

* above.

The second reading of the Repeal Bill has not been moved in the Upper House, and I do not know whether it will be pressed.

A resolution (copy of which is transmitted herewith) has also passed the House of Assembly by a majorty of 28 to 8, and was yesterday laid on the table of the Legislative Council, but it appears uncertain what action will be taken upon it by that body.

I have, &c.
(signed) *Hastings Doyle.*

Enclosure in No. 11.

Encl. in No. 11.

In the House of Assembly, 11 April 1864.

Resolved,—That the Executive Government be authorised to secure the construction of the railway from Truro, or from the point of junction with the main line to the border of New Brunswick, through the agency of any responsible Company, provided no greater liability is incurred than four per cent. per annum, upon a capital of 10,000 *l.* currency, per mile, for a period not to exceed 20 years, and provided connexion is thereby secured with the railway from St. John to Shediac; and that the Government be authorised to procure the construction of the line west of Windsor, in the same manner to the extent of four cent. on a capital of 6,000 *l.* per mile.

— No. 12. —

No. 12.
Right Hon. E. Cardwell, M.P., to the Officer administering the Government of Nova Scotia.
5 May 1864.

(No. 8.)

Copy of a DESPATCH from the Right Honourable *Edward Cardwell*, M. P., the Officer Administering the Government of Nova Scotia.

Sir, Downing-street, 5 May 1864.

I have the honour to acknowledge the receipt of your Despatch, No. 35,* of the 13th of April, relative to the action taken in the Legislature of Nova Scotia on the subject of the Intercolonial and other Railway projects.

* Page 41.

I have, &c.
(signed) *Edward Cardwell.*

— No. 13. —

No. 13.
Right Hon. E. Cardwell, M.P., to Viscount Monck.
25 June 1864.

(No. 31.)

Copy of a DESPATCH from the Right Honourable *Edward Cardwell*, M. P., to Governor General Viscount *Monck*.

My Lord, Downing-street, 25 June 1864.

I have the honour to transmit to you, for your information, the enclosed copies of a correspondence which took place between this Department, the Treasury, and Mr. Watkin, relative to the construction by the Provinces of New Brunswick and Nova Scotia of a railway between Truro and the Bend, which would serve hereafter as the first link in the Intercolonial Railway, if that project should be carried into execution.

Colonial Office to Treasury. 11 March 1864.
Treasury to Colonial Office. 18 March 1864.
Sir Frederic Rogers to Mr. Watkin. 19 March 1864.

These papers were not sent to you at the time, because they more immediately referred to a work which was confined to the Lower Provinces; but, considering the bearing which they have on the more general scheme of the Intercolonial Railway, and especially upon the applicability and duration of the offer which has been made of a guarantee on the part of Her Majesty's Government, I think it right to bring them also within the knowledge of yourself and of your Government.

I have, &c.
(signed) *Edward Cardwell.*

Enclosure 1, in No. 13.

Encl. 1, in No. 13.

Sir, Downing Street, 11 March 1864.

In the months of December 1862 and January 1863, I had the honour, by direction of the Duke of Newcastle, to submit to you, for the consideration of the Lords of the Treasury, certain proposals made on behalf of the Colonies of Canada, Nova Scotia, and New Brunswick, in relation to the completion of a line of Railway, now partly in existence, between Halifax and Quebec.

The conclusions approved by their Lordships and his Grace, were recorded in two memoranda, which, though not embodied in the usual form of departmental correspondence, were placed in the hands of the Colonial Delegates, and have since been recited in full

full in the Provincial Acts to which I shall presently refer. It has hitherto not been thought necessary to make these transactions the subject of more formal reference to their Lordships, because all further proceedings were contingent, in the first instance, on Colonial Legislation, and this Legislation has as yet but partially taken place. But while the prosecution of the undertaking as a whole, is thus in abeyance, a proposal has reached his Grace which, without entailing any additional expense or liability on the Imperial Government, may lead to the immediate commencement of one part of the line.

This proposal his Grace is desirous of recommending strongly for the favourable consideration of their Lordships.

The case now stands as follows:—

In the memoranda already alluded to, Her Majesty's Government state the terms on which they are prepared to propose to Parliament to guarantee a loan of 3,000,000 *l.* to be spent in completing railway communication between Quebec and Halifax.

It is stipulated that the line shall be approved by the Home Government—that arrangements there described shall be made for the repayment of the loan, and that Her Majesty's Government shall approve the surveys, and must be satisfied that the line can be constructed without further application for an Imperial guarantee.

It is also stipulated that Bills shall be "immediately" submitted to the Colonial Legislatures, for giving effect to the plan.

Such Bills have been submitted to the Legislatures of New Brunswick and Nova Scotia, and passed. Copies of the Acts are now enclosed for their Lordships' information. It will be observed, that they contain transcripts of the memoranda of December 1862 and January 1863. The Canadian Government has not submitted any Bill, and appears to deny its obligation to the two other Colonies to do so.

New Brunswick, c. 5. 1863.
Nova Scotia, c. 21, 1863.

But it appears possible, that notwithstanding the backwardness of that Government, the two lower Provinces may think it worth while at once to construct a certain portion of the line (*i. e.*, from Truro, the present terminus in Nova Scotia, to what is called the Bend), if they can be assured that they will not, by this premature action, prejudice their claim on the Imperial Guarantee, supposing that this guarantee should eventually be granted.

It appears just to His Grace that, if the undertaking is a valuable one (which it certainly is), the Lower Provinces ought not to suffer by their forwardness in commencing it, provided their work is really what it ought to be, with reference to the main scheme.

But if the railway is at once commenced, questions might arise (in which Her Majesty's Government ought not to be involved) as to the proportion in which the different Provinces are entitled, or called upon to share in the advantages or burdens of the guaranteed loan. And it is also to be borne in mind, that in strictness of construction Her Majesty's Government may now, perhaps, be entitled to withdraw the promises contained in the memoranda of 1862–3, on the ground that the condition provided of "immediately" submitting the necessary Bills to the Colonial Legislatures, has not been performed. This right Her Majesty's Government would implicitly waive, if they sanctioned the commencement of the railway by Nova Scotia and New Brunswick.

His Grace thinks that the first of these two questions (that respecting the apportionment of the guarantee), so far as regards the advantage derivable from the guarantee, is almost exclusively for the consideration of the Provinces themselves; and as regards the liabilities attaching to it, that Her Majesty's Government have no reason for desiring any alteration in consequence of the proceedings now contemplated, the only object of this country being to ensure that the road is made, and the debt properly secured.

On the second point, it appears to his Grace that the present may be a proper opportunity for fixing a definite period within which, if at all, the Legislatures must effect their legislation.

His Grace would therefore propose that the promoters of this undertaking (who, he understands, have already brought their case under the consideration of the Lords of the Treasury), might be answered to the following effect,—that if the Lower Provinces shall, at their own expense, commence the construction of a railway on a line approved by Her Majesty's Government between Truro and the Bend, and if subsequently the proposed loan of 3,000,000 *l.* shall be raised under the Imperial guarantee, in virtue of the offer contained in the above-mentioned memoranda, the railway between Truro and the Bend, and the works constructed thereupon by the Lower Provinces shall (as far as Her Majesty's Government is concerned), be considered to form part of the railway on which the loan of 3,000,000 *l.* is to be expended, and Her Majesty's Government see no reason for requiring any change in that part of the memoranda which declares that 5-12ths of the loan shall be chargeable against Canada, 3½-12ths against Nova Scotia, and 3½-12ths against New Brunswick.

It may be added that the further question what part of that sum of 3,000,000 *l.* should be paid over to New Brunswick and Nova Scotia, in consideration of the works effected by them, without the concurrence of Canada, will be mainly a question for the Provincial Governments, but that the Imperial Government before being party to any such payment, in respect of this section of the railway, must have sufficient security that the whole scheme will be prosecuted with effect.

It must be clearly explained that this assurance is given merely for the purpose of providing (as far as Her Majesty's Government is concerned), that New Brunswick and Nova Scotia shall not be prejudiced by commencing the railway in anticipation of a final arrangement (if such an arrangement should ever take effect), and is not to be understood as in any way varying or keeping alive, or extending that arrangement; or as imposing

on the Imperial Government any liability to assist in the construction of the shorter line now contemplated, whether by way of guarantee or otherwise, except in pursuance of the offer of December 1862 and January 1863. It follows, of course, that if that offer should fall to the ground, this assurance will fall with it. And it should be particularly pointed out that the present correspondence is not to affect the right of the Home Government to determine for itself at what period the offer of 1862–63, shall be held to be cancelled by the failure of the Canadian Government to fulfil the first of the proposed conditions, viz., that of submitting immediately to the Colonial Legislatures the Bills required for carrying that offer into effect.

It might however be added, that Her Majesty's Government consider that offer as still subsisting; but would certainly cease to do so, unless a definitive arrangement were made and the necessary Colonial laws passed within five years of the date of the first memorandum, *i. e.* before December 1867.

G. A. Hamilton, Esq.
&c. &c. &c.

I am, &c.
(signed) *Frederic Rogers.*

Enclosure 2, in No. 13.

Encl. 2, in No. 13.

Sir,

Treasury Chambers, 18 March 1864.

I am commanded by the Lords Commissioners of Her Majesty's Treasury to transmit to you the enclosed copy of a letter from Mr. Watkins, the President of the Grand Trunk Railway of Canada, dated 15th ultimo; and with reference to your letter of the 11th instant, I am to request that you will state to his Grace the Duke of Newcastle that my Lords are very averse to entertain the proposition now made in relation to the construction of the line of railway between Truro and the Bend in the Provinces of New Brunswick and Nova Scotia, as a part of the larger project for completing railway communication between Quebec and Halifax, without knowing the views of the Government of those Provinces.

If, however, it should be the desire of the Governments of the Provinces of New Brunswick and Nova Scotia that the arrangement proposed in your letter of the 11th instant, with the conditions annexed, should be carried into effect, and if the Legislatures of the Provinces should make provision accordingly, this Board will be prepared to assent to that arrangement.

But their Lordships desire that it may be distinctly understood that the construction of the line now proposed between Truro and the Bend is undertaken by the two Provinces at their own risk, that no claim of any kind is to be made upon the Imperial Government if the whole project of 1862–3 should not be carried out, and that Her Majesty's Government is not to be involved in any question that may arise between the three provincial Governments with reference to the arrangement now proposed.

Sir F. Rogers, Bart.
&c. &c. &c.

I am, &c.
(signed) *F. Peel.*

Sub-Enclosure.

Grand Trunk Railway of Canada,
21, Old Broad Street, E. C.
15 February 1864.

Sir,

Provisional arrangements were made in 1862 and 1863 between Her Majesty's Treasury and delegates from Nova Scotia and New Brunswick and Canada in reference to the Intercolonial Railway.

The railway, as projected, was composed of two integral portions, one extending from Truro in Nova Scotia to a junction with the St. John and Shediac line at a place below Shediac usually known as the "Bend," and which portion was about 100 miles in length; the other extending from "the Bend," through portions of the Provinces of New Brunswick and Canada, to Riviere du Loup, where it effected a junction with the system of the Grand Trunk Railway, of which I am President, and by means of which system a direct through communication is secured to the extreme western boundary of Canada.

In the papers drawn up under your supervision, I believe, in 1863, it was proposed that the British Government should have the right of laying down the exact course of the line of railway, and that in consideration of this and other matters the Imperial guarantee should be extended to an issue of 3,000,000*l.* sterling of provincial bonds to be devoted to the construction.

I need not trouble you with further details, with which you are so familiar.

Since the issue of these documents the Provinces of Nova Scotia and New Brunswick have each passed Acts in their Parliament accepting and confirming the arrangement so far as those two Provinces are concerned; but these Acts contain a provision that if within

two

two years the Province of Canada should not assent and legislate, then that their own legislation should be considered void; therefore their legislation of 1863 will be void in the year 1865.

Unfortunately Canada has not yet made any practical step in advance in the way of legislation, nor is there any great likelihood that the Canadian Parliament, in the Session about to commence, will carry through the needful measures.

Under these circumstances, the Provinces of Nova Scotia and New Brunswick were anxious that Her Majesty's Government should permit the Imperial Guarantee to operate as regards the capital required to be expended on the first link of the railway, viz., that between Truro and "the Bend," but on consulting his Grace the Duke of Newcastle, at the request of Members of the Government of the two Provinces, I find him indisposed to recommend a compliance with the wishes so expressed.

As matters stand, the Parliaments of Nova Scotia and New Brunswick will, in the coming Session, be urged to devote, in other directions, the capital to be set apart for the construction of the Intercolonial.

As regards Nova Scotia, a strong effort will be made to extend their existing railway system, for local purposes, to Pictou; and more than that, both Nova Scotia and New Brunswick are, at this moment, appealed to to join with parties in the State of Maine, in connecting their respective railway systems with the railway system of the United States.

And as the latter proposal involves a much smaller cost and length of railway to construct than the Intercolonial, and as it will give for New Brunswick a short route into districts with which they have a very considerable trade, such a proposal finds many and ardent supporters.

Under these circumstances, I have suggested to his Grace the Duke of Newcastle, in accordance with what I believe to be the wishes of those in the Lower Provinces, who are anxious still for the realization of the Intercolonial project, that Her Majesty's Treasury should protect these two Provinces from damage, in the event of their taking action in the right direction, and not waiting for Canada.

Provided they can be induced to construct, without delay, and out of their own funds, the first link in the Intercolonial system above alluded to, which I consider will cost about 800,000 *l.* sterling, will Her Majesty's Treasury consent that, in the event of the complete construction of the Intercolonial Railway, under the approval of Her Majesty's Government, the fair rateable proportion of capital attributable to this first link shall be then included in the guarantee?

It might be distinctly understood, that some reasonable limit of time should be fixed by Her Majesty's Government, and also that the whole arrangement is still contingent upon Imperial Legislation, that no present guarantee is required, and that no guarantee or liability can accrue unless the whole scheme be carried out under the approval of the Treasury, and the confirmation of Parliament.

I have, &c.
(signed) *Edwin W. Watkin.*

G. A. Hamilton, Esq.,
Secretary, Treasury, Whitehall.

Enclosure 3, in No. 13.

Sir, Downing-street, 19 March 1864. Encl. 3, in No. 13.

The Duke of Newcastle desires me to inform you that he has received from the Lords of the Treasury a copy of your letter of the 15th of February, contemplating the construction, by New Brunswick and Nova Scotia, of the first link of the Intercolonial Railway between Truro and the Bend, and suggesting that the line so constructed should be held to be part of the larger scheme contemplated in the laws recently passed by those two Provinces, and by the memoranda of December 1862 and January 1864, recited in those laws.

I am directed by his Grace to inform you in reply that if the Lower Provinces shall at their own expense commence the construction of a Railway on a line approved by Her Majesty's Government between Truro and the Bend, and if subsequently the proposed loan of 3,000,000 *l.* shall be raised under the Imperial Guarantee in virtue of the offer contained in the above memoranda, the railway between Truro and the Bend, and the works constructed thereupon by the Lower Provinces shall (as far as Her Majesty's Government is concerned) be considered to form part of the railway on which the loan of 3,000,000 *l.* is to be expended, and that his Grace sees no reason for requiring any change in that part of the memoranda which declares that 5-12ths of the loan shall be chargeable against Canada, 3½-12ths against Nova Scotia, and 3½-12ths against New Brunswick.

The further question, what part of that sum of 3,000,000 *l.* should be paid over to New Brunswick and Nova Scotia, in consequence of the works effected by them without the concurrence of Canada, will be mainly a question for the Provincial Governments in which it must be understood that Her Majesty's Government is not to be involved. But the Imperial Government before being party to any such payment in respect of this section of the railway must have sufficient security that the whole scheme will be prosecuted with effect.

It is scarcely necessary to observe that this assurance is given merely for the purpose of providing (as far as Her Majesty's Government is concerned) that New Brunswick and Nova Scotia shall not be prejudiced by commencing the railway in anticipation of a final arrangement (if such arrangement should ever take effect), and is not to be construed as in any way varying or keeping alive, or extending that arrangement, or as imposing on the Imperial Government any liability to assist in the construction of the shorter line now contemplated, whether by way of guarantee or otherwise, except in pursuance of the offer of December 1862, and January 1863. Therefore no claim whatever is to be made on the Imperial Government, unless the whole project is carried into execution; and if the offer of 1862–63 should fall to the ground, this assurance will of course fall with it.

It must also be understood that the present correspondence is not to affect the right of the Home Government to determine for itself at what period the offer of 1862–63, shall be held to be cancelled by the failure of the Canadian Government to fulfil the first of the proposed conditions, viz., that of submitting immediately to the Colonial Legislatures the Bills required for carrying that offer into effect.

I am to add, however, that Her Majesty's Government consider that offer as still subsisting; but would certainly cease to do so, unless a definitive arrangement were made, and the necessary Colonial laws passed within five years of the date of the first memorandum, *i. e.*, before December 1867.

I am, &c.

E. W. Watkin, Esq. (signed) *Frederic Rogers.*

NORTH AMERICA (INTERCOLONIAL RAILWAY).

COPY of CORRESPONDENCE between the NORTH AMERICAN PROVINCES and the IMPERIAL GOVERNMENT, relating to their Application for Assistance in raising a LOAN for an INTERCOLONIAL RAILWAY (in continuation of Parliamentary Paper, No. 210, of 1863).

(*Mr. Adderley.*)

Ordered, by The House of Commons, *to be Printed,*
26 *July* 1864.

530.

Under 2 oz.

CUSTOMS DUTIES (CANADA).

RETURN to an Address of the Honourable The House of Commons, dated 5 May 1864;—*for*,

"A COPY of any CORRESPONDENCE between the Colonial Office and the Authorities in *Canada*, on the subject of the Removal or Reduction of the DUTIES charged on BRITISH GOODS entering *Canada*."

Colonial Office, 16 June 1864.

FREDERIC ROGERS.

(*Mr. Aytoun.*)

Ordered, *by* The House of Commons, *to be Printed*, 17 *June* 1864.

SCHEDULE.

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COPY of any CORRESPONDENCE between the Colonial Office and the Authorities in *Canada*, on the subject of the Removal or Reduction of the DUTIES charged on BRITISH GOODS entering *Canada*.

— No. 1. —

(No. 40).

No. 1.

COPY of a DESPATCH from Governor the Right Honourable Sir *Edmund Head*, Bart., to the Right Honourable Sir *E. B. Lytton*, Bart.

Governor the Right Hon. Sir Edmund Head, Bart., to the Right Hon. Sir E. B. Lytton, Bart. 26 March 1859.

Government House, Toronto, C. W.,
26 March 1859.

Sir,

I HAVE the honour to enclose a copy of the Tariff of Customs Duties which has been enacted by the Legislature of this Colony.

It is to be regretted that the necessity which exists for meeting the financial engagements of the Province, and the depression of last year, have compelled the Government to propose rates of duty so high as those imposed by the present Act.

I am aware of the objections which may be offered to the principle of "ad valorem" duties; but I must necessarily leave the representatives of the people in Parliament to adopt that mode of raising supplies which they believe to be most beneficial to their constituents. There is nothing in the system adopted which professes to impose differential duties, or to fetter the freedom of trade

I have, &c.

The Right Hon. Sir E. B. Lytton, Bart., &c. &c. &c.

(signed) *Edmund Head.*

Enclosure in No. 1.

Enclosure in No. 1.

CAP. II.—An Act to amend the Act relating to Duties of Customs.

[Assented to 26th March 1859.]

Preamble.

WHEREAS it is expedient to amend the Tariff of Customs Duties now in force, in the manner hereinafter mentioned: therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:—

Schedule of duties under 22 Vict. c. 76, repealed.

1. The Schedule to the Act passed in the 22d year of Her Majesty's reign, c. 76, intituled, "An Act to amend the Law relative to Duties of Customs and of Excise, and to impose new Duties; and a Duty on Tavern-keepers," containing the table of duties of Customs inwards, the table of exemptions, and the table of prohibitions, shall be repealed upon, from and after the day of the passing of this Act; except so much of the said Schedule as imposes or relates to the duties on sugar of any kind, or molasses, which shall remain in force until the 1st day of June 1859, and shall be repealed on that day, when the duties imposed on the said articles by the Schedule to this Act shall be levied; and except also, so much of the said Schedule as imposes or relates to the duties on green coffee and tea, which shall remain in force until the 1st day of January 1860, and shall be repealed on that day, when the duties imposed on the said articles by this Act shall be levied.

Except those on sugar, until 1st June 1859.

And those on tea, until 1st January 1860.

Duties in the Schedule to this Act to be levied hereafter, except as aforesaid.

2. Subject to the exceptions in the next preceding section, in lieu and instead of the duties of customs imposed by the Schedule and Act first above mentioned, and of all other duties of customs upon goods, wares and merchandize imported into this province, there shall be raised, levied, collected and paid unto Her Majesty, Her heirs and successors, upon goods, wares and merchandize imported into this province, or taken out of warehouse for consumption therein, the several duties of customs respectively described, inserted and set forth in the Schedule to this Act annexed, intituled, "Table of Duties of Customs Inward"; and the articles enumerated or mentioned in the table in the said Schedule, intituled, "Table of Free Goods," may be imported or taken out of warehouse without payment of any duty of customs under this Act; and the articles enumerated or mentioned in the table in the said schedule, intituled, "Table of Prohibitions," shall not be imported

Free goods.

Prohibitions.

imported into this province, under the penalty therein mentioned, and if imported, shall be forfeited, and forthwith destroyed.

13 & 14 Vict. c. 6, not to be affected.

But this Act shall not affect the "Copyright Act," 13 & 14 Vict. c. 6, or any duty imposed under it.

Sect. 8 of 22 Vict. 76, amended.

3. And in amendment of the eighth section of the Act above mentioned, it is enacted that the articles upon which, and the cases in which any drawback shall be payable under the said section, shall be those only upon and in which the Governor in Council shall, by the regulations to be from time to time made, declare such drawback to be payable.

Provisions of 10 & 11 Vict. c. 31, and the Acts amending it, to apply.

And so of interpretation words.

4. The foregoing provisions of this Act, shall be construed as forming one law with the Act passed in the session held in the 10th and 11th years of Her Majesiy's reign, c. 31, and intituled, "An Act for repealing and consolidating the present Duties of Customs in this province, and for other purposes therein mentioned," and the Acts amending the same, in so far as they are in force, and consistent with this Act; and all words and expressions used in this Act shall have the meaning assigned to them in the said Acts, and all the provisions of the said Acts with regard to the duties imposed by them, or the regulations to be made under them, shall apply to the duties imposed by this Act, and the regulations to be made under it, except in so far as they may be inconsistent with this Act.

SCHEDULE.

Table of Duties of Customs Inwards.

The following Goods shall be chargeable with Duty, according to the Value thereof, at the Rates hereinafter mentioned.

	Duty per cent. *ad valorem.*
Goods paying 100 per cent.	
Brandy	100 per ct.
Gin	
Cordials	
Rum	
Spirits and strong waters, including spirits of wine, and alcohol, not being whisky	
Goods paying 40 per cent. from 1st June 1859 to 30th June 1860, both days inclusive,—	
Goods paying 35 per cent. from 1st July 1860 to 30th June 1861, both days inclusive,—	
Goods paying 25 per cent. from 1st July 1861 to 30th June 1862, both days inclusive,—	
Goods paying 15 per cent. upon, from, and after the 1st July 1862,—	
The present duties remain in force until the end of May 1859:	
Sugar, refined, whether in loaves or lumps, candied, crushed, or in any other form; white bastard sugar or other sugar equal to refined in quality	40 per cent. 35 „ 25 „ 15 „
Goods paying 40 per cent.	
Cigars	40 per cent.
Goods paying 30 per cent. from 1st June 1859 to 30th June 1860, both days inclusive,—	
Goods paying 25 per cent. from 1st July 1860 to 30th June 1861, both days inclusive,—	
Goods paying 15 per cent. from 1st July 1861 to 30th June 1862, both days inclusive,—	
Goods paying 10 per cent. upon, from, and after the 1st July 1862.	
The present duties remain in force until the end of May 1859:	
Sugar, being neither refined, nor white bastard, nor other sugar equal to refined in quality	30 per cent. 25 „ 15 „
Molasses	10 „

	Duty per cent. *ad valorem.*
Goods paying 15 per cent. from 1st January 1860 to 31st December 1861, both days inclusive,—	
Goods paying 10 per cent. from 1st January 1862 to 31st December 1862, both days inclusive,—	
Goods paying 5 per cent. upon, from, and after the 1st January 1863,—	
The present duties remain in force until the end of the year 1859:	
Coffee, green	15 per cent.
Tea	10 „ 5 „
Goods paying 30 per cent.	
Almonds, walnuts, and filberts	30 per cent.
Ginger, pimento, and pepper, ground	
Mace, nutmegs, and cinnamon	
Nuts of all kinds	
Patent medicines and medicinal preparations not elsewhere specified	
Spices, ground	
Snuff	
Wine of all kinds	
Currants	
Dried fruit	
Figs	
Coffee, ground or roasted	
Blacking	
Tobacco, manufactured	
Soap	
Starch	
Ale, beer, and porter	
Goods paying 25 per cent.	
Manufactures of Leather, viz.:	
Boots and shoes	25 per cent.
Harness and saddlery	
Clothing or wearing apparel made by hand or sewing machine	
Goods paying 15 per cent.	
Book, map, and news-printing paper	15 per cent.

Goods paying 10 per cent.:	Duty per cent. *ad valorem*
Anchors, 6 cwt. and under	10 per cent.
Books, printed; periodicals and pamphlets not being reprints of British copyrights, nor blank account books, or copy books, or books to be written or drawn upon; and excepting also Bibles, Testaments, prayer-books, and devotional books	
Brass in bars, rods, and sheets	
Brass or copper wire and wire cloth	
Cameos or mosaics, real or imitation, when set in gold, silver, and other metal	
Canada plates, tinned plates, galvanized iron, and sheet iron	
Copper, in bars, rods, bolts, or sheets	
Silk twist, for hats, boots, and shoes	
Iron, bar, rod, or hoop	
Iron, nail and spike rod	
Iron, hoop or tire, for driving wheels of locomotives, bent and welded	
Iron, boiler plate	
Iron, railroad bars, wrought iron chairs, and spikes	
Iron, rolled plate	
Iron wire	
Jewellery and watches	
Lead in sheet	
Maps, charts, and atlases	
Sails, ready made	
Spirits of turpentine	
Steel, wrought or cast	
Cotton candle wick, cotton yarn, and cotton warp	
White lead, dry	
Plaster of Paris, ground and calcined	
Hydraulic cement, ground and calcined	
Red lead	
Litharge	
Phosphorus	
Medicinal roots	
Drain tiles for agricultural purposes	
Engravings and prints	
Straw, Tuscan, and grass fancy plaits	
Tin, granulated or bar	
Tubes and piping, of copper, brass, or iron, when drawn	
Zinc or spelter, in sheet	
Locomotive and engine frames, cranks, crank axles, railway car and locomotive axles, piston rods, guide and slide bars, crank pins, connecting rods, steamboat and mill shafts and cranks, forged in the rough	
Goods paying 20 per cent.	
All articles not hereinbefore enumerated as charged with an *ad valorem* duty, or hereinafter charged with a specific duty, or declared free of duty, shall be chargeable with a duty of 20 per cent. on the value thereof	20 per cent.
Goods paying Specific Duties.	Duty.
Whisky of any strength not exceeding the strength of proof by Sykes' hydrometer, shall be chargeable with a duty of 18 cents. per gallon, and so in proportion for any greater strength or less quantity than a gallon	*Dolls. cts.* – 18
Table of Free Goods.	
Acids of every description, except vinegar	Free.
Agricultural Societies—Seeds of all kinds, farming utensils, and implements of husbandry, when specially imported by, for the encouragement of agriculture	
Alum	

Table of Free Goods—*continued.*	
Anatomical preparations	Free.
Anchors, over 6 cwt.	
Animals of all kinds	
Antimony	
Antiquities, collections of	
Apparel, wearing, and other personal effects, and implements of husbandry (not merchandise) in actual use of persons coming to settle in the province, and accompanying the owner	
Apparel, wearing, of British subjects dying abroad	
Argol	
Arms for the Army or Navy and Indian nations, provided the duty otherwise payable thereon would be paid or borne by the Treasury of the United Kingdom, or of the province	
Ash, pot, pearl, and soda	
Bark, tanners'	
Bark, used solely in dyeing	
Barley, except pot and pearl	
Barley meal	
Beans	
Bean meal	
Bear and bigg	
Bear and bigg meal	
Berries, used solely in dyeing	
Bibles, Testaments, Prayer Books, and devotional books	
Bleaching powder	
Bolting cloths	
Borax	
Bookbinders' tools and implements	
Books, maps, and charts, imported not as merchandise, but as the personal effects of persons arriving in Canada, to become *bonâ fide* residents of the province	
Bottles containing wine, spirituous or fermented liquors, of officers' mess	
Brandy imported for officers' mess	
Bran and shorts	
Brimstone	
Bristles	
Broom corn	
Buckwheat	
Buckwheat meal	
Bulbs and roots other than medicinal	
Bullion	
Burrstones, wrought or unwrought, but not bound up into millstones	
Butter	
Coin and bullion	
Cabinets of coins	
Cables:	
Iron chain, over three-fourths of an inch diameter	
Hemp	
Grass	
Carriages of travellers, and carriages employed in carrying merchandise (hawkers and circus troupes excepted)	
Casks, ships' water, in use	
Caoutchouc or India rubber, and gutta percha, unmanufactured	
Cement, marine or hydraulic, unground	
Charitable societies, donations of clothing for gratuitous distribution by	
Cheese	
Clothing for Army or Navy, or Indian nations, or for gratuitous distribution by any charitable society	
Coal	
Cochineal	
Coke	
Commissariat stores	
Copperas	

Table of Free Goods—*continued.*

Corkwood, or the bark of the corkwood tree
Corn, Indian
Cotton and flax waste
Cotton wool
Cream of tartar in crystals

Diamonds and precious stones
Drugs used solely in dyeing
Dye stuffs, viz.: bark, berries, drugs, nuts, vegetables, woods, and extract of log-wood

Earths, clays and ochres, dry
Eggs
Emery
Emery, glass, and sand paper

Felt hat bodies and hat felt
Fire-brick
Firewood
Fish
„ oil, in its crude or natural state
„ products of, unmanufactured
Fishing nets and seines
Fish-hooks, lines, and fish-twines
Flax, hemp, and tow, undressed
Flour
Fruits, green
Fruits, dried, the growth of the United States only, while the Reciprocity Treaty is in force
Furs, skins, pelts, or tails undressed, when imported directly from the United Kingdom or British North American Provinces, or from the United States, while the Reciprocity Treaty is in force

Gems and medals
Gold beaters' brim moulds and skins
Gravels

Grains:
Barley and rye
Beans and peas
Bear and bigg
Bran and shorts
Buckwheat
Indian corn
Oats
Wheat
Meal of above grains

Grindstones, wrought or unwrought
Gums and resins, in a crude state
Gypsum or plaster of Paris, ground or unground, but not calcined
Grease and scraps

Hams
Hair, Angola, goat, Thibet, horse, or mohair, unmanufactured
Hemp
Hides
Horns
Household furniture and effects that have been in actual use for one month or more, of persons coming to settle in this Province, and in charge of the owner
Household effects, personal, not merchandise, of subjects of Her Majesty domiciled in Canada, but dying abroad

Indigo
Inventions and improvements in the arts, models or patterns of; provided that no article shall be deemed a model which can be fitted up for use

Junk and oakum

Lard
Lime, the produce of British North American Provinces only

Free.

Table of Free Goods—*continued.*

Machinery, models and patterns of; provided the same be not put to actual use
Manilla grass
Manures of all kinds
Marble in blocks or slabs unpolished
Meats, fresh, smoked and salt
Menageries, horses, cattle, carriages, and harnesses of; subject to regulations by the Governor in Council
Military clothing for Her Majesty's troops or militia
Military stores and materials for military clothing imported for the use of the Provincial militia, under such restrictions as may be passed by Governor in Council
Mosses and sea grass, for upholstery purposes
Musical instruments for military bands

Nitre or saltpetre

Oakum
Oils:—cocoa nut, pine, and palm, in their crude, unrectified, or natural state
Oil cake or linseed cake
Ordnance stores
Ores, of all kinds of metals
Osier or willow, for basket-makers' use

Packages of all kinds in which goods are usually imported, except the following, viz.: spirit, wine, oil, beer, cider, and other casks for the containing of liquid, baskets of every description, trunks, snuff jars, earthenware jars, glass jars, bottles, and barrels containing, grain, seeds, and peas
Pig iron, pig lead, and pig copper
Pitch and tar
Philosophical instruments and apparatus, globes
Plants, shrubs, and trees
Printing ink and printing presses
Provisions for Army or Navy, or Indian nations

Rags
Resin and rosin
Rice

Sail-cloth
Sal soda
Sal ammoniac
Salt
Seeds, for agricultural, horticultural, or manufacturing purposes only

Ships' blocks
Binnacle lamps
Bunting
Canvas, sail, Nos. 1 to 6
Compasses
Dead-eyes
Dead lights
Deck plugs
Shackles
Sheaves
Signal lamps
Travelling trucks
Cordage which upon importation shall have paid the duty of Customs, shall be entitled to drawback under the 8th sect. 22 Vict. c. 76, when applied to ship-building purposes, and under such regulations as the Governor in Council may make

Ships' water casks in use
Silk hat felts
Soda ash
Sago flour

Free.

Table of Free Goods—*continued.*	
Specimens of natural history, mineralogy, or botany	Free.
Stone, unwrought	
Slate	
Stereotype blocks, for printing purposes	
Statues, busts, and casts, of marble, bronze, alabaster or plaster of Paris, paintings and drawings as works of art, specimens of sculpture, cabinets of coins, medals, gems, and all collections of antiquities	
Sulphur or brimstone	
Tin and zinc or spelter in block or pig	
Tallow	
Teasels	
Timber and lumber of all kinds, round, hewed, sawed, unmanufactured in whole or in part	
Tobacco, unmanufactued	
Tools and implements of trade of handicraftsmen arriving in Canada, when accompanied into the Province by the actual settler, and brought in by such settler for his own use, and not for sale	
Treenails	
Turpentine other than spirits of turpentine	
Type metal, in blocks or pigs	
Varnish, bright and black, for ship builders, other than copal, carriage, shellac, mastic, or japan	

Table of Free Goods—*continued.*	
Vegetables, not elsewhere specified	Free.
Vehicles of travellers, except those of hawkers and pedlars	
Water lime, unground	
Wine, spirits, and fermented liquors of all kinds, imported for officers' mess, and the packages containing the same	
Wood for hoops when not notched	
Woods of all kinds	
Wool	
All importations for the use of Her Majesty's Army and Navy serving in Canada, or for the public uses of the Province	

Table of Prohibitions.	
The following articles are prohibited to be imported under a penalty of 50 *l.*, together with the forfeiture of the parcel or package of goods in which the same may be found:	Prohibited.
Books, drawings, paintings, and prints of an immoral and indecent character	
Coin, base or counterfeit	

— No. 2. —

(No. 23.)

No. 2.
The Duke of Newcastle, K.G., to Governor the Right Hon. Sir Edmund Head, Bart.
13 August 1859.

COPY of a DESPATCH from his Grace the Duke of *Newcastle*, K.G., to Governor the Right Honourable Sir *Edmund Head*, Bart.

Sir, Downing-street, 13 August 1859.

I HAVE the honour to transmit to you the copy of a Memorial which has been addressed to me by the Chamber of Commerce and Manufactures at Sheffield, representing the injury anticipated to their commerce by the increased duties which have been imposed on imports by the late Canada tariff.

1 August 1859.

I request that you will place this representation in the hands of your Executive Council, and observe to that body that I cannot but feel that there is much force in the argument of the Sheffield manufacturers. Practically, this heavy duty operates differentially in favour of the United States, in consequence of the facility for smuggling which so long a line of frontier affords, and the temptation to embark in it which a duty of 20 per cent. offers. Regarded as a fiscal expedient, the measure is impolitic; for whilst any increase of contraband trade must be at the expense of the Exchequer, the diminution of foreign importations will probably more than neutralise the additional revenue derived from the higher duty.

Whenever the authenticated Act of the Canadian Parliament on this subject arrives, I may probably feel that I can take no other course than signify to you the Queen's assent to it, notwithstanding the objections raised against the law in this country; but I consider it my duty no less to the Colony than to the Mother Country, to express my regret that the experience of England, which has fully proved the injurious effect of the protective system, and the advantage of low duties upon manufactures, both as regards trade and revenue, should be lost sight of, and that such an Act as the present should have been passed. I much fear the effect of the law will be that the greater part of the new duty will be paid to the Canadian producer by the colonial consumer, whose interests, as it seems to me, have not been sufficiently considered on this occasion.

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

Enclosure in No. 2.

Chamber of Commerce and Manufactures,
My Lord Duke, Sheffield, 1 August 1859.

Enclosure in No. 2. I HAVE the honour to enclose a Memorial from this Chamber of Commerce respecting the greatly augmented duties levied upon manufactured imports into the Canadian Colonies.

This Memorial is presented in accordance with a wish expressed by your Grace at an interview granted to a deputation from this Chamber on Wednesday the 20th of July last.

It sets forth the main points in which these greatly increased duties are burdensome to home commerce; and this Chamber begs that the subject may receive your Grace's attention.

I have, &c.
(signed) *Charles E. Smith*,
Honorary Secretary.

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

To His Grace the Duke of *Newcastle*, Secretary of State for the Colonies.

Chamber of Commerce and Manufactures, Sheffield,
My Lord Duke, 1 August 1859.

IN accordance with a promise made by us on the 20th ultimo, when we had the honour of waiting upon your Grace on behalf of the merchants and manufacturers of Sheffield, to represent the injury anticipated to the trade of this town from the recent advance of the import duties of Canada, we now beg respectfully to re-state the reasons why such injury is apprehended. These reasons may be said to be twofold; first, those arising from a conviction that it is the deliberate policy of the Government of Canada to foster native manufactures by fiscal protection, and every other means in their power, and, second, those arising from a consideration of the fact that there exists close to the Canadian frontier a body of competing United States manufacturers, to whom such contiguity more than counterbalances the fact that they have to pay the same duties as ourselves.

For proof that we are not mistaken about what the policy of the Canadian Government is, we would refer your Grace to the tone of the whole press of Canada, to the speeches of members of the Canadian Parliament, on both sides of the House, and especially to the steady increase of duties levied on Sheffield goods under every successive tariff. It will be sufficient to say on the last point, that within 18 years or less, the duty levied on Sheffield goods has been steadily advanced from 2½% to 20 %. We would remind your Grace, in the second place, that while there is a protection in favour of Canadian manufactures against Sheffield of from 35% to 40%, consisting of land carriage, freight, insurance, commission, shipping expenses, duty, &c., that owing to the close contiguity of, and cheap transit from the competing seats of American industry, similar goods can be sent across the Canadian frontier by United States manufacturers' at a cost of from 22½ to 25%. It is, therefore, plain that the American manufacturer has actually an advantage over the Sheffield manufacturer of from 12½ to 15%. As this is a natural protection, however, and consequently one which remains about the same, be the Canadian duty what it may, we only name it to show your Grace how great the obstacles are naturally against which Sheffield labour has to struggle, and for the purpose of remarking as another objection to any increase of duty, that it is actually the interest of American manufacturers that the Canadian duties should be raised, since any hinderance or confusion caused to Sheffield manufacturers can only tend to divert the demand towards markets easier of access, and with which intercourse is more quickly exchanged than with Sheffield. It is important too, to remember that the American manufacturer has more than 1,000 miles of unguarded frontier across which he can smuggle with impunity. The merchants and manufacturers of Sheffield have no wish to obtain special exception for themselves, and do not complain that they are called upon to pay the same duty as the American or the German, neither do they claim to have their goods admitted free of duty; all they ask is, that the policy of protection to native manufactures in Canada should be distinctly discountenanced by Her Majesty's Government, as a system condemned by reason and experience, directly contrary to the policy solemnly adopted by the Mother Country, and calculated to breed disunion and distrust between Great Britain and her Colonies. It cannot be regarded as less than indecent, and a reproach, that, while for 15 years the Government, the greatest statesmen, and the press of this country have been not only advocating, but practising the principles of free trade, the Government of one of her most important Colonies should have been advocating monopoly and protection. Under the artificial stimulus of this system, extensive and numerous hard-ware manufactories

have

have sprung up both in Canada East and West, and the adoption of increasing duties has been the signal for more to be commenced. We are aware that the fiscal necessities of the Canadian Government are urged as the chief cause for passing the late Tariff Bill. This is not the whole truth; no one can read the papers of the provinces and the speeches of the Members of both Houses, and be deceived for an instant, but even if that were the cause, we conceive that Her Majesty's Government has a right to demand that what revenue is needed shall be raised in some other way than that which is opposed to the acknowledged commercial policy of the Imperial Government, and destructive of the interests of those manufacturing towns in Great Britain which trade with Canada. As some evidence that this new tariff is objectionable on Colonial grounds, we would draw your Grace's attention to the following extract:—

The New Canadian Tariff:—"Mr. Galt's tariff is bearing with dreadful severity on our trade. The imports at Toronto for the first six months of 1859 were 1,939,928 dollars, while those of the corresponding period last year were 1,534,131 dollars, showing an increase of only 27 per cent. The duties collected in the same period, in 1858, were 168,161 dollars, and in 1859, 286,100 dollars, which shows an augmentation on the burdens of the people of very nearly 70 per cent. The exports, during the six months of 1859, were only 147,444 dollars; 37,069 dollars less than in 1858, and 138,656 dollars less than we paid in duties alone. With decreased means of payment we have imported more and paid more to the Government than last year. How can a country prosper under such burdens as the present Government have imposed?"—Toronto (W. C.), "Globe" of July 8th.

We remain, &c.
(signed) *Charles Atkinson*,
Mayor of the Borough of Sheffield,

Robert Jackson,
Master Cutler,

For John Jobson Smith,
President of the Chamber of Commerce.

Charles E. Smith,
Honorary Secretary.

— No. 3. —

(No. 57.)

No. 3.
The Duke of Newcastle, K.G., to Governor the Right Hon. Sir Edmund Head, Bart.
5 November 1859.
* Page 7.
† Page 3.

COPY of a DESPATCH from His Grace the Duke of *Newcastle*, K.G., to Governor the Right Honourable Sir *Edmund Head*, Bart.

Sir, Downing-street, 5 November 1859.

WITH reference to my Despatch, No. 23 * of the 13th of August, relative to the Tariff of Customs Duties recently enacted by the Legislature of Canada, a copy of which was transmitted to me with your Despatch, No. 40 † of the 26th of March last, I enclose, for your information the copy of a report on the subject of that Tariff, which has been prepared by the Board of Trade.

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

Governor Sir E. Head,
&c. &c. &c.

Enclosure in No. 3.

Office of Committee of Privy Council for Trade,
Whitehall, 20 October 1859.

Sir,

I HAVE laid before the Lords of the Committee of Privy Council for Trade your letter of the 26th September last, transmitting for their consideration, by direction of the Duke of Newcastle, a copy of an Act of the present Session of the Canadian Parliament, an Act of the preceding Session imposing duties of customs. Enclosure in No. 3.

In reply, I am to request that you will state to his Grace, that the Tariff annexed to the present Act contains modifications of the one established by the Act of 1858, the most striking feature of which is the extension of *ad valorem* duties to those articles, which under the latter Act were charged with specific and rated duties.

The Act is, however, still open to the principal objection to which the former Act was liable, viz., the augmentation of the duties upon all the most important articles of manufacture from 15 per cent., which was the rate of duty charged upon them prior to 1858, to 20 and 25 per cent.

 Among

Among those articles liable under the present Tariff to 20 per cent. *ad valorem*, are all the leading textile fabrics, such as cottons, woollens, silks, and linens, as well as iron and hardware, earthenware, and unmanufactured leather, while manufactures of leather, viz., harness and saddlery, boots and shoes, are charged with 25 per cent. *ad valorem*.

Of all these articles the Colony has hitherto drawn its principal supply from the United Kingdom.

The aggregate revenue derived from the duties upon these articles alone, exclusive of manufactures of leather in 1857 was 487,306 *l*.

The increased taxation upon them under the new Tariff will amount, assuming the trade to maintain its present value, to no less a sum than 159,102 *l*.

It is unnecessary to remark that the increased burden thus placed upon a trade of so much importance, cannot fail to be severely felt by the exporters of the United Kingdom, as well as by the consumers in the Colony, and cannot but be regarded by my Lords with much regret.

This regret is increased by the reflection, that, owing to the facilities afforded by the extensive inland frontier of Canada for contraband trade, the present measure has a direct tendency to encourage the competition of United States manufacturers in the Canadian markets, while by the protection which it will at the same time afford to the manufactures of the Province, it will favour the interests of a very small class at the expense of the body of the population.

My Lords observe that Sir E. Head states in the Despatch which accompanies this Act, that it is required to meet the financial engagements of Canada.

Having regard to the statement, and also to the local peculiarities of the Province which may be supposed to render it difficult for the Legislature to draw their principal Customs Revenue from those articles of importation, which in the United Kingdom afford the main resource of the Exchequer with the least possible injury to the trade; viz., tea, tobacco, sugar, wine and spirits, my Lords are not prepard to condemn the course which has been adopted.

They think, however, that in leaving the Act to its operation, Her Majesty's Government should express their regret that the fiscal requirements of Canada should have compelled it to resort to a measure so objectionable in principle, and their apprehension of the injurious effect which it is calculated to produce upon the industrial progress of the Province.

I am to add, that in the present Act a duty of 10 per cent. *ad valorem* is imposed upon all "printed books," &c., not being reprints of British copyrights, which prior to 1858 were admitted duty free, while reprints of such copyrights remain still subject to the duty of 15 per cent. *ad valorem*, only imposed under the Canadian Act of the 13th & 14th Vict. c. 6.

The effect of this change will be to diminish by two-thirds the amount of protection hitherto enjoyed by British authors entitled to copyright; and as this protection was given in lieu of the monopoly which they previously possessed in the Colonial market, my Lords would submit that it constitutes a departure from the understanding upon which Her Majesty was advised to give effect to the Canadian Act, to which I have referred, by Her Order in Council, of the 12th December 1850, which was issued on the ground that the Act in question afforded a reasonable compensation to British authors for the loss of their monopoly.

The Duke of Newcastle is aware that under the Act above referred to, it is provided that the proceeds of the duty upon reprints of English copyright works shall be paid into a fund, to be distributed among those who are beneficially interested in the copyright of such works, that it may be said that if the effect of this change should be, as may be expected, to stimulate the importation of such reprints, this fund will be proportionately augmented; but as this contingency appears to my Lords to afford a very doubtful compensation to British authors for the diminution of the protection which they have hitherto enjoyed, they think that the attention of the Governor should be called to this provision of the Act, and that he should be instructed to take the earliest occasion of proposing to the Legislature of the Province to restore the original arrangements, either by admitting English copyrights duty free, or by augmenting the duty upon reprints of such works to 25 per cent. *ad valorem*.

I am, &c.

Herman Merivale, Esq., C. B. (signed) *James Booth.*

— No. 4. —

(No. 118.)

No. 4.
Governor the Right Hon. Sir Edmund Head, Bart., to His Grace the Duke of Newcastle, K.G.

COPY of a DESPATCH from Governor the Right Honourable Sir *Edmund Head*, Bart., to His Grace the Duke of *Newcastle*, K. G.

Government House, Quebec,
My Lord Duke, 11 November 1859.

I DID not fail immediately to call the attention of my Council to your Despatch of 13th August, No. 23.* The subject was by them referred to the Finance Minister, Mr. Galt, who has reported thereon.

According to the recommendation of the Council, I now forward for your Grace's consideration a copy of this Report.

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

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

* Page 7.

Enclosure in No. 4.

COPY of a Report of a Committee of the Executive Council approved by His Excellency the Governor General, on the 12th of November 1859.

Enclosure in No. 4.

ON the Report of the Honourable the Minister of Finance, dated 25th October ultimo, submitting certain remarks and statements upon the Despatch of his Grace the Duke of Newcastle, dated 13th August, and upon the Memorial of the Chamber of Commerce of Sheffield, dated 1st August, transmitted therewith,—

The Committee concur in the views expressed by the Minister of Finance, and recommend that a copy of his Report be forwarded by your Excellency to Her Majesty's Secretary of State for the Colonies.

Certified,
(signed) *William H. Lee*, C. E. C.

REPORT.

The Minister of Finance has the honour respectfully to submit certain remarks and statements upon the Despatch of His Grace the Duke of Newcastle, dated 13 August, and upon the Memorial of the Chamber of Commerce of Sheffield, dated 1 August, transmitted therewith.

IT is to be deeply regretted that his Grace should have given to so great a degree the weight of his sanction to the statements in the Memorial, without having previously afforded to the Government of Canada the opportunity of explaining the fiscal policy of the province and the grounds upon which it rests. The representations upon which his Grace appears to have formed his opinions are those of a provincial town in England, professedly actuated by selfish motives; and it may fairly be claimed for Canada, that the deliberate acts of its Legislature representing nearly three millions of people, should not have been condemned by the Imperial Government on such authority, until the fullest opportunity of explanation had been afforded. It is believed that nothing in the Legislation of Canada warrants the expressions of disapproval which are contained in the Despatch of his Grace, but that on the contrary due regard has been had to the welfare and prosperity of Her Majesty's Canadian subjects.

From expressions used by his Grace in reference to the sanction of the Provincial Customs Act, it would appear that he had even entertained the suggestion of its disallowance; and though, happily Her Majesty has not been so advised, yet the question having been thus raised, and the consequences of such a step, if ever adopted, being of the most serious character, it becomes the duty of the Provincial Government distinctly to state what they consider to be the position and rights of the Canadian Legislature.

Respect to the Imperial Government must always dictate the desire to satisfy them that the policy of this country is neither hastily nor unwisely formed; and that due regard is had to the interests of the Mother Country as well as of the Province. But the Government of Canada acting for its Legislature and people cannot, through those feelings of deference which they owe to the Imperial authorities, in any manner waive or diminish the right of the people of Canada to decide for themselves both as to the mode and extent to which taxation shall be imposed. The Provincial Ministry are at all times ready to afford explanations in regard to the acts of the Legislature to which they are party; but

subject to their duty and allegiance to Her Majesty, their responsibility in all general questions of policy must be to the Provincial Parliament, by whose confidence they administer the affairs of the country; and in the imposition of taxation, it is so plainly necessary that the Administration and the people should be in accord, that the former cannot admit responsibility or require approval beyond that of the local Legislature. Self-government would be utterly annihilated if the views of the Imperial Government were to be preferred to those of the people of Canada. It is, therefore, the duty of the present Government distinctly to affirm the right of the Canadian Legislature to adjust the taxation of the people in the way they deem best, even if it should unfortunately happen to meet the disapproval of the Imperial Ministry. Her Majesty cannot be advised to disallow such acts, unless Her advisers are prepared to assume the administration of the affairs of the Colony irrespective of the views of its inhabitants.

The Imperial Government are not responsible for the debts and engagements of Canada. They do not maintain its judicial, educational, or civil service; they contribute nothing to the internal government of the country, and the Provincial Legislature acting through a ministry directly responsible to it, has to make provision for all these wants; they must necessarily claim and exercise the widest latitude as to the nature and extent of the burthens to be placed upon the industry of the people. The Provincial Government believes that his Grace must share their own convictions on this important subject; but as serious evil would have resulted had his Grace taken a different course, it is wiser to prevent future complication by distinctly stating the position that must be maintained by every Canadian Administration.

These remarks are offered on the general principle of colonial taxation. It is, however, confidently believed, that had his Grace been fully aware of the facts connected with the recent Canada Customs Act, his Despatch would not have been written in its present terms of disapproval.

The Canadian Government are not disposed to assume the obligation of defending their policy against such assailants as the Sheffield Chamber of Commerce; but as his Grace appears to have accepted these statements as correct, it may be well to show how little the memorialists really understood of the subject they have ventured to pronounce upon so emphatically.

The object of the Memorial, is "to represent the injury anticipated to the trade of this town (Sheffield), from the recent advance of the import duties of Canada." To this it is sufficient reply to state that no advance whatever was made on Sheffield goods by the Customs Act in question; the duty was 20 per cent. on these articles enumerated in the former tariff, and the only difference is, that they are now classed as un-enumerated, paying the same duty. But on the other hand, by the present tariff, the raw material, iron, steel, &c., used in the manufacture of such goods, has been raised from 5 per cent. to 10 per cent.; consequently under the Act of which the Memorialists complain, their position in competing with the Canadian manufacturer is actually better than under the previous tariff. The establishment of this fact entirely destroys the force of the whole argument in the Memorial, as regards the trade they especially represent.

The Chamber of Commerce, in their anxiety to serve the interests of their own trade, have taken up two positions from which to assail the Canadian tariff, which are, it is conceived, somewhat contradictory. They state that it is intended to foster native manufactures, and also that it will benefit United States manufacturers. It might be sufficient to say that the tariff cannot possibly effect both these objects, as they are plainly antagonistic; but it may be well to put the Chamber of Commerce right on some points connected with the competition they encounter from the American manufacturers. There are certain descriptions of hardware and cutlery which are manufactured in a superior manner by the American and Canadian manufacturers, and these will not, under any circumstances, be imported from Sheffield. In these goods there is really no competition; their relative merits are perfectly well known, and the question of duty or price does not decide where they shall be bought. In regard to other goods in which Sheffield has to compete with the United States, it can be easily shown that no advantage can by possibility be enjoyed by the foreigner in the Canadian market, because Sheffield is able now to export very largely of these very goods to the American market, paying a duty of 24 per cent., and competing with the American maker. Certainly, then, in the Canada market Sheffield, paying only 20 per cent. duty, can have nothing to fear from American competition, which is subject also to the same duty, and even if admitted absolutely free, would yet be somewhat less able to compete than in the United States. The fact is, that certain goods are bought in the Sheffield market, and certain in the American. We have in Canada tradesmen who make goods similar to the American, but not to the Sheffield; and if our duty operates as an encouragement to manufacturers, it is rather against the American than the English manufacturer, as any one acquainted with this country well knows.

The Chamber of Commerce is evidently quite ignorant of the principle upon which the valuation of goods for duty is made by Canada, which is on the value in the market where bought. The Sheffield goods are therefore admitted for duty at their price in Sheffield, while the American goods are taken at their value in the United States. This mode of valuation is clearly in favour of the British manufacturer, and is adopted with the deliberate intention of encouraging the direct trade, as will be shown hereafter.

The calculations offered by the Chamber of Commerce as to the cost of delivering Sheffield and American goods in Canada are wholly erroneous; they state the cost as 35 per cent. to 40 per cent., against 22½ per cent. to 25 per cent.; but their whole case rests upon

upon the assumption that the original cost of both is the same, which is manifestly absurd, both as shown, indirectly, by Sheffield being a large exporter to the States, and, directly, from the fact that, in the case of the American maker, his raw material has to pay a duty of 24 per cent., while he requires higher interest both for his fixed and working capital, and has to pay larger wages for skilled labour.

The Chamber of Commerce attaches much weight to their allegation, that Canada has "more than 1,000 miles of unguarded frontier;" this is, like most of those in the Memorial, a mere reckless assertion, made in ignorance of facts. The frontier of Canada is not crossed by a road of any description but one (the Kennebec) east of the 45° parallel of latitude; it extends about 120 miles along the parallel to the River St. Lawrence; thence up the river about 100 miles to Lake Ontario, above which it is separated from the United States by the Great Lakes, averaging 60 miles in width, to the extreme west of Lake Superior; with the two exceptions of the Niagara river, 30 miles, for a considerable extent impassable, and by the Detroit and St. Clair rivers, 70 miles. The lakes are not navigated in winter, and in summer offer great obstacles to smuggling, from causes which it would take too much space to recite; consequently, the frontier which offers any avenues for smuggling is limited in reality to about 320 miles in all; and so far from being unguarded, a most efficient and zealous staff of officers is employed upon it, occupying every available route. Railways have also to a great extent removed the temptation and ability to smuggle; the goods are all brought from the United States to the frontier by rail, and it is cheaper to pay the duty demanded on goods generally (say, 20 per cent.) than to incur the additional expense of seeking another mode of conveyance, combined with the risk of a contraband trade. Smuggling, to a certain extent, no doubt takes place, but it is generally for the mere supply of frontier villages and settlements, and in most cases of seizure we find that the goods are of the most portable description; whisky and manufactured tobacco are the only bulky articles ever smuggled, and on these articles the duties are 70 per cent. and 40 per cent. They would not be smuggled were public opinion satisfied with the imposition of a lower duty, say 20 per cent.

The Chamber of Commerce has chosen to allege as its authority for assailing the present Canadian Customs duties, the newspaper statements to which they have had access, and the memorialists have permitted themselves, on such authority, to use most unbecoming language towards the Government of Canada. It would have been more proper had they quoted the statements of the policy of the Government made by its Finance Minister, rather than those of the public press, and on this point there is now submitted an extract from the remarks made by Mr. Galt on the introduction of the new tariff, and which were fully reported in all the leading newspapers:—"There is no more important "question that can engage the attention of any country than its commercial policy "There are some who would do away with customs' duties altogether, and have resort to "direct taxation. Others, again, are in favour of a tariff which shall afford protection to "native industry, and avoid the necessity of importing goods from abroad. I think it is "impossible for Canada to adopt altogether either of those measures as a final policy. I "think we must have reference to what are the great interests of the country in refer-"ence to taxation. The first of them undoubtedly is agriculture. There is also a large "portion of the people engaged in the manufacture of timber, and the commercial inte-"rest is by no means small. There is also a manufacturing interest growing up, but it "has not yet attained the magnitude of the others of which I have spoken. I do not "believe that the adoption of a protective policy is possible in Canada, on account of the "extensive frontier that she has to protect. It is plain that if we raise the duties beyond "a certain point we offer a reward to unscrupulous persons to engage in contraband trade; "and again if by raising the duty on those articles too high we prevent their introduction, "we must necessarily have recourse to direct taxation. I do not think it possible or "desirable that taxation should be raised to the rate adverted to. The duties imposed "are moderate, and since they had been raised from 12½ per cent. to 15, various manu-"factories have been created, have thriven, and are still thriving, and I am not aware "that during the recent extraordinary monetary crisis they have suffered to any extent. "It is right, in raising a revenue, to have respect to the possibility of finding employment "for a portion of the population, but, on the other hand, it is not proper to create a hot-bed "to force manufactures. The revenue we have to raise permitted the putting on of duties "which would give some encouragement to parties to embark in manufactures. When "a person did so under a system of moderate duties, he had reasonable ground of assur-"ance that the system would not be altered to his disadvantage; but if the duties were "high the system would be regarded as one of class legislation, and as not likely to be "permanent. The true object to be accomplished was to make provision for the public "wants, and so to distribute the burdens as to make them press as equally as possible "upon all, or to afford equal encouragement to all interests."

The nature and value of the information obtained by the Chamber of Commerce may be judged by their appending to their Memorial an extract from a paper bitterly opposed to the Government, which, taking up the result of six months of trade of Toronto, a port of only third-rate magnitude, pretends to give the result of a tariff which had only been in operation for three months out of the six months, from which the statement was made. It will be hereafter shown what the real operation of the new tariff has thus far been, and it will then clearly appear that the apprehensions of his Grace as to the failure of the measure financially have not been realised.

The Minister of Finance would not have considered it necessary to give any refutation

to the statements of the memorial from Sheffield, had it not been virtually adopted by his Grace the Duke of Newcastle. He would have preferred at once entering upon an explanation of the financial position, requirements, and policy of Canada, which he now respectfully submits, and which will, he believes, abundantly prove that, under the most serious difficulties, the policy of Canada, so far from being opposed in principle to that of the Mother Country, has been in accord with it, as far as differing circumstances would permit.

A statement is herewith appended, shewing the total imports, duty, and free goods imported into Canada since the union.

The policy of the Mother Country was protective and discriminative until 1846, and that of Canada was made as far as practicable in harmony. Differential duties in favour of the direct trade with Great Britain existed till 1848, when they were repealed. And in 1854, the principles of free trade were still more fully adopted by Canada in the legislation connected with the Reciprocity Treaty. The repeal of the Navigation Laws took place in 1849. The policy of Canada has thus at three periods, of 1841 to 1848, 1849 to 1854, and 1855 to this date, followed that of Great Britain. Our markets have been thrown open on equal terms to all the world. Our inland waters are navigated by foreign vessels on the same terms as by Canadian; the necessaries of life entering into the ordinary consumption of the people have all been made free. Our vast timber and ship-building interests have been thus developed and our fisheries encouraged, and, as a general principle, all raw materials have also been admitted free. The only exception in the latter case being precisely that which most conclusively shows that the fiscal policy of Canada has been based upon revenue as the primary object; as for the manufacture of the description of goods which has provoked the criticism of the Sheffield Chamber of Commerce, iron and steel are the raw material, and on these very articles the duty has been steadily raised to 10 per cent., which is quite in proportion to the increased duty imposed upon the manufactured article.

The analysis of the statement herewith gives some curious and instructive results. For the eight years from 1841 to 1848, during which the protective policy existed, the total imports of Canada were 27,543,319 *l.* 0 *s.* 6 *d*, Halifax currency, the total duty collected 2,808,507 *l.* 11 *s.* 10 *d.*, and the total free goods 619,886 *l.* 1 *s.* 8 *d.*; the averages being 3,442,915 *l.*, 351,063 *l.*, and 77,486 *l.*; the duty being thus about 10¼ per cent.; and the free goods only 2¼ per cent. of the whole imports.

For the next period of six years to the passing of the Reciprocity Acts, and general adoption of more liberal views, 1849 to 1854, the total imports, duty, and free goods were respectively 35,806,420 *l.* 6 *s.* 1 *d.*, 4,790,372 *l.* 11 *s.* 11 *d.*, 2,448,381 *l.* 13 *s.* 2 *d.*, averaging 5,967,736 *l.*, 798,395 *l.*, and 408,063 *l.* per annum, the duty being thus about 13¼ per cent., and the free goods nearly 7 per cent. of the total imports.

For the last period of four years from 1855 to 1858, which is that which has more particularly excited the apprehensions of his Grace, and the criticism of the Sheffield Chamber of Commerce, the following results are shown: imports, 37,044,920 *l.* 10 *s.* 2 *d.*; duty, 3,835,276 *l.* 6 *s.* 5 *d.*; free goods, 10,789,705 *l.*; the annual averages having been 9,261,230 *l.*, 958,819 *l.*, and 2,697,426 *l.*; the duty being 10¼ per cent., and the free goods 29 per cent. of the imports.

The following comparative result appears:—

1841 to 1848,	average total imports	- - - - -	£. 3,442,915
1849 to 1854,	„ „	- - - - -	5,967,736
1855 to 1858,	„ „	- - - - -	9,261,230
1841 to 1848,	duty 10¼ per cent.;	free goods	2¼ per cent.
1849 to 1854,	„ 13¼ „	„	7 „
1855 to 1858,	„ 10¼ „	„	29 „

These comparative statements abundantly prove that the policy of Canada in its Customs duties has neither been repressive of trade nor onerous upon the people. It is, however, necessary to draw attention to the fact that from causes which will be hereafter stated, the results for 1858 would somewhat differ from the above average, the late Minister of Finance, Mr. Cayley, having found it necessary to make a considerable addition to the Customs duties by an Act which took effect on the 7th August 1858, which gave the following results for that particular year, and which must be borne in mind when it is necessary to explain the nature of the Customs Act of March 1859.

1858, imports to 7th August	- - - - - -	£. 3,970,703
Duty, 439,643 *l.* 14 *s.* 6 *d.*	- - -	Free goods, 1,161,728 *l.* 5 *s.*
Duty, 11 per cent.	- - - - -	Free goods, 29 per cent.
„ From 7th August to 31st December, under tariff of		
1858, imports	- - - - - - -	£. 3,298,928 15 *s.*
Duty, 405,703 *l.* 13 *s.* 1 *d.*	- - -	Free goods, 931,675 *l.* 5 *s.*
Duty, 12½ per cent.	- - - - -	Free goods, 28½ per cent.

The fiscal policy of Canada has invariably been governed by consideration of the amount of revenue required. It is no doubt true that a large and influential party exists, who advocate a protective policy, but this policy has not been adopted by either the Government or Legislature, although the necessity of increased taxation for the purposes of revenue has to a certain extent compelled action in partial unison with their views, and has

has caused more attention to be given to the proper adjustment of the duties, so as neither unduly to stimulate nor depress the few branches of manufacture which exist in Canada. The policy of the present Government in re-adjusting the tariff has been, in the first place, to obtain sufficient revenue for the public wants; and, secondly, to do so in such a manner as would most fairly distribute the additional burthens upon the different classes of the community, and it will undoubtedly be a subject of gratification to the Government if they find that the duties absolutely required to meet their engagements should incidentally benefit and encourage the production in the country of many of those articles which we now import. The Government have no expectation that the moderate duties imposed by Canada can produce any considerable development of manufacturing industry; the utmost that is likely to arise is the establishment of works requiring comparatively unskilled labour, or of those competing with American makers for the production of goods, which can be equally well made in Canada, and which a duty of 20 per cent. will no doubt stimulate. That these results should flow from the necessity of increased taxation is no subject of regret to the Canadian Government, nor can it be alleged as any departure on their part from the recognised sound principles of trade, as it will shortly be shown that the Government were compelled to obtain increased revenue, and it is believed that no other course could be relied on for this result than that adopted.

The increase of taxation is never a popular step, and his Grace might have well believed that no Government would adopt it, without the strongest conviction that good faith demanded it. It is unpleasant enough to be exposed to attack in Canada for an unavoidable increase of duties; but it is certainly ungenerous to be reproached by England, when the obligations which have caused the bulk of the indebtedness of Canada have been either incurred in compliance with the former policy of Great Britain, or more recently assumed, to protect from loss those parties in England who had invested their means in our railways and municipal bonds.

The indirect public debt of Canada in 1858 was 7,630,643 *l.* 16 *s.* 7 *d.*, bearing 6 per cent. interest, which, prior to 1857, had not been a charge upon the revenue. In that year, owing to the commercial crisis, it became necessary to make large payments upon it; and in 1858, almost the whole amount had to be met from the general revenue. In addition to the commercial depression, the harvest of 1857 was below an average, and that of 1858 was nearly a total failure. It became manifest that the indirect debt must for many years be a charge upon the country; and Parliament was required to make provision for it. The interest on the public debt, direct and indirect, thus required in 1858 774,612 *l.* 13 *s.* 4 *d.*, and without flagrant breach of faith, it could neither be postponed nor repudiated. The pressure had come suddenly and heavily upon the people of Canada; but neither the Government nor the Legislature hesitated in making such provision as in their judgment would meet the exigencies. The Customs Act of 1858 was therefore passed, and subsequently, with the same objects in view and others which will be hereafter explained, the Customs Act of 1859 was also passed.

His Grace the Duke of Newcastle has not, it is feared, given his consideration to the official documents showing the income and expenditure of Canada for 1858, or he would have seen the absolute necessity under which the Government was acting, in proposing their financial measures for last year. His attention is now respectfully requested to the official Report of the Finance Minister attached to the public accounts of 1858, wherein he will perceive the exact position in which the affairs of the province stood, and that a deficiency of no less than 2,500,000 dollars had occurred in that year.

After subjecting the engagements of the province to the strictest possible scrutiny, the Government were of opinion that it was possible to reduce the annual outlay on many items of expenditure, and the accompanying estimate submitted to Parliament will satisfy his Grace that the best efforts of the Government have been directed towards economy, the ordinary expenditure in 1858 having been 8,943,013 dollars, and the estimate for corresponding service in 1859 being 7,497,000 dollars. But after making every possible reduction, it was manifest that unless an increase of revenue could be obtained, a serious deficiency must occur in 1859. The opinion of the Government was, that having ascertained the probable amount required for the service of the year, it was their duty to recommend such measures to Parliament as would supply the deficiency; and that although during the crisis it might have been justifiable to borrow money for this purpose, it was no longer so. A revival of trade was confidently looked to, but owing to the bad harvest of 1858, it could not be rapid; and it was deemed proper to recommend certain additions to the Customs duties, to provide for a possible diminution in our ordinary importation.

The Customs Act introduced by the present Minister of Finance is evidently believed by his Grace, and by others in England who draw their information apparently from the political press opposed to the Government, to have imposed very large additional taxation on imported goods, whereas, in reality, such was neither the intention nor the fact. The new tariff was designed certainly with the intention of obtaining an increased revenue of about 500,000 dollars on the estimated importations of 1859, but the real increase was looked for from a revival of trade; the main object of the new tariff was to readjust the duties so as to make them press more equally upon the community by extending the *ad valorem* principle to all importation, and thereby also encouraging and developing the direct trade between Canada and all foreign countries by sea, and so far benefiting the shipping interests of Great Britain, an object which is partly attained through the duties being taken upon the value in the market where last bought. The levy of specific duties

for several years had completely directed the trade of Canada in teas, sugars, &c. to the American markets, and had destroyed a very valuable trade which formerly existed from the St. Lawrence to the Lower Provinces and West Indies. It was believed that the completion of our canal and railroad systems, together with the improvements in the navigation of the Lower St. Lawrence, justified the belief that the supply of Canadian wants might be once more made by sea, and the benefits of this commerce obtained for our own merchants and forwarders. Under this conviction it was determined by the Government to apply the principle of *ad valorem* duties (which already extended to all manufactured goods) to the remaining articles in our tariff.

A step of this nature, having for its effect to give a slight advantage to the direct trade, *viâ* the St. Lawrence, with Great Britain and the rest of the world, and whose tendency was somewhat to interfere with the existing close commercial relations between Western Canada and the United States, excited the bitter hostility of all the interests prejudicially affected, and both in Parliament and in the press the most absurd and false statements were made on the subject. The opposition in Parliament, strangely enough, adopted as their strongest ground of attack upon the tariff, that it receded from the protective principle said to have been adopted by Mr. Cayley in the previous year; and for the purpose of defeating the Government, those in opposition in the House who admitted the justice and propriety of the proposed changes, actually voted with the pure protectionists. Notwithstanding all the combined efforts of their opponents, the Government adhered to and carried their measure; and it may now be interesting to observe, from the short period during which the tariff has been in force, how far it has produced the results contended for by the Government or their opponents.

The Minister of Finance stated to the House that he did not intend materially to alter the rate of duty paid on the bulk of the imports, but only to change the principle upon which they should be levied. The articles on which he proposed to obtain additional revenue were, cotton goods to be raised from 15 per cent. to 20 per cent., and iron, steel, &c., from 5 per cent. to 10 per cent. This was the whole extent of increased taxation, and it was expected to yield 500,000 dollars additional. The changes in teas, sugars, &c., were all merely nominal, and, as already explained, were proposed as being upon a more correct principle. The imports for the first three quarters of 1859, say to 30th September, have been, imports, 6,574,128 *l.* 5 *s.*, duty, 888,946 *l.* 15 *s.* 4 *d.*, free goods, 1,915,603 *l.*, the duty being 13½ on the imports, and the free goods being 29 per cent. of the whole.

The attention of his Grace is respectfully requested to this statement as showing, first, that the increased rate of duty as compared with the tariff of 1858, as given in a previous part of this memorandum, has only been from 12½ to 13½ per cent., which can scarcely be deemed excessive; while so far from the apprehensions of his Grace being verified through a diminution of imports and consequent loss of revenue, in both cases the estimates of the Government are borne out as nearly as could be expected, considering the state of the country, and its gradual recovery from depression. Until the close of the year the comparison cannot fairly be made, inasmuch as we are only now beginning to benefit from our late good harvest; but as an indication of the result, it may be stated that, in the case of cotton goods, which were raised from 15 to 20 per cent., the importation for the first nine months of 1857, 1858, and 1859, were as follows:—

	Dollars.
1857 - - - - - - - - - -	4,379,672
1858 - - - - - - - - - -	2,862,734
1859 - - - - - - - - - -	4,323,750

The Minister of Finance can also point with satisfaction to the fact that the proportion which free goods bears to the whole importation is exactly that of 1858, and of the average for the four previous years, viz., 29 per cent. of the imports. This may be assumed to indicate that the new tariff has not produced any disturbance of trade, nor checked importations, for it is remarkable that where so large an increase has taken place in the imports as from 5,500,542 *l.* in the first nine months of 1858, to 6,574,128 *l.* 5 *s.* in the corresponding period of 1859, the proportion of free goods to the whole remains the same.

The Minister of Finance relies upon these statements to convince his Grace that he has scarcely done justice to the Government of Canada in his Despatch of 13th August, and that, in many important respects, the Chamber of Commerce has been entirely misinformed. He will now proceed to indicate the causes which have induced the Government and Legislature of Canada to seek in an increase of their Customs duties the means of meeting the large and unexpected demands upon them. But before finally leaving the subject of the burdens upon the people of Canada, it is proper to remark that the rate of duty levied under the present tariff of 1859, covering the cost of all our canal and railway expenditure, is only 13½ per cent., while in the period from 1841 to 1848, when the province had neither canals nor railways, it was 10¼ per cent., and from 1849 to 1854, when it had only canals, but not railways, it was 13¼ per cent. If it were necessary to offer an argument on the subject, it might be very easily shown that any increase of duty which has been placed on English goods is quite indemnified by the decreased cost at which our canals, railways, and steamships enable them now to be delivered throughout the province, and that, if the question were one of competition with Canadian manufacturers, the English exporter is quite as well off as before, while, as compared with the American, his position is greatly improved.

In proceeding to offer some observations upon the principle upon which taxation is imposed in Canada, the Minister of Finance may remark that the views of the Chamber of Commerce on the question of free trade, seem to be based upon the assumption that it

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is both the principle and practice of Great Britain, and should be adopted by Canada irrespective of its financial necessities.

It certainly appears singular that Canada should be reproached with a departure from sound principles of finance when, in order to pay her just debts, she imposes higher duties on the articles she herself consumes and pays for, when in England itself the same means are resorted to, and no less than 28,000,000 *l.* sterling obtained from Customs duties, and 17,000,000 *l.* from Excise. If in Great Britain, where such an enormous amount of realized wealth exists, it has only as yet been found possible to raise one-sixth of the revenue by direct taxation, it need require no excuse if Canada has to raise her revenue almost wholly by indirect means.

Free trade in the abstract must be taken to mean the free exchange of the products of industry of all countries, or of the inhabitants of the same country, and it is perfectly immaterial whether that industry be applied to the production of a pound of sugar or tobacco, or of a tenpenny nail or a bushel of malt; it is equally an interference with the principle to levy Customs duties or Excise on any. But it is, and probably will continue to be impossible to abandon Customs duties or Excise as a means of revenue; they afford the means of levying large sums by the taxation of articles of consumption, distributing the burden in almost inappreciable quantities, and in one respect have this advantage, that if fairly imposed, each individual in the community contributes in a tolerably fair proportion to his means. In Great Britain it may be possible to adjust the taxation, so as to make realized property contribute more than it now does to the wants of the State, but in a country like Canada, no such resource exists, and it would be perfectly hopeless to attempt to raise the required revenue by direct taxation; we neither possess the required machinery to do it, nor are the people satisfied that it is the more correct principle. Customs duties must, therefore, for a long time to come, continue to be the principal source from which our revenue is derived.

Admitting, therefore, the necessity of raising a certain amount for the wants of the State, and that such amount can only be obtained through Customs duties, the Government of Canada, like that of Great Britain, have to consider how that necessary interference with the true principle of political economy can be effected with least disturbance to trade, and judging of the fiscal policy of the present Government by this rule, it is contended that, with some trifling exceptions which must arise in all human legislation, the Customs duties are imposed in the manner least calculated to disturb the free exchange of Canadian labour with that of other countries. A large class of articles, termed raw materials, are admitted free, amounting to 29 per cent. of the total imports. Another large class, consisting of iron, steel, metals, and articles entering into the construction of railways, houses, ships, and agricultural implements, &c. are admitted at 10 per cent. duty, leather and partially manufactured goods pay 15 per cent., manufactured goods, made from raw materials or articles paying 10 per cent. duty are admitted at 20 per cent., manufactured goods made from articles paying 15 per cent. duty are charged 25 per cent., but this is exceptional, and very limited, while luxuries, comprising wines, tobacco, cigars, and spices, &c., are charged at rates varying from 30 to 40 per cent., but the bulk are of 30 per cent.; spirits are charged 100 per cent., tea, sugar, and molasses pay 15 per cent. and 30 per cent.

The distribution of duties on the whole imports therefore stands thus:

	Duties.	Imports.
Free goods - - - - - - -	–	29 per cent.
Goods paying 10 per cent. - - - -	4½	6½ „
„ 15 „ - - - -	7	6½ „
„ 20 „ - - - -	61	41 „
„ 25 „ - - - -	1½	1 „
„ Over 25 per cent. including spirits - - - -	9¾	4 „
Tea, sugar, and molasses - - - -	6¼	12 „
	100	100 „

The foregoing statement will show that if the attempt were made to reduce the duty on manufactured goods paying 20 per cent., it would necessitate an advance on the other items, unless such reduction produced a corresponding increase in consumption to make good the deficiency. Assuming, then, that the duty were reduced from 20 to 10 per cent., it will not be contended that this reduction, though affecting the revenue one-half on these articles, would induce double the consumption; on the contrary, it is believed that it would not affect the consumption at all, as is borne out by the statistics of previous years, and of the present year. It would then become necessary to meet the deficiency by increased duties elsewhere; and in selecting the articles it is, in the first place, impossible to touch the bulk of the free goods, most of which are free under the Reciprocity Treaty, and the remainder entitled to continue free, according to sound principles of trade.

Passing to the next class of 10 per cent. goods, it will not, surely, be contended that the scale of duty should be raised on quasi-raw materials to a rate in excess of that imposed on manufactures. There is, then, nothing left but the articles paying over 25 per cent.; and it must be observed that they form only four per cent. of the imports, and pay 9¾ per cent. of the duties; if, therefore, it were necessary to make good the deficiency arising from a reduction of duty on manufactures, the proportion of duty to the whole they would have to pay would be increased from 9¾ per cent. to 40 per cent., and the average rate of duty on these articles, instead of 32 per cent. or thereabout, would be increased to nearly 130 per cent.

It is scarcely necessary to point out that such an increase would be utterly incompatible with revenue, and the result would be a financial failure.

On tea, sugar, &c., it has been found impossible to maintain higher duties than those now imposed, as they are free in the United States, and unfavourable comparisons are even now instituted by our agricultural population.

Apart from such modifications in detail, as experience may suggest, the Government of Canada believe that, in order to raise the revenue imperatively required to preserve the good faith of the province, and to maintain its institutions, the scale of Customs duties is not excessive, and that it has been adjusted in general accordance with sound principles of political economy. Reductions in the scale of duties can only take place as the increasing population and wealth of Canada swell the importations, and it will be a subject of the highest gratification to the present Government, when such reduction is possible.

(signed) *A. T. Galt,*
Minister of Finance.

Quebec, 25 October 1859.

N.B.—The values are are all given in Halifax curreney, except where the present decimal currency is used.

APPENDIX.

STATEMENT of the Value of GOODS imported into *Canada*, with the Amount of DUTY Collected thereon, from the Year 1841 to 30th September 1859 inclusive: also, the Value of free GOODS imported during same time.

YEAR.	IMPORTS.	DUTY.	FREE GOODS.
	£. s. d.	£. s. d.	£. s. d.
1841	2,694,160 14 6	225,834 7 10	146,268 17 8
1842	2,588,632 13 2	278,930 7 4	85,944 2 4
1843	2,421,306 16 4	241,572 9 –	13,526 18 –
1844	4,331,050 17 4	441,331 15 2	83,666 10 4
1845	4,191,325 16 6	449,960 1 7	59,061 17 4
1846	4,515,821 1 11	422,215 16 8	61,300 10 8
1847	3,609,692 14 11	414,633 5 6	Estimated 77,139 5 4
1848	3,191,328 5 10	334,029 8 9	92,978 – –
£.	27,543,319 – 6	2,808,507 11 10	619,886 1 8
1849	3,002,891 18 3	444,547 5 1	269,200 7 9
1850	4,245,517 3 6	615,694 13 8	294,133 7 2
1851	5,358,697 12 7	737,439 – 2	425,671 5 9
1852	5,071,623 3 11	739,263 12 9	311,962 17 6
1853	7,995,359 1 1	1,028,676 15 7	443,977 18 –
1854	10,132,331 6 9	1,224,751 4 8	703,435 17 –
£.	35,806,420 6 1	4,790,372 11 11	2,448,381 13 2
1855	9,021,542 7 3	881,445 12 6	2,596,383 13 8
1856	10,896,096 16 2	1,127,220 10 5	2,997,941 14 9
1857	9,857,649 11 9	981,262 15 11	3,101,976 1 7
1858	7,269,631 15 –	845,347 7 7	2,093,403 10 –
£.	37,044,920 10 2	3,835,276 6 5	10,789,705 – –
1859 to 30th September £.	6,574,128 5 –	888,946 15 4	1,915,603 – –

Inspector General's Office,
Customs Department, Quebec,
22 October 1859.

STATEMENT of the Value of GOODS imported into *Canada*, and the DUTIES collected thereon, for Nine Months to 30th September 1859, showing the relative per Centage which the Values and the Duties, at the different Rates of Duty, bear to the whole Importations, and the whole Amount of Duties.

RATE OF DUTY.	VALUES.		DUTY.	
	Amount.	Per-centage.	Amount.	Per-centage.
	Dols.		*Dols.* *cts.*	
5 and 10 per cent. - - - - -	1,680,311	6 40/100	160,626 80	4 52/100
15 per cent. - - - - - -	1,722,735	6 55/100	258,293 27	7 26/100
20 - ditto - - - - - -	10,784,512	41	2,157,205 76	60 67/100
25 - ditto - - - - - -	216,917	83/100	54,049 25	1 52/100
Tea, sugar, and molasses {Specific, and over 25 per cent. -	3,142,974	11 95/100	579,921 04	16 31/100
Other articles - - {Specific, and over 25 per cent. -	1,087,372	4 13/100	345,707 60	9 72/100
Free goods - - - - - -	7,662,412	29 14/100	—	—
TOTAL - - *Dols.*	26,296,513	100	3,555,803 72	100

Inspector General's Office,
Customs Department, Quebec,
22 October 1859.

REPORT of the Inspector General of *Canada*.

To His Excellency the Right Honourable Sir Edmund Walker Head, Baronet, one of the Most Honourable Privy Council, Governor General of British North America, &c., &c.

May it please your Excellency,

I HAVE now the honour to submit the public accounts of the province of Canada during the year 1858.

The Report of the Board of Audit, certifying the accuracy of the accounts, is also herewith submitted.

By this Report it will be observed that several important alterations have been made in the form in which the accounts have hitherto been prepared. Under the present system every item of expenditure and income is set forth in Statement No. 3, and the particulars of expenditure in Statement No. 12. It is therefore no longer necessary to refer to the subsidiary statements to acquire a knowledge of the transactions of the year. They will occupy their proper position of showing the exact state of each special account.

By the Statement No. 3, it will be seen that—

	Dols.	*cts.*
The gross expenditure has been - - -	11,403,587	44
And the gross income - - - - -	10,271,291	81
The deficit of - - - -	1,132,295	63

having been met by the altered state of the cash balances at 1st January 1858 and 1st January 1859, viz.

	Dols.	*cts.*
Balance of cash and securities on hand, less balances due bankers, at 1st January 1858 - - - - -	847,495	53
Balances due bankers, less cash and securities on hand at 1st January 1859 - - - - - - - -	284,800	10
$.	1,132,295	63

This

This statement includes, however, several large items both of expenditure and income, which do not properly belong to the ordinary service of the year, and it is therefore necessary to furnish an analysis thereof, viz.:—

	Dols. cts.	Dols. cts.	Dols. cts.
The Gross Expenditure has been - - -	- -	- -	11,403,587 44
From which must be deducted, Payments out of the Trust Funds in the hands of the Province, viz.:—			
Roads and bridges - - - - - -	68,402 25		
Seignorial Fund - - - - - -	298,351 37		
Municipalities Fund - - - - -	344,450 78		
Debentures purchased for trust funds - -	270,949 67		
Indian Fund - - - - - - -	113,020 28		
Grammar School Fund - - - -	13,456 21		
Educational Fund, Lower Canada - -	20,746 89		
Subsidiary lines - - - - - - -	263,578 63		
Collection of trust funds - - - -	14,816 59		
Miscellaneous - - - - - - -	8,264 43		
		1,416,037 10	
Payments in Redemption of Public Debt:			
Debentures redeemed - - - - -	204,753 34		
Sinking Fund for Imperial Loan - - -	434,880 80		
		639,634 14	
Payments for public works, authorised to be covered by issue of debentures - - -	- -	533,319 89	
Advances for the purchase of new coinage -	340,666 68		
Advances to railways and others - - -	163,345 33		
		504,012 01	
			3,093,003 14
Balance, comprehending the Payment of every Provincial Engagement, either direct or indirect - - -	- -	- -	8,310,584 30
The Gross Income has been - - - -	- -	- -	10,271,291 81
From which must be deducted, Receipts on account of Trust Funds in charge of the Province, viz.:—			
Upper Canada Building Fund - - -	70,882 87		
Seignorial tenure - - - - - -	540 61		
Municipalities Fund - - - - -	122,618 76		
Uncommuted stipends - - - - -	10,968 00		
Improvement Fund, Upper Canada - -	26,019 36		
Common School Land Fund - - -	47,583 29		
Grammar School Fund - - - -	31,157 60		
Educational Fund, Lower Canada - -	34,809 70		
Indian Fund - - - - - - -	161,708 06		
Tavern licenses, Lower Canada - - -	2,970 94		
Copyright - - - - - - - -	650 39		
Montreal District Council - - - -	305 12		
Subsidiary lines - - - - - - -	531,683 33		
		1,041,898 03	
Increase of Public Debt:			
Debentures issued - - - - - -	1,959,186 66		
Repayment of loan by Great Western Railroad - - - - - - - - -	756,833 33		
Sinking Fund ditto - - - - - -	8,400 00		
		2,724,419 99	
Repayment of advances made in 1857 and 1858 - - - - - - - - -	- -	730,000 00	
			4,496,318 02
Balance, comprehending all Sources of Revenue applicable to meet the direct and indirect Engagements of the Province - - - - - -	- -	- -	5,774,973 79

The

	Dols. cts.	Dols. cts.	Dols. cts.
The foregoing Analysis gives the following Result for the Ordinary Service and Income of 1858:—			
Expenditure	- -	8,310,584 30	
Revenue	- -	5,774,973 79	
Deficit	- -	2,535,610 51	
(But from this amount may be deducted the repayment of railroad advances, inasmuch as the same formed part of the deficiency of 1857, and were then provided for).			
Advances repaid	730,000 00		
Less, made in 1858	163,345 33		
		566,654 67	
Actual Cash Deficit	- -	- -	1,968,955 84
Which has been provided for as follows:—			
Increase of Public Debt by Debentures issued	1,959,186 66		
Increase by repayment in cash of part of loan to Great Western Railroad, the debentures for which were issued in 1854, and already form part of Public Debt, being now transferred from the indirect debt to the direct debt of the Province, and also 8,400 dollars paid into Sinking Fund	765,233 33		
		2,724,419 99	
Less Decrease, as shown in analysis	639,634 14		
Also, for permanent public works for which debentures are authorised, and forming part of issue	533,319 89		
		1,172,954 03	
			1,151,465 96
Deduct payments on account of Trust Fund	1,416,037 10		
Less receipts	1,041,898 03		
		374,139 07	
New coinage, which may be regarded as really cash	- -	340,666 68	
			714,805 75
Differences in cash balances at 1st January 1858 and 1st January 1859, as before shown	- -	- -	836,660 21 1,132,295 63
The Total Increase of the Provincial Liabilities in 1858 is thus shown to have been		Dols.	1,968,955 84

In explanation of this large deficit, it is my duty to advert to the fact that, owing to the very serious and general depression of trade consequent upon the recent commercial crisis, but in Canada more especially attributable to the bad harvests of 1857 and 1858, the imports of the country have enormously decreased. They were, in

	Dols.	cts.
1856	43,584,387	23
1857	39,430,598	35
1858	29,078,527	00

These returns sufficiently show that the country generally has been exercising a wise economy in every article of consumption, and this result must ultimately be fraught with great advantage. The immediate effect has, however, been to produce a serious falling off in the revenue from Customs, which was, in

	Dols.	cts.
1856	4,508,882	08
1857	3,925,051	19
1858	3,368,157	76

The same causes have operated to reduce the revenue from all other sources. They are, as follows: in 1858—

	Dols.	cts.
Public Works	400,727	17
Territorial	415,372	68
Post Office	295,395	76
Other revenues, of Consolidated Fund	867,878	77
Receipts from other sources	427,441	67

The expenditure, instead of being capable of similar reduction, has been largely increased, from the failure of local revenues having thrown upon the province the temporary supply of funds to meet engagements for which the general revenue was not strictly liable. This has been especially manifest in the case of the Consolidated Municipal Loan Fund. The local municipalities suffering directly from the pressure upon the rate-payers, have been in many cases unable to meet the interest upon the debentures issued on their account; and the Government have been required to advance the necessary funds, to prevent a failure in their payment of the interest.

	Dols.	*cts.*
In 1857 the amount so advanced was - - - -	159,096	55
In 1858 it has been - - - - - - -	368,503	51

These advances have been made under circumstances of peculiar pressure, which, when removed, will relieve the general revenue from this charge, as the province has never assumed these debts as engagements of its own, and must look on a revival of trade to their resumption by the municipalities, who have received the benefit of the loans, and on whose united security the bonds have been issued.

A very large, and, it may be found, a more permanent charge upon the resources of the province, has, however, been created through the guarantees granted in 1852, 1853, and 1854, to the Grand Trunk Railroad, and the Ontario, Simcoe and Huron Railroad. In the former case, Parliament has assumed the payment of the interest on their advance for an indefinite period; and, in the latter case, it may be feared that for some time to come, the province will also have to provide the interest on its bonds issued in aid of the undertaking. These liabilities have amounted, in 1858, to $. 1,061,756. 87.

The outlay upon public works authorised to be met by the issue of debentures has been $. 533,319. 89. The greater part of this expenditure has arisen from enlargement and improvement of the canals, lighthouses, and necessary surveys in connection with the important question of establishing the best route for western produce to reach the sea-board. There can be no doubt that a large portion of this outlay is not directly remunerative, and had it been possible wholly to arrest it during a temporary period of financial depression, it would have been desirable to have done so. But considering that these works form part of a system, upon which the province has already incurred almost the whole of its indebtedness, it would not have been politic, had it even been possible, to have stopped these works. In the case of surveys, it is the more valuable, as enabling Parliament hereafter to decide intelligently upon any future expenditure.

Ordinary Expenditure.

The establishment of the Ocean line of steamships has added an annual charge of $. 220,000, which may be expected to be gradually met by the ocean postage, but must, for a considerable time, require provision from the ordinary revenue. The same remark applies to the tug service, which costs annually $. 90,400.; amount in 1858 was $. 217,555. 10.

The transfer of the ordnance lands to the province, has entailed a heavy charge for the maintenance of an active militia organisation, costing in 1858, with the enrolled pensioners now disbanded, $. 162,351. 54.

The province has received a very large amount of valuable property in consideration of these services, but it will require time to realise it; and meantime the burden has wholly fallen on the revenue. This charge may, however, be largely reduced in 1859, and from the sale of the ordnance property, it is hoped, the militia force will soon be self-sustaining.

The expenses of legislation in 1858, amounted to $. 684,442. 27. But in this sum are included the costs of a general election for the House of Assembly, and also the election of 12 members for the Upper House, together being $. 66,691. 89.

This item may therefore be regarded as exceptional, and it may also be expected that, as the Session of 1858 proved of unusual duration, a very considerable reduction will take place on the average cost of legislation.

	Dols.	*cts.*
The administration of justice cost, in 1858 - - -	608,359	24
And police - - - - - - - - -	41,931	01
Penitentiary and reformatory prisons - - - -	61,600	00
Dols.	711,890	25

On the first item it is expected that the effect of recent legislation will be to produce a considerable and gradual reduction. The charge for police will also be reduced during 1859; but the establishment of the reformatory prisons will cause some increased charge for the future under this head.

The

The educational, charitable, scientific, and agricultural societies' grants during 1858, amounted as follows:—

	Dols.	*cts.*
Education, exclusive of trust funds	495,162	11
Charitable	194,988	65
Scientific and geological	52,927	64
Agricultural societies and statistics	135,648	68
Indian annuities and pensions	76,359	64
Dols.	955,086	72

The remaining items of the expenditure, irrespective of the public debt and its management, may be divided into three classes.

Collection of revenue of all branches (excepting post office) including casual repairs of Public Works yielding a revenue, and survey of Public Lands, have cost in 1858,—

	Dols.	*cts.*
Customs	341,863	37
Excise	16,290	00
Public Works	270,572	18
Public Lands	221,316	95
Fines and forfeitures	11,887	65
Casual	33	00
Special funds	2,401	59
Dols.	864,364	74

	Dols.	*cts.*
Expenses of Civil Government, including emigration fisheries, and all charges not specially applicable, otherwise have been	613,995	11
Much of which is provided for by special charges for the service as appears in the returns of revenue.		
Expenses of maintenance of public works and buildings, light-houses, coast service, roads and bridges	436,811	53
The Post Office charge of	565,636	37
Must be regarded as exceptional; as it includes a large amount on account of arrears of former years, and the settlement of claims by the railway companies for carriage of the mails.		
The two former classes of outlay, collection of revenue	864,364	74
Civil Government	613,995	11

may it is hoped, be gradually reduced, without impairing, but rather adding to the efficiency of the service; and measures are in progress for attaining this end, for some of which the sanction of Parliament will require to be obtained.

The only remaining item of expenditure, is that for interest on the public debt, and its management, which was in 1858—

			Dols.	*cts.*
Interest			3,030,899	25
Management, including exchange			67,551	42
			3,098,450	67
Of this amount, the direct debt of the province—	*Dols.*	*cts.*		
Constituted	1,236,376	45		
Management, including exchange	51,085	21		
			1,287,461	66
Leaving, as paid on indirect indebtedness			1,810,989	01
On account of which there was received from—				
Great Western Railroad	227,088	40		
Municipal loan fund, west and east	151,932	56		
Sundry minor accounts	30,093	73		
			409,114	69
Leaving, as the amount advanced in 1858 by the province - *Dols.*			1,401,874	32

	Dols.	cts.	Dols.	cts.
The detail of the advance is thus shown—				
Railway advances - - - - - - -	1,260,459	21		
Less Great Western - - - - - - -	227,088	40		
			1,033,370	81
Municipal loan fund, west and east - - -	520,436	07		
Less received - - - - - - - -	151,932	56		
			368,503	51
	Dols.		1,401,874	32

Of this large sum, that paid on account of the railways cannot be subject to immediate reduction, but in the case of the Municipal Loan Fund and other loans, it has been already remarked that with reviving prosperity, the general revenue may expect to obtain considerable relief in the current and future years.

On the subject of the public debt, it is necessary to offer some remarks in consequence of the exceptional circumstances attendant on the transactions of 1857 and 1858; which, owing to a sudden diminution in revenue, occurring simultaneously with the necessary assumption of very large and unexpected charges, have caused a serious deficiency in both years, and a consequent resort to loans to meet it.

The direct public debt of Canada is $. 24,430,975. 17., which has been created almost wholly for the great canals and other works of national improvement.

The expenditure upon these works is shown by the statement of assets and liabilities of the province, at 31st December 1858, to have been—

	Dols.	cts.	Dols.	cts.
Welland and St. Lawrence Canals - - - -	14,155,206	35		
Other canals - - - - - - - - -	2,766,146	40		
Harbours and light-houses - - - - -	2,817,057	92		
Roads and bridges - - - - - - -	1,610,267	34		
Miscellaneous - - - - - - - -	1,326,346	21		
Dols.	22,675,024	22		
There has also been charged against the Consolidated Fund for works which have proved unproductive, or which have been transferred to the municipalities	1,982,039	70		
And there now stands at the credit of the Sinking Fund for the Imperial Loan - - - - -	3,752,843	22		
TOTAL - - - Dols.	-	-	28,409,907	14
While the existing direct public debt incurred for these works, and including all sums raised up to this time to meet the deficiency of 1857 and 1858, is - -	24,430,975	17		
Whereof Statement 1 shows to be held on account of the Consolidated Fund - - - - -	621,726	68		
			23,809,248	49
Leaving - - - Dols.	-	-	4,600,658	65

which has been paid out of surplus revenue, up to 31st December 1858, after adding the whole deficiency of the two last years.

This statement will abundantly prove that the policy of Canada has not been that of providing by loans for temporary wants, but that in reality, after meeting every engagement up to 31st December 1858, there remains the sum of 4,600,658 dollars taken from ordinary revenue, and applied to permanent works now belonging to the province.

The indirect debt of the province appears by Statement No. 1, to be—

	Dols.	cts.
Railways - - - - - - - - -	20,295,098	47
Municipal Loan Fund - - - - -	9,057,792	00
Sundries - - - - - - - - -	1,169,684	85
Dols.	30,522,575	32
On account of railroads - - - - -	20,295,098	47
Of which the advance to the Great Western Railroad can alone be regarded as secure -	2,810,500	00
Leaving - - - Dols.	17,484,598	47

for

for which the province may have ultimately to provide; meantime advancing the interest.

The advance of this sum has induced the investment by private capitalists of at least 60,000,000 dollars in the Grand Trunk, Great Western, and Northern Railroads, and has thereby secured an uninterrupted railway communication throughout the entire length of the province, comprising, with their branches, about 1,250 miles of rail. It will not be disputed, that although the unfortunate disappointment in traffic has caused the Grand Trunk and Northern Railways to become a charge upon the provincial revenue, yet Canada has, in every other respect, very largely benefited by these works, and indirectly obtains a return upon her advances, through the diminished cost and increased facility with which the whole business of the country is now carried on; while there is good ground to hope that ultimately the increase of population and trade may place both these railroads in a position to assume the charges, which for the present devolve upon the province.

The remaining portion of the indirect provincial debt has mainly arisen from loans contracted by municipalities under the Consolidated Municipal Loan Fund Act, and respecting which I have already remarked, that returning prosperity will relieve the province from the principal weight of this obligation. The amount at 31st December 1858, was—

	Dols.	*cts.*
Upper Canada - - - - - - - - -	7,294,792	00
Lower Canada - - - - - - - - -	1,763,000	00
Dols.	9,057,792	00

The Act permitting these debts to be contracted limits the amount to be issued to $. 14,600,000, to be equally divided between Upper and Lower Canada. And, looking at the operation of the law up to this time, it may appear proper to the Legislature to restrict the issue of the remainder of the loans, especially in connexion with the ultimate and complete abrogation of the Seignorial tenure in Lower Canada, for which it may be necessary to make legislative provision. The payment in 1858, from the Seignorial Tenure Fund of $. 298,351. 37. although including a large sum for the expenses of the Commutation Commission, would seem to indicate that the amount required in extinguishment of the feudal tenure will largely exceed the present fund, and in justice alike to the Seignior and Censitaire, whose title to their property has been entirely changed by the Legislature from motives of public policy, it does not appear possible to avoid incurring further liability, in which view it may be considered desirable to relieve the province from a certain part of its indirect liability, connected with the future extension of the Consolidated Municipal Loan Fund Debt. Canada will thus succeed, at a very moderate outlay, in achieving the complete freedom of her territory from the oppressive burden of the feudal tenure, which has in no other country been ever shaken off, without the most prolonged, expensive, and bloody conflict; and her people, instead of remaining worn out and exhausted with the struggle, will at once feel the beneficial results of the change, and by increased energy, freedom, and intelligence, far more than compensate the province for the pecuniary charge by which the object has been attained.

In conclusion, I have the satisfaction to state, that by a moderate addition to the existing duties on Customs, combined with considerable reduction in almost every branch of the Public Service, it is my opinion that the expenditure for 1859 will be brought within the revenue; and should no continued failure of the harvest occur, it is my confident hope that the province will be found to have passed through the trying period of recent depression, with certainly as little difficulty as any other country in the world.

All which is respectfully submitted.

(signed) *A. T. Galt,*
Inspector-General.

Toronto, March 1859.

GENERAL ESTIMATE of the Probable Amount of the PUBLIC EXPENDITURE and also of the GROSS REVENUE of the Province of *Canada*, for the Year 1859.

PAYMENTS.	Actual Expenditure in 1858.		Estimate for 1859.		RECEIPTS.	Actual Receipts in 1858.		Estimate for 1859.	
	Dols.	*cts.*	*Dols.*	*cts.*	ORDINARY REVENUES:	*Dols.*	*cts.*	*Dols.*	*cts.*
Interest on Public Debt	3,030,899	25	3,050,000	00	Customs	3,368,157	76	5,200,000	00
Charges of Management	56,738	70	50,000	00	Excise	138,760	22	200,000	00
Sinking Fund	434,880	80	270,000	00	Post Office	295,395	76	350,000	00
Discount	30,942	85	00	00	Public Works	400,727	15	450,000	00
Exchange	10,812	72	00	00	Territorial	415,372	68	400,000	00
Civil Government	394,735	51	350,000	00	Casual	12,856	08	15,000	00
Administration of Justice, East	360,883	56	320,000	00	Quebec Fire Loan	729	76	00	00
Ditto - - ditto - West	247,475	68	245,000	00	Interest on Investments	46,599	21	46,000	00
Police	41,931	01	25,000	00	Sinking Fund Interest, and gain on Investments	142,880	80	120,000	00
Provincial Penitentiary and Reformatory Prisons	61,600	00	75,000	00	Bank Imposts	45,208	41	75,000	00
Legislation	684,442	27	385,000	00	Law Fees, 22 Vict. c.c. 63 and 64	42,176	22	42,000	00
Education, East	304,734	42	225,000	00	Fines and Forfeitures	20,845	54	21,000	00
Ditto - West	224,630	79	225,000	00	Premium	239,568	75	00	00
Literary and Scientific Institutions	33,360	98	15,000	00	SPECIAL REVENUES:				
Hospitals and Charities	194,988	65	200,000	00	Law Fees, Upper Canada, 8 Vict. c. 13	35,618	24	35,000	00
Geological Survey	19,566	66	18,000	00	Law Fees, Lower Canada, 13 Vict. c. 37	59,710	58	60,000	00
Militia and Enrolled Force	162,351	54	75,000	00	Tonnage Duties, Quebec and Montreal (Mariner's Fund)	8,360	40	8,000	00
Arts, Agriculture, and Statistics	24,616	36	10,000	00	Passenger's Duty	11,418	77	10,000	00
Agricultural Societies	111,032	32	60,000	00	Tonnage Duties, Quebec (River Police)	8,514	40	9,000	00
Emigration and Quarantine	49,982	67	25,000	00	Culler's Funds	49,338	13	50,000	00
Pensions	45,339	64	45,000	00	Steamboat Inspection	5,293	26	6,000	00
Indian Annuities	31,020	00	31,000	00	GUARANTEED AND ADVANCE ACCOUNTS:				
Public Works and Buildings (exclusive of Permanent Works)	187,030	58	150,000	00	Municipal Loan Fund, Upper Canada	140,198	29	200,000	00
Rents, Repairs, &c. (exclusive of Permanent Works)	38,305	51	40,000	00	Ditto - - ditto Lower Canada	11,734	27	150,000	00
Roads and Bridges, exclusive of Trust Funds	94,859	73	50,000	00	Law Society, Upper Canada	10,191	09	10,000	00
Ocean and River Steam Service	217,555	10	250,000	00	Court Houses, Lower Canada	25,135	05	25,000	00
Lighthouses and Coast Service	116,615	71	110,000	00	Upper Canada, Building Fund	12,138	00	12,000	00
Fisheries	15,628	76	15,000	00	Quebec Fire Loan	72	01	00	00
Culling Timber	50,198	13	50,000	00	Repayment of Advances	-	-	70,000	00
Railway and Steamboat Inspections	14,778	66	8,000	00	Great Western Railroad Interest	227,088	40	170,000	00
Advances	163,345	33	00	00					
Miscellaneous	57,728	53	55,000	00					
Collection of Revenue:									
Customs	341,863	37	300,000	00					
Excise	16,290	00	25,000	00					
Post Office	565,636	37	350,000	00					
Public Works (Collection)	270,572	18	230,000	00					
Territorial, including Ordnance Lands (Collection)	221,316	95	150,000	00					
Fines and Forfeitures	11,887	65	12,000	00					
Casual	33	00	00	00					
Special Funds (excluding Trusts)	2,401	59	3,000	00					
TOTAL - - - *Dols.*	8,943,013	53	7,497,000	00	TOTAL - - - *Dols.*	5,774,089	23	7,734,000	00

— No 5. —

(No. 8.)

COPY of a DESPATCH from his Grace the Duke of *Newcastle*, K.G., to Governor the Right Honourable Sir *Edmund Head*, Bart.

No. 5.
His Grace the Duke of Newcastle, K.G., to Governor the Right Honourable Sir Edmund Head, Bart.
31 January 1860.

Sir, Downing-street, 31 January 1860.

I HAVE referred, for the consideration of the Lords of the Committee of Privy Council for Trade, the Report of the Minister of Finance in Canada (enclosed in your Despatch, No. 118,* of the 11th November) respecting the import duties levied in the province upon certain British manufactures; and I transmit, for your information, a copy of their Lordships' reply, accompanied by a memorandum on the subject, prepared in the Statistical Department of the Board of Trade.

* Page 11.

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

Governor the Right Honourable
Sir Edmund W. Head, Bart., K.C.B.,
&c. &c. &c.

Enclosure in No. 5.

Office of Committee of Privy Council for Trade, Whitehall,
17 January 1860.

Sir,

Enclosure in No. 5.

THE Lords of this Committee have had under their consideration your letter of the 15th December last, transmitting, by direction of the Duke of Newcastle, a copy of a report by the Finance Minister of Canada upon a Memorial from the Chamber of Commerce of Sheffield, respecting the import duties levied in Canada upon certain British manufactures, and also a copy of that memorial, and of the Duke of Newcastle's Despatch, in which it was conveyed to the Governor of Canada.

In accordance with his Grace's desire, my Lords have carefully examined the statements and arguments of Mr. Galt's report; and I enclose herewith a copy of a memorandum which has been prepared in the Statistical Department of the Board of Trade, and which shows in detail the result of this examination.

In submitting this memorandum to the Duke of Newcastle, I am to request that you will state to his Grace that my Lords do not perceive anything in Mr. Galt's explanation of the recent Canadian tariff to affect the conclusions at which they arrived upon an examination of that tariff, and which were communicated to the Colonial Office in my letter of the 20th October last.*

* Page. 9.

They think that the justification of this measure is to be found in the financial exigencies of Canada, and the difficulty, if not impossibility, under the peculiar circumstances of the province, of raising the necessary amount of revenue from any other source than the import duties upon manufactures which enter largely into its consumption.

Upon this ground my Lords stated, in their letter of the 20th October, that they were not prepared to disapprove the course which had been taken by the Government of Canada in framing the Tariff Act of 1859. They think that the explanations given in Mr. Galt's report of the principles upon which it was framed are, on the whole, satisfactory.

They cannot, however, lose sight of the fact that under the present tariff the rates of duty levied upon quite two-thirds of the duty-paying imports into Canada have been raised since 1856 from 12½ to 20 per cent., being an increase of 60 per cent.; and that this increased burden has been since that date placed upon the principal manufactures exported from the United Kingdom to Canada.

My Lords therefore cannot but regard with regret the fiscal necessities which have compelled this most important Colony to adopt a policy, the tendency of which, whatever its immediate effect may have been, unquestionably is to check the natural development of her foreign trade, and impair her industrial progress.

Mr. Galt disclaims on the part of the Government of Canada any intention of affording, by means of a tariff of increased duties upon foreign manufactures, an artificial stimulus to the industry of the province. And my Lords are glad to find that such an object formed no part of the intention of that Government in readjusting their Customs' system.

They cannot, however, concur with Mr. Galt in thinking that it should be a subject of gratification to the Canadian Government, if it is found that the duties absolutely required to enable them to meet the engagements of the province, should incidentally benefit and encourage the production at home of many of the articles which she now imports.

On the contrary, my Lords are of opinion that, should this incidental effect be produced by the operation of the present tariff, and branches of native industry be created which could not have equally prospered without protective duties; it may be found when the financial condition of the province might enable the Government to reduce their import duties; that class of interest will have grown up in dependence upon those duties, which will interpose a very serious obstacle in the way of a return to a sounder commercial policy, and that a system of taxation adopted for the legitimate object of revenue, may be continued for the mischievous purpose of protection.

I have, &c.

The Under Secretary of State,
Colonial Office.

(signed) *James Booth.*

Sub-Enclosure.

MEMORANDUM on the Report from the Minister of Finance in *Canada.*

Mr. Galt, in his Report, first discusses a Memorial from the Sheffield Chamber of Commerce against the recent increase of import duties in Canada, and then enters into explanations of the financial position and policy of the Province.

In replying, in the first place, to the opening complaint in the Memorial, of the "recent "advance of import duties in Canada," dates are overlooked by Mr. Galt, when he connects this "recent advance" with the tariff of August 1859, and observes that no advance whatever was made on Sheffield goods by the Act in question. That this Act could not be the one in question is proved by the Memorial being dated the 1st of August, and the last Tariff Act the 7th of August 1859, and on the 20th of the previous month of July the Memorialists had had an interview with the Duke of Newcastle, to represent the grievance set forth in the Memorial. The "recent advance" therefore must have had reference to the tariffs of 1856 and 1858. In these years the duties on hardwares and some other manufactured articles were raised from 12½ per cent. (the rate of duty in force since 1849) to 20 per cent. This alteration from 12½ to 20 per cent. was an increase of duty to the extent of 60 per cent. In 1846, British hardware was admitted into Canada at a duty of 5 per cent., and foreign at 12 per cent. There can be no doubt, therefore, as to the fact of a considerable increase of the Canadian duty in recent years on hardwares and cutlery, and other important articles produced by the manufacturers of the United Kingdom. Whether this increase of duty has occasioned any decrease in the trade of Sheffield with Canada, by encouraging the competition of Canadian or American productions, is another question.

The Canadian duty on hardwares have been too recently augmented to admit of the consequences to the trade with the Province being satisfactorily ascertained; and the period during which the higher duties have been in force has been one of much depression in the import trade of Canada.

The following Table exhibits the total value of manufactured iron and hardwares imported into Canada, and the value thereof from the United Kingdom and the United States respectively, in each year from 1850 to 1858:—

YEARS.	Total Value.	Value from United Kingdom.	Value from United States.
	£.	£.	£.
1850 - - - -	330,261	227,919	98,363
1851 - - - -	463,845	316,902	144,747
1852 - - - -	466,096	294,298	169,466
1853 - - - -	648,720	357,939	284,071
1854 - - - -	860,558	511,912	338,353
1855 - - - -	635,630	298,954	330,861
1856 - - - -	645,853	288,192	350,787
1857 - - - -	489,943	244,391	240,316
1858 - - - -	331,078	182,616	147,339

A large increase will be observed down to 1854; and the large amount of imports between 1853 and 1856 is attributable, probably, to some special demand, perhaps, in connection with the railroads, as wrought iron and steel are included in the Canadian returns, under the head of manufactured iron and hardwares. As regards the imports from the United Kingdom, it will be observed that a great falling off occurred before the duties were first increased (about the middle of 1856); and the decrease in 1857 and 1858 could have been but little influenced by the change of duty, as until August 1858 the duty had only been raised from 12½ to 15 per cent. Whether the further augmentation of duty to 20 per cent. will seriously check the importation of British hardwares remains still to be shown by the results of the Canadian Trade Accounts for 1859, and one or two subsequent years. By a Return obtained from the Custom House, it appears that there has been an increased exportation of hardwares and cutlery to Canada in the 11 months of 1859, as compared with the same period in the previous two years.

The

The table first given shows undoubtedly a large increase in the supply of American manufactured iron and hardwares to the Canadian markets; but it does not follow that British goods have given way to American. Although the value of these American goods exceeded that of the British in 1855 and 1856, they experienced a great decline in 1857 and 1858, and in these years the imports from the United Kingdom exceeded in value those from the United States.

Mr. Galt, in his report, states that there are certain descriptions of hardware and cutlery which are manufactured in a superior manner by the American and Canadian manufacturers. In these goods he says, "there is really no competition; their relative merits "are perfectly well known." The fact is, Mr. Galt adds, "that certain goods are bought "in the Sheffield market, and certain in the American."

These observations upon a difference in the description of goods obtained from England and the United States are rather borne out by an examination of the value of the exports of hardwares and cutlery from the United Kingdom to Canada between 1850 to 1858. Under this heading our accounts are much more restricted to actual wares of iron than the Canadian accounts previously referred to; but a comparison of the movement in this class of our exports and in the imports from the United States, as shown in the previous table, leads to the conclusion that the exports of British hardwares and cutlery to Canada has not been much affected by the growth of the American trade in the same class of goods. These imports from America show a large annual increase from 1850 to 1856, whereas, as appears by the following figures, the British exports of hardwares and cutlery to Canada in the same years show, with the exception of the two years 1854 and 1858, a somewhat steady fluctuation, decreasing and increasing to about the same amounts.

YEARS.	DECLARED VALUE.	YEARS.	DECLARED VALUE.
	£.		£.
1850 - - -	92,561	1855 - - -	92,391
1851 - - -	130,305		
1852 - - -	93,316	1856 - - -	123,642
1853 - - -	135,105	1857 - - -	124,309
1854 - - -	220,941	1858 - - -	72,399

A comparison of this and the preceding table, in the manner suggested, certainly helps to sustain Mr. Galt's statement as to the different description of goods supplied by the United States and the United Kingdom to Canada respectively, rather than to afford evidence of British goods suffering by competition with the American.

In judging of the effect that the new duties in Canada are likely to have upon the trade of Sheffield with that Colony, it is important to consider the mode of valuation adopted in Canada, and the amount of the Canadian duty compared with that levied in the United States. Mr. Galt refers to these points, and the remarks that he makes certainly tend to lessen the probability of the new duty in Canada being very oppressive on the exports from Sheffield.

The valuation for duty in Canada is, as Mr. Galt states, upon the value of the goods in the market where bought instead of upon the value at the port of entry, as is the case in the United States and other countries, where *ad valorem* duties prevail. The principle adopted in Canada must considerably mitigate the pressure of the *ad valorem* rates of duty in that country. The difference in the value of goods at the market where bought and at the port of entry, including in the latter value all costs and charges (except insurance, as in the United States) cannot be less than 12½ per cent., so that goods which would be valued for duty at 100 *l.* in the United States would not be valued at more than 87 *l.* 10 *s.* in Canada. But, taking the case of hardwares and cutlery when imported into Canada and the United States, besides being subject in the United States to the higher valuation for duty, such articles are liable to a duty of 24 per cent., instead of 20 per cent., as in Canada. Therefore hardwares and cutlery of every 100 *l.* value at the port of entry would have to pay a duty of 24 *l.* in the United States, and but 17 *l.* 10 *s.* in Canada, a difference of 6 *l.* 10 *s.*, or 27 per cent. in favour of the latter.

If Sheffield is not shut out from the American market by a duty of 24 per cent. on a valuation at the port of entry, the trade of that town with Canada is not likely to be seriously injured by the duty of 20 per cent. on a valuation at the market price at home.

Mr. Galt refers to this fact, when he maintains the power of the manufacturers of Sheffield to compete with those of America in the Canadian markets. Mr. Galt says, "Sheffield is able now to export very largely of these very goods to the American "market, paying a duty of 24 per cent., and competing with the American maker. "Certainly then in the Canada market, Sheffield paying only 20 per cent., can have "nothing to fear from American competition which is subject also to the same duty." Some opinion of the extent to which Sheffield is able to export to the United States, may

be formed from the following statement of the value of British hardwares and cutlery, exported to the United States in each year from 1850 to 1858 :

YEARS.	VALUE.	YEARS.	VALUE.
	£.		£.
1850 - - -	1,049,903	1855 - - -	906,854
1851 - - -	1,080,487	1856 - - -	1,222,419
1852 - - -	968,492	1857 - - -	1,031,867
1853 - - -	1,334,127	1858 - - -	664,097
1854 - - -	1,431,696	1859 (11 months)	1,047,032

These figures show an export five times as large as that to Canada, and it is to be observed that these exports were, for almost the whole period, subject, upon importation into the United States, to a duty of 30 per cent. It was not before 1857, that the American duty was reduced to its present rate of 24 per cent.

It will not be necessary to make many remarks upon that part of Mr. Galt's Report, which refers to the calculations by the Memorialists of the relative costs of delivering Sheffield and American goods in Canada. As the Memorialists fix these costs when the duty is deducted, at from 15 to 20 per cent. to themselves, and at no more to the American manufacturers than from 2½ to 5 per cent., they probably represent the advantage of proximity to be greater than it really is, and expose their calculations to Mr. Galt's charge of being erroneous ; but against such an advantage having much influence on the competition between the English and American hardware manufacturers, there is, as Mr. Galt observes, the fact of the large export of English goods to America itself, and also the probable higher cost at which the goods are produced in America.

The Memorialists assert that Canada has more than 1,000 miles of unguarded frontier across which the American manufacturer can smuggle with impunity, but Mr. Galt says, this is a reckless assertion, and shows that the Canadian Government is not indifferent to the protection of its Customs Revenue on every available route. The Americans have certainly availed themselves to a great extent of the legitimate channels of trade with Canada, until the recent alterations of duty and the facilities for smuggling do not appear to be such as to encourage a contraband trade to any extent, under the present system of higher duties.

Judging, therefore, by the exports of hardwares and cutlery from the United Kingdom to Canada, during years in which there was a very large increase in the American supply of manufactured iron and hardwares, and by the exports from the United Kingdom to the United States under higher duties, there does not appear to be much ground for apprehending any serious injury to the trade of Sheffield with Canada from the recent increase of duty in that Colony.

That it would have been better for both the Sheffield producers and the Canadian consumers had the Canadian duties not been raised is not to be disputed; but the necessities of the Province must prevail over these interests for the present.

After controverting the Memorial, Mr. Galt proceeds to give a detailed explanation of the commercial policy and legislation of Canada, which " He believes will abundantly " prove that the policy of Canada, so far from being opposed in principle to that of the " Mother Country, has been in accord with it, as far as differing circumstances would " permit."

Mr. Galt then briefly refers to the policy in force, and the changes made in it between 1841 and the present time.

But a comparison of the changes in the commercial legislation of Canada and of the mother country in the period alluded to, will scarcely entitle Canada to claim the accordance which Mr. Galt would establish.

The principle of protection was much more general in the English than in the Canadian tariff, and the rates of duties were much higher in England than in Canada.

The chief instance of similarity in the Imperial and Colonial policy has been as regards the importation of corn; but in this respect the circumstances of the two countries were so dissimilar, that the repeal of the duty on corn, though corresponding in principle, was a change that operated very differently at home and in the Colony.

If, however, as regards protective duties, some identity of principle may be traced in the policy pursued in Canada and Great Britain, the same cannot be done with respect to discriminative duties. In Canada, the discriminating duties, which admitted British produce at less than half the duty on foreign, were wholly discontinued in 1848 ; and where duties were retained, the higher rates were made applicable to both British and foreign produce. In England, on the other hand, discriminating duties have been retained in favour of some articles of Colonial produce, especially as regards timber, the chief article of export from Canada. And in discontinuing the principle of differential duties for Colonial and foreign produce, the policy in England has been, where the duty has not been altogether repealed, to lower the rates for both foreign and Colonial imports ; the policy of Canada has not therefore been in accord with that of England as regards discriminating duties. The cessation of such duties in Canada so far back as 1848, must be considered rather more the result

result of Imperial than of Canadian legislation. The Canadians have frequently memorialized the Home Government for the maintenance of differential duties in favour of their productions when imported into England; and had England required reciprocity on the part of the colony, the equalization of the Canadian duties on British and foreign imports could not have taken place so long as the productions of Canada were favoured by the British tariff.

The repeal of the Navigation Laws is alluded to by Mr. Galt. It was a change of policy highly beneficial, no doubt, to the commercial interests of Canada; but for much of the good that Canada derives from improved commercial relations, under free navigation and an equalized system of duties, she is chiefly indebted to an unselfish policy on the part of Great Britain.

In referring to the value of the imports into Canada between 1841 and 1858, Mr. Galt prominently notices the great increase in the amount of goods imported duty free.

It is true that many miscellaneous articles are now admitted into Canada free of duty, but the majority of them are only imported in small quantities.

The great increase in the imports of free goods is owing to the large trade with the United States, since the Reciprocity Treaty of 1854 in corn and meat provisions. Wheat and Indian corn were made free in Canada in 1850, but there were no considerable imports of such grain before 1854, when the Reciprocity Treaty was made, and when other kinds of grain and flour of all kinds were also made free of duty. In each year since 1854, Canada has imported grain and flour very largely; principally of course from the United States. But in the same years, and under the same treaty, there has been a very large export of the same articles from Canada to the United States, much exceeding, in fact, the imports from the United States. There is therefore a simple exchange, as it were, of corn between the two countries, according probably to the production and requirements of particular and contiguous localities. Such an arrangement is doubtless very beneficial to Canada and the United States, and is in itself a free trade; but it is special in its character, and influences so largely any illustration of the commercial policy of Canada by means of a comparison of the value of free goods imported at different periods, that it is desirable to see how the free goods have advanced in proportion to the total imports, if corn is excluded. Mr. Galt shows that the value of free goods imported into Canada was, on an annual average, 2¼ per cent. of the total imports from 1841 to 1848, 7 per cent. from 1849 to 1854, and 29 per cent. from 1855 to 1858. How largely this increase in the free goods is due to the reciprocal trade in corn with the United States, the following figures will show. The periods taken by Mr Galt cannot be conveniently followed, for want of the original returns; but a comparison of the free goods with and without corn in 1850, when wheat and Indian corn were first admitted free of duty, and in 1855, the year following the Reciprocity Treaty, will suffice for the purpose.

	1850.	1855.
Total value of imports into Canada - -	£. 4,245,517	£. 9,021,542
Value of free goods with corn - - -	294,133	2,596,383
Proportion of total imports - - - -	7 per cent.	28¾ per cent.
Proportion without corn - - - -	£. 256,216	£. 1,507,125
Proportion of total imports - - - -	6 per cent.	16 per cent.

The per-centages, including corn, in 1850 and 1855, correspond with Mr. Galt's averages for 1849 to 1854, and 1855 to 1858. But omitting corn from the free goods, an increase is shown of from 6 to 16 per cent. against that shown by Mr. Galt of from 7 to 29 per cent. Thus, by making allowance for the special and large increase in the imports of corn, the increase in the value of free goods cannot fairly be reckoned according to the rates stated by Mr. Galt. In 1850, the corn admitted free of duty formed but 13 per cent. of the free goods; whereas in 1855, 42 per cent. of the free goods consisted of corn and meal. It is deserving of notice how much the increase in the value of the total imports of Canada between 1849 and 1858 is occasioned by the great advance in the free goods. According to the figures appended to Mr. Galt's report, the annual average value of the imports between 1849 and 1854 was 5,967,000 *l.*, and between 1855 and 1858 it was 9,261,000 *l.*; showing an increase of 3,294,000 *l.* or 55 per cent. Deducting however the free goods, the value for the first period was 5,559,000 *l.*, and for the second 6,564,000 *l.*, the increase being only 1,005,000 *l.*, or 18 per cent.

In connexion with the value of the total imports and free goods, Mr. Galt exhibits the amount of duty received, and he attaches much importance to the proportion which the duty bears to the imports, as being a proof of the trifling addition that has really been made to the Customs Duties in Canada. Mr. Galt deduces the following results of the proportion borne by the total amount of duty received to the total imports on an annual average:—

Between 1841 and 1848 - - - - - -	Duty 10¼ per cent.
„ 1849 and 1854 - - - - - -	„ 13¼ „
„ 1855 and 1858 - - - - - -	„ 10¼ „

But as the principal charges in the Canadian tariff were made in August 1858, Mr. Galt gives a separate result for that year, thus:—

1858 to 7th August - - - - - - -	Duty 11 per cent.
1858 from 7th August - - - - - - -	„ 12½ „

Further on in the Report, Mr. Galt adds a similar result for the first nine months of 1859, during which period the new tariff of the present Canadian Government has been in force.

1859, 9 months - - - - - - - -	Duty 13½ per cent.

To these results, and especially the last, Mr. Galt requests the attention of the Duke of Newcastle, "as showing that the increased rate of duty in 1859, as compared with "1858, has only been from 12½ to 13½ per cent., which can scarcely be deemed excessive." And further on in the Report, Mr. Galt again compares these per-centages to show how little the rate of duty levied in 1859 exceeds the rates in previous years. If the relative rates of duty in different years, and under different tariffs, could be correctly deduced in the manner adopted by Mr. Galt, there would still be the objection that the proportion of duty is calculated upon the total imports, instead of upon the duty-paying goods only. This makes a considerable difference in the results obtained, as the larger proportion of free goods in the latter periods has the effect of keeping down the per-centage of the duty to the total imports. By calculating the proportion of the duty received on the duty-paying goods only, the results would be,

	Per Cent.		Per Cent.
Between 1841 and 1848 - - - - -	10.4	instead of	10.25
„ 1849 and 1854 - - - - -	14.3	„	13.25
„ 1855 and 1858 - - - - -	14.6	„	10.25
1858 to 7th August - - - - - -	15.6	„	11.0
„ from 7th August - - - - - -	17.1	„	12.50
and 1859, 9 months - - - - - -	19.0	„	13.50

Here then, instead of a difference, as shown by Mr. Galt, of only from 10.25 to 13.50, there is an advance of from 10.4 to 19 per cent. And as regards the comparison of 1859 with 1858, the increase of 2 per cent. upon a 17 per cent. general rate of duty, instead of 1 per cent. upon a general rate of 12½ per cent. would, in effect, be a much heavier increase of duty than is indicated by the relative difference between 2 per cent. in the one case and 1 per cent. in the other.

The great increase in the tariff of Canada has been the raising of the duties upon manufactured articles from 12½ to 20 per cent., and from these articles, under both of these *ad valorem* rates, more than two-thirds of the Customs Revenue of Canada has been obtained.

It is clear, therefore, that the results deduced by Mr. Galt, showing only a small per-centage increase in the proportion of the duty to the total imports since the duties have been raised, does not afford any true indication of the actual augmentations of duty in Canada. The results shown by computing the proportion of the duty to the imports of duty-paying goods, only afford a better indication of the changes in the commercial legislation of Canada. No sound inference as to the advance in particular rates of duty can, however, be drawn from such premises.

The fact is patent that rates of duties which are levied upon quite two-thirds of the duty-paying imports into Canada, have been raised from 12½ to 20 per cent., an increase, as has been previously stated, of 60 per cent. It is quite true that such an addition to the rates of duty may not prevent some increase in the trade of Canada, but it is, probably, quite sufficient to check any considerable development of the import trade of the province. Mr. Galt states that "The real increase of revenue was looked for from a revival of trade," but a revival to any extent is certainly made very uncertain by a considerable increase in the rates of duty. The opposite policy is adopted in the Mother Country to promote an extension of commerce.

The change in the system of duties from specific to *ad valorem* for certain goods, may, with the mode of valuation adopted in Canada, encourage and develope the direct trade by sea, between Canada and foreign countries, which, Mr. Galt says, was one of the objects of the tariff of 1859. The trade accounts of Canada show that tea and sugar have been for some years past almost entirely received from the United States, but it is difficult to ascertain whether the trade has been directed to this channel by the operation of specific duties, as stated by Mr. Galt, or by any facilities of communication existing in the United States.

With regard to the articles selected for an increase of duty in order to meet the deficiency of the Canadian revenue, it is probable that the class chosen by the Minister of Finance was the one the most to be relied upon for affording an immediate increase of revenue. Although this object may have been attained by the recent augmentations of duty, it does not at all follow that the development of the commercial interests of Canada, and of the British trade with Canada, will not be interfered with by the maintenance of the existing duties on manufactured goods. As the Minister of Finance states that "The fiscal

"policy

" policy of Canada has invariably been governed by consideration of the amount of revenue " required," and as he concludes his report by intimating that " it will be a subject of the " highest gratification to the present Government when a reduction in the scale of duties " is possible," a modification of the 20 per cent. duties may be reasonably expected, if the import trade of Canada should sufficiently recover from its recent depression.

However little the Imperial Government may think it right actively to interfere in the financial legislation of Canada, the Executive authorities in that Province should bear in mind that so long as discriminating duties exist in the British tariff in favour of Canadian timber, the manufacturers of England will naturally be very sensitive to the imposition of heavier duties in Canada, when the increased taxation will more particularly fall on the British trade.

It may be right, in conclusion, to notice that at page 6 of the Report, Mr. Galt states, that " the articles on which he proposed to obtain additional revenue were cotton goods, " to be raised from 15 to 20 per cent., and iron, steel, &c., from 5 to 10 per cent."

But, by comparing the Canadian tariffs for 1859 and 1858, the duty upon linens and earthenware would also appear to have been raised, in 1859, from 15 to 20 per cent. In the tariffs in force in 1858 these articles were not specially enumerated, and the duty of 15 per cent. on " unenumerated goods " applied to them, and under that rate of duty they appear in the Import Accounts for 1858. The tariff of 1859 also does not separately enumerate linens and earthenware, and therefore it is presumed they must be included under " unenumerated goods," which are charged with a duty of 20 per cent.

Statements are appended of the imports and exports of grain into and from Canada; and of the exports of the principal kinds of timber to the United Kingdom.

VALUE (in Currency) of the Principal Kinds of CORN and FLOUR Imported into *Canada.*

YEARS.	Wheat.	Indian Corn.	Other Kinds of Grain and Flour.	TOTAL.	Total Grain and Flour from the United States.
	£.	£.	£.	£.	£.
1850 - - -	28,484	9,433	6,378	44,295	43,117
1851 - - -	73,745	16,957	5,498	96,200	95,409
1852 - - -	19,238	26,566	4,766	50,570	49,740
1853 - - -	3,666	61,931	11,522	77,119	70,265
1854 - - -	34,728	177,735	18,165	230,628	225,832
1855 - - -	365,406	280,136	443,716	1,089,258	1,077,483
1856 - - -	423,523	209,576	261,095	894,194	878,415
1857 - - -	593,644	180,109	366,278	1,140,031	1,126,892
1858 - - -	411,872	98,164	213,941	723,977	711,499

VALUE (in Currency) of the Principal Kinds of CORN and FLOUR Exported from *Canada.*

YEARS.	Wheat.	Barley and Rye.	Flour.	Other Kinds of Grain and Flour.	TOTAL.	Total Grain and Flour to the United States.
	£.	£.	£.	£.	£.	£.
1850 - -	268,034	7,767	685,796	76,701	1,038,298	661,533
1851 - -	171,795	21,557	670,825	67,550	931,727	471,398
1852 - -	355,457	19,337	689,378	81,229	1,145,401	789,992
1853 - -	772,610	6,505	1,062,209	136,850	1,978,174	1,212,796
1854 - -	524,534	23,580	1,199,175	54,923	1,802,212	1,307,119
1855 - -	1,482,217	145,807	1,450,480	135,932	3,214,436	2,909,201
1856 - -	1,744,461	226,820	1,502,452	235,177	3,708,910	2,934,605
1857 - -	697,493	171,016	1,134,411	163,043	2,165,963	1,724,503
1858 - -	588,774	253,909	766,452	328,830	1,937,965	1,400,294

VALUE (in Currency) of the Principal Kinds of TIMBER* Exported from *Canada* to the *United Kingdom.*

YEARS.	VALUE.	YEARS.	VALUE.
	£.		£.
1850 - - -	727,963	1855 - - -	989,031
1851 - - -	935,058	1856 - - -	1,378,705
1852 - - -	937,850	1857 - - -	1,694,959
1853 - - -	1,482,181	1858 - - -	1,218,842
1854 - - -	1,675,401		

* Including Pine, red and white, Deal staves, Elm, and Oak.

— No. 6. —

(No. 32.)

No. 6.
Governor Sir Edmund Head, Bart., to the Duke of Newcastle, K.G. 11 April 1860.

COPY of a DESPATCH from Governor the Right Honourable Sir *Edmund Head*, Bart., to His Grace the Duke of *Newcastle*, K.G.

Government House, Quebec,
11 April 1860.

My Lord Duke,

REFERRING to your Grace's Despatch of 31st January, No. 8,* I have now the honour to enclose a copy of a Minute of the Executive Council of Canada, approved by myself.

* Page 27.

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

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

Enclosure in No. 6.

Encl. in No. 6.

COPY of a REPORT of a Committee of the Honourable the Executive Council, approved by His Excellency the Governor General, on the 16th March 1860.

THE Committee have attentively perused the accompanying Memorandum, dated 13th March 1860, from the Honourable the Minister of Finance, submitting certain observations on the letter of the Committee of Privy Council for Trade, dated 17th January 1860, and upon a communication from the Statistical Department of the Board of Trade, transmitted by his Grace the Duke of Newcastle by Despatch of 31st January 1860; and, concurring in the opinions expressed by the Minister of Finance in his said Memorandum, respectfully advise that a copy thereof be forwarded by your Excellency to Her Majesty's Secretary of State for the Colonies.

Certified,
(signed) *Wm. H. Lee,*
Clerk of Executive Council.

THE Minister of Finance has the honour respectfully to submit to his Excellency the Governor General in Council certain observations upon the letter of the Committee of Privy Council for Trade, dated 17th January, and upon the accompanying Memorandum from the Statistical Department of the Board of Trade, transmitted by his Grace the Duke of Newcastle by Despatch of 31st January 1860.

The Minister of Finance finds that, on full consideration of the subject of the late Canadian tariff, my Lords "think that the justification of this measure is to be found in the financial "exigencies of Canada, and the difficulty, if not impossibility, under the peculiar circum- "stances of the Province, of raising the necessary amount of revenue from any other source "than the import duties upon manufactures, which enter largely into its consumption. Upon "this ground my Lords stated, in their letter of 20th October, that they were not prepared "to disapprove the course which had been taken by the Government of Canada in framing "the Tariff Act of 1859. They think that the explanations given in Mr. Galt's report of "the principles upon which it was framed are, on the whole, satisfactory."

The Minister is gratified to observe that my Lords have thus, on reconsideration, withdrawn

drawn the strong expressions of disapproval contained in the Despatch from his Grace the Duke of Newcastle of 13th August last.

The important point, in which the Canadian Government considered their policy to have been misunderstood, having been thus settled, it is not necessary to prolong the discussion upon details; but the Minister of Finance feels it his duty to advert to some of the arguments used by my Lords, lest the absence of notice should imply assent on his part.

My Lords state that "they do not concur in thinking it should be a subject of gratification to the Canadian Government, if it is found that the duties absolutely required to "enable them to meet the engagements of the Province should incidentally benefit and "encourage the production at home of many of the articles which she now imports: on the "contrary, my Lords are of opinion that, should this incidental effect be produced by the "operation of the present tariff, and branches of native industry be created, which could not "have equally prospered without protective duties, it may be found, when the financial "condition of the Province might enable the Government to reduce their import duties, that a "class of interests will have grown up in dependence upon those duties, which will impose a "very serious obstacle in the way of a return to a sounder commercial policy, and that a "system of taxation adopted for the legitimate object of revenue may be continued for the "mischievous purpose of protection."

In this case it appears to the Minister of Finance that my Lords object to a result which, in the first instance, must necessarily be advantageous to the country, from a vague apprehension that, in the uncertain future, it may prevent a diminution of duties on manufactured goods. In any country it would seem desirable to vary the employments for capital and industry, and thus diminish, if not altogether prevent, the disasters which attend a failure in the case of a people depending altogether on one means of subsistence.

The first establishment of even the lower grades of manufactures is always attended with difficulty; and investments of this nature, when once in operation, and having secured the skilled labour required, will be able to maintain themselves, even in the face of a gradual future reduction of duty. It may also be observed that if the coarser articles be manufactured in any country, the larger ability will it possess to import those of a more expensive character. A large part of Canada is not capable of producing a surplus of cereals for export, and it ought, therefore, to be a subject of congratulation if, without imposing any duty for the purpose of protection, employment can be found for those labouring classes who now seek it in the United States.

The Minister of Finance does not therefore share the apprehensions of my Lords, but believes that, having the advantage of the experience of the Mother Country, Canada will be enabled, in the future, to shape her commercial policy so as to give the freest scope to the industry of the people.

In the Memorandum from the Statistical Department of the Board of Trade, it is stated: "In replying, in the first place, to the opening complaint of the Memorial of the 'recent "'advance of import duties in Canada,' dates are overlooked by Mr. Galt when he con"nects this 'recent advance' with a tariff of August 1859, and observes that no advance "whatever was made on Sheffield goods by the Act in question. That this Act could not "be the one in question is proved by the Memorial being dated the 1st of August, and "the last Tariff Act the 7th of August 1859, and on the 20th of the previous month of "July, the Memorialists had an interview with the Duke of Newcastle to represent the "grievance set forth in the Memorial. The 'recent advance,' therefore, must have had "reference to the Tariffs of 1856 and 1858."

In this case, it is submitted that the mistake will be found to have been originally made by the Board of Trade, and is again repeated in the above extract. The dates of the Memorial (1st August 1859) and of the interview with his Grace are correctly stated, but the last Tariff Act passed on the 22d March 1859, and the previous Act of the 7th August 1858; and the fact that the Memorialists from Sheffield appended to their Memorial an extract from a Colonial paper of July, animadverting expressly upon "Mr. Galt's Tariff," shows that they must have been aware of its being in force before the date of the Memorial.

The Minister of Finance is gratified to observe that, as regards the various points complained of in the Memorial from the Chamber of Commerce, the Board of Trade is of opinion that they were not well-founded, and that "There does not appear to be much "ground for apprehending any serious injury to the trade of Sheffield with Canada, from "the recent increase of duty in that Colony."

Exception is taken in the Memorandum from the Board of Trade to the general statement made by the Minister of Finance, that the "Policy of Canada has been in accord "with that of the Mother Country, as far as differing circumstances would permit;" and it is contended that, inasmuch as England reduced her duties on foreign goods to a par with those levied on Colonial, while Canada increased those on British goods to the rates levied on foreign, a material difference in policy existed. In reply, it may be urged that the principle in both cases is the same, and also that the operation of the change in England of reducing the discriminative duties which existed in favour of the Colonies, is exactly similar in effect to that adopted by Canada, in increasing the duties on British goods. The result is to do away with exceptional advantages on both sides. The amount of duty levied in either case does not affect the principle on which it is imposed.

It may not be desirable to enter upon any discussion as to the repeal of the Navigation Laws, or the advantage which Canada may have derived therefrom; this step became absolutely necessary, as regards Canada, after the previous legislation of Great Britain. But it is quite certain that, as regards the trade of the Great Lakes, without reference to

the general question of the coasting trade of this Continent, the policy of Great Britain has been more favourable to the citizens of the United States than to Canada.

The Memorandum of the Board of Trade enters at considerable length into the discussion of the correctness of the mode in which the Minister of Finance has established the amount of taxation in Canada, at different periods; and it is contended that, in the first place, the imports and exports of corn should be excluded from any calculation, and, secondly, that the correct result can be arrived at by taking the duty-paying goods only.

As respects the exclusion of corn from the calculation, it is stated correctly in the Memorandum to arise from the varied production and requirements of particular and contiguous localities; but so far from it requiring this article to be excluded from the comparative statements of trade under the system of free trade, it is plainly necessary to include it on the very ground stated by the Board of Trade; because, had the duty been maintained, the excess of corn produced in one section of Canada would have been artificially forced into consumption in another, at increased cost, or a corresponding quantity would have been imported from the United States, and would have paid duty—in either case causing a burthen upon the community. Even excluding corn from the free goods, it is admitted that between 1849 to 1854, and 1855 to 1858, they have increased from 6 to 16 per cent., which sufficiently indicates the direction of the policy of Canada.

But the Memorandum demands not only the exclusion of corn but that of all free goods, and offers a calculation based upon the duty-paying goods only, whereby it is contended that the duty has been increased from 10·4 to 19 per cent. between 1841 and 1859, and from 17·1 to 19 per cent. by the late Canadian tariff, instead of from 10¼ to 13½ and from 12½ to 13½ per cent.

That this mode of calculation is fallacious may be shown by simply pointing out that, if the Board of Trade be correct, the Legislature of Canada could, by extending the Customs duties over the free goods, actually raise the same revenue, while at the same time they reduced the duty paid from 19 per cent. to 13½, as stated by the undersigned, which would manifestly be a complete delusion, as the amount levied on the consumer would remain the same. It appears evident that so long as Customs duties are levied, the gross amount collected must be subdivided over the entire imports in estimating the relative weight of Customs, comparing one year with another. It does not absolutely settle the amount of taxation paid by the people, as that must depend upon other fiscal burthens as well, but it certainly forms a correct measure of the amount levied upon the import trade.

The Board of Trade rest much weight upon the fact, that manufactured goods have been raised from 12½ per cent. in 1856, to 20 per cent. in 1859; but they do not advert to the fact that between the same periods the duty on sugars, molasses, teas, and a variety of other articles had been greatly reduced, and in some cases removed altogether. It is quite true, as stated in the Memorandum, that an increase of duties must operate against an extension of commerce; and the undersigned admits, that if the duties on manufactured goods were removed altogether, the consumption of Canada would be enlarged; but the same remark applies to the tea and sugar duties in Great Britain, which, in like manner as the Canadian duties on goods, are maintained from the necessity of procuring income. The point to be desired is evidently to fix such a rate of duty as will not, by a diminution of consumption, defeat the object of obtaining revenue, and the undersigned contends that this point has not been exceeded in the 20-per-cent. duties.

The Memorandum adverts to the increase of duty from 15 per cent. to 20 per cent. on linens and earthenware, and appears to have been written under the impression that the Minister of Finance had stated there had been no increase in those articles. A reference to his report will show, that while he spoke of "Cotton, iron, and steel, &c.," as the principal articles upon which increased duties were levied, he did not by any means state them to be the only ones.

The conclusion of the memorandum states:—

"However little the Imperial Government may think it right actively to intervene in "the financial legislation of Canada, the Executive Authorities of that Province should bear "in mind that, so long as discriminative duties exist in the British tariff in favour of Cana- "dian timber, the manufacturers of England will naturally be very sensitive to the imposi- "tion of heavier duties in Canada, when the increased taxation will more particularly fall "on the British trade."

On this it is only necessary to remark that the British tariff is now proposed to be altered so far as to remove the discriminative duty in favour of Colonial timber. The Minister of Finance does not presume to question the propriety of the British Government arranging its tariff in the mode considered most advantageous to the British consumer; but it may be regretted that the intention to effect this change had not been announced beforehand, so as to prepare the Colony for it, as the timber trade is peculiar, and requires preparation many months before the timber can be brought to market.

The Minister of Finance trusts that the explanations which have been afforded on the subject of the Canadian tariff will have removed all misapprehension from the minds of my Lords the Committee of Privy Council for Trade, as to the policy of Canada being in any way opposed to the interests of the empire at large, but has been adopted with the view of maintaining unimpeached the credit and good faith of the Province.

Respectfully submitted,

13 March 1860. (signed) *A. T. Galt.*

CUSTOMS DUTIES (CANADA).

COPY of CORRESPONDENCE between the Colonial Office and the Authorities in *Canada*, on the subject of the Removal or Reduction of the DUTIES charged on BRITISH GOODS entering *Canada*.

(*Mr. Aytoun.*)

Ordered, by The House of Commons, *to be Printed*,
17 *June* 1864.

400.

Under 8 *oz.*

CANADA AND PACIFIC TELEGRAPH.

RETURN to an Address of the Honourable The House of Commons, dated 10 May 1864;—*for*,

"COPY or EXTRACTS of any CORRESPONDENCE between the Colonial Office and the Authorities in *Canada* and *British Columbia*, on the subject of the proposed TELEGRAPHIC COMMUNICATION between *Canada* and the *Pacific* (in continuation of Parliamentary Paper, No. 438, of Session 1863)."

Colonial Office, 16 June 1864.

FREDERIC ROGERS.

(*Mr. Sinclair Aytoun.*)

Ordered, by The House of Commons, *to be Printed*, 17 *June* 1864.

402.

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COPY or EXTRACTS of any CORRESPONDENCE between the Colonial Office and the Authorities in *Canada* and *British Columbia*, on the subject of the proposed TELEGRAPHIC COMMUNICATION between *Canada* and the *Pacific* (in continuation of Parliamentary Paper, No. 438, of Session 1863).

— No. 1. —

(No. 79.)

No. 1.
Viscount Monck to the Duke of Newcastle, K.G.
25 April 1862.

COPY of a DESPATCH from Viscount *Monck* to His Grace the Duke of *Newcastle*, K.G.

Quebec, 25 April 1862.
(Received 9 May 1862.)
(Answered, 124, 3 June 1862, page 5.)

My Lord Duke,

I HAVE the honour to forward to your Grace a Minute of the Executive Council, approved by me, on the subject of the establishment of a postal communication through the Hudson's Bay Territory, between Canada and British Columbia, containing a letter from the Provincial Secretary to the Manager of the Hudson's Bay Company, and that gentleman's reply. Enclosure.

The subject is one of considerable importance, both in an Imperial point of view, and as regards the particular interests of this Province ; but the letter of Mr. Alleyn enters so fully into the merits of the question on both grounds, that I do not think it necessary to trouble your Grace with any observations of my own.

The answer of Mr. Dallas would seem to imply that the existence of the present rights of the Hudson's Bay Company will prove a permanent obstacle to the realization of the views which the Canadian Government entertain in reference to the proposed communication.

As the Government of this Province have no means of acting upon the Hudson's Bay Company, except through Her Majesty's Ministers, I would, on its behalf, ask of your Grace to take such steps as may enable the authorities here to carry into execution their desire for an extension of postal communication between this Province and the shores of the Pacific.

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

Enclosure in No. 1.

COPY of a REPORT of a Committee of the Honourable the Executive Council, approved by his Excellency the Governor General in Council on the 24 April 1862. Encl. in No. 1.

IN reference to the recent correspondence between the Provincial Government and the Governor of the Hudson's Bay Territory on the subject of the proposed overland communication with British Columbia, the Committee respectfully advise that copy of the same be transmitted by your Excellency to his Grace the Secretary of State for the Colonies.

(certified) *Wm. H. Lee,*
Clerk of the Executive Council.

Sir, Provincial Secretary's Office, Quebec, 15 April 1862.

THE Government of Canada have had their attention very strongly directed to the important subject of an overland communication with British Columbia through the Hudson's Bay territory, *viâ* the Red River, and I am now commanded by his Excellency the Governor General to inform you of the steps proposed towards effecting this object, and to seek the co-operation of the Hudson's Bay Company therein.

The Canadian Government do not wish at present to raise any question as to the rights of the company, who must be regarded as *de facto* in possession of the country intervening between Canada and British Columbia.

They consider that most important public interests demand the establishment of a practicable line of communication across the continent, and they desire to have the practical aid of your Company in carrying it into effect.

Arrangements were made within the last four years for postal service with Red River; but the want of territorial rights at Red River, and along the greater part of the route, defeated the plans of the Canadian Government, and after a very considerable outlay the line had to be abandoned. Another effort is now being made in the same direction, and as the Hudson's Bay Company claim the rights of Territory and Government over this region, it is hoped they will also assume their co-relative duties, and unite with Canada in opening up the country.

The Canadian Government are about to establish steam communication with Fort William on Lake Superior immediately; a large tract of land at this point has been surveyed, and a Crown Lands agent has been recently appointed to reside there; appropriations have been made by the Legislature for roads towards Red River, on which free grants will be made to settlers, and every effort will be made to attract settlement; the ultimate object being the connexion with the Red River and Saskatchewan. Canada is therefore now prepared to guarantee that, so far as her undisputed boundary extends, every facility will henceforward exist towards a communication with the west.

The Canadian Government cannot doubt that the Hudson's Bay Company are fully alive to the vast importance of such a communication.

The recent gold discoveries on the Saskatchewan cannot fail to attract many adventurers, who must at present be principally drawn from the United States.

The Settlement of Red River itself has now its sole communication with Minnesota, and will naturally imbibe American principles and views, unless brought into connexion with the British Settlements east and west. Canada must look with some apprehension to the probable result that in a very few years the population lying to her west will be wholly foreign; and that unless facilities for settlement be afforded from Canada equal to those enjoyed from the United States, and unless efficient civil Government be speedily established, British rule over this part of the continent will virtually have passed away, and the key of the trade to British Columbia, and ultimately China, have been surrendered to our rivals.

The Hudson's Bay Company cannot desire a result that would equally militate against their own interests. And the Canadian Government therefore hopes for their hearty co-operation in opening of the Red River and Saskatchewan Territories by a communication from Canada to British Columbia.

The Government of Canada considers that in connexion with the means of transport across the continent, a telegraphic communication should be established as especially necessary for imperial interests, inasmuch as both the United States and Russia possess telegraphic lines to the Pacific; while Great Britain has no other mode of doing so, but through the Hudson's Bay Territory. Recent events have proved the paramount importance of such a line.

Leaving untouched, therefore, all disputed questions, I am commanded by his Excellency the Governor General, to state that the Canadian Government have decided at once to establish steam and stage communication to the extreme limit of the territory under their Government; and are ready to unite with the Hudson's Bay Company in a mail service and post route to British Columbia. The Canadian Government is also prepared to guarantee the construction of a telegraphic line to the extreme western limits of the province.

I request that you will inform me how far you will be prepared to act for the Hudson's Bay Company in carrying out objects of such great national importance; and which cannot be long delayed without the most serious injury to the interests of the empire, and especially to the future progress and security of Canada.

I have, &c.
(signed) *C. Alleyn.*

Alexander G. Dallas, Esq.,
Governor-in-Chief of Rupert's Land,
Montreal.

Sir, Montreal, 16 April 1862.

I HAVE the honour to acknowledge receipt of the important communication which you have addressed to me by command of his Excellency the Governor General, under date the 15th instant, wherein you intimate the desire of the Government of Canada to establish an overland communication with British Columbia through the Hudson's Bay territory, as well as the steps proposed towards effecting that object; and further request the co-operation of the Hudson's Bay Company therein.

After stating that the Government of Canada, regarding the company as *de facto* in possession of the interventng territories, does not wish to raise any question as to its rights, you proceed to point out the great public interests which are involved by the formation of a chain of settlements, connecting Canada with British Columbia, by postal and telegraphic services, the paramount importance of which is proved by recent events.

You also point out the danger of the Red River Settlement, from its close connexion with Minnesota, consequent upon its isolated position with regard to Canada, becoming imbued with American principles and views, and passing away to our rivals, thus depriving the country of the key of the trade to British Columbia, and ultimately to China.

While

While fully admitting the force of the above arguments, and the immediate necessity of some arrangements being come to, I am reluctantly compelled to admit my inability to meet the Government of Canada in this forward movement, for the following reasons:

1. The Red River and Saskatchewan valleys, though not in themselves fur-bearing districts, are the sources from whence the main supplies of winter food are procured for the northern posts, from the produce of the buffalo hunts. A chain of settlements through these valleys would not only deprive the company of the above vital resource, but would indirectly, in many other ways, so interfere with their northern trade, as to render it no longer worth prosecuting on an extended scale. It would necessarily be divided into various channels, possibly to the public benefit, but the company could no longer exist on its present footing.

The above reasons against a partial surrender of our territories may not appear sufficiently obvious to parties not conversant with the trade or the country, but my knowledge of both, based on personal experience, and from other sources open to me, point to the conclusion, that partial concessions of the districts, which must necessarily be alienated, would inevitably lead to the extinction of the Company.

2. Granting that the Company were willing to sacrifice its trading interests, the very act would deprive it of the means to carry out the proposed measures. There is no source of revenue to meet the most ordinary expenditure; and even under present circumstances the Company has practically no power to raise one. The co-operation proposed, in calling on the Company to perform its co-relative duties, pre-supposes it to stand on an equal footing with Canada.

It is not to be supposed that the Crown would grant more extensive powers to the Company than those conveyed by the charter. If any change be made, it is presumed that direct administration by the Crown would be resorted to, as the only measure likely to give public satisfaction.

Not having anticipated the present question, I am without instructions from the Board of Directors in London for my guidance.

I believe I am, however, safe in stating my conviction, that the Company will be willing to meet the wishes of the country at large, by consenting to an equitable arrangement for the surrender of all the rights conveyed by the charter.

I shall by the next mail forward copies of this correspondence to the Board of Directors in London, who will thus be prepared, in the event of the subject being referred to Her Majesty's Secretary of State for the Colonies.

I may state that it is my intention to make immediate arrangements, at the existing settlement of Red River, for the sale of land, on easy terms, free from any restrictions of trade. It would, I believe, be impolitic to make any distinction between British subjects and foreigners. The infusion of a British element must be left to the effects of a closer connexion and identity of interests with Canada and the mother country.

The Honourable Charles Alleyn,
Provincial Secretary.
&c. &c. &c.

I have, &c,
(signed) *A. G. Dallas.*

— No. 2. —

(No. 124.)

No. 2.
Duke of Newcastle, K.G., to Viscount Monck.
3 June 1862.

COPY of a DESPATCH from His Grace the Duke of *Newcastle*, K.G., to Governor General Viscount *Monck*.

My Lord, Downing-street, 3 June 1862.

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch, No 79,* of the 25th of April last, and to transmit to you, for your information, a copy of a letter from the Hudson's Bay Company (received at this department a few days after your Despatch reached me), on the subject of establishing postal telegraphic communication, through the Company's territory, between Canada and British Columbia.

* Page 3.

19 May 1862.†

Although it is not in the power of Her Majesty's Government to grant assistance from Imperial funds for carrying out the objects which the Canadian Government has in view, there would be every desire, on their parts, to co-operate in any well-devised scheme for effecting this important communication across the American Continent. As a possible preliminary to such an undertaking, I would direct your Lordship's attention to the facilities for the acquisition of land which the Hudson's Bay Company announce their intention of offering to settlers proceeding to the Red River.

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

† The enclosures to this Despatch will be found printed at page 3 of House of Commons Paper, No. 438, of 1863.

— No. 3. —

No. 3.
Viscount Monck to the Duke of Newcastle, K.G. 27 February 1863.

EXTRACT from a DESPATCH from Governor General Viscount *Monck* to His Grace the Duke of *Newcastle*, K.G.; dated Quebec, 27 February 1863 (No. 20).

Encl. 1.
Encl. 2.

I HAVE the honour to enclose, for your Grace's information, a report of the Postmaster General of Canada on the subject of the postal communication through what is termed "The North-West Territory" with British Columbia, and a Minute of the Executive Council founded upon it.

Enclosure 1, in No. 3.

Encl. 1, in No. 3.

COPY of a MINUTE of a Committee of the Executive Council, approved by His Excellency the Governor General, 9 February 1863.

THE Committee, having taken into consideration the report of the Honourable the Postmaster General on the expediency of opening up and better securing communication westward towards British Columbia through British territory, for a telegraphic and postal service, concur in the opinion expressed in that report, as regards the advantage of securing such communication, and humbly advise that a sum of 50,000 dollars be placed in the Estimates of the approaching Session, for the purpose of carrying out the same in the manner suggested in that report, or in any other that may hereafter be deemed more advantageous.

(certified) *Wm. H. Lee*,
Clerk of the Executive Council.

Enclosure 2, in No. 3.

Encl. 2 in No. 3.

REFERRING to the correspondence had with his Grace the Duke of Newcastle, the Canadian Government, and certain of the officers of the Hudson's Bay Company, with reference to the establishment of postal and telegraphic communication, through the Company's territories (so-called), between Canada and British Columbia, and to his report of the 31st July last on the subject of postal communication with the North-west, the undersigned has the honour to submit, for the consideration of his Excellency the Governor General in Council, as follows:

The circumstances which, for some years past, have indicated the expediency of opening up communications westward from Lake Superior derive, in the judgment of the undersigned, additional importance from the recent and continuous intercourse with British Columbia, consequent upon the discoveries there of valuable goldfields; whilst the reported existence of the same precious metal in the fertile valley of the Saskatchewan has had the effect of awakening a yet deeper interest in what in Canada is popularly known as the Red River Country.

Under so powerful an impulse, a rapid stream of emigration has set towards the Pacific, which gives indications of indefinite expansion, in view of the encouraging reports which are constantly received of the richness of the mines and the value of the country as a field for settlement. The shortest and most natural route to these inviting territories lies through the St. Lawrence and its chain of tributary lakes. But, owing to the want of facilities for transit beyond the head of Lake Superior, persons destined for the western settlements necessarily make the voyage by sea, or accomplish the first stage in the land journey (Fort Garrie, on the Red River) by way of Minnesota and Dacotah. Thus it may in truth be said that the people of the neighbouring States hold the key to the British possessions in the West; and while by this means their wild lands are being settled and improved, ours, lying immediately adjacent, and quite as well fitted for cultivation, remain a mere hunting-ground for the sole benefit and advantage of a company of traders, whose object it is to keep them a wilderness productive only of game, and who, to this end, do all in their power to divert into foreign channels, to the promotion of alien interests, the commerce carried on by them with the outside world.

In the judgment of the undersigned, the time has arrived when more decisive and effective means than have been yet put forth should be employed in opening up and perfecting the communication westward from Lake Superior through British territory. Cut off from intercourse with their fellow-subjects, except on condition of submitting to the inconveniences, the losses, and the numerous vexations of a circuitous journey through a foreign country, and which, on the occurrence of difficulty, would be closed to them, or but afford facility for their invasion and, under the circumstances, all but certain conquest, the people of the Red River Settlement have for many years past been loud in their expressions of dissatisfaction.

Minnesota and not Canada is, from imperious necessity, the emporium of their trade; the chief recent additions to their population are from the United States; and their sympathies, in spite of their wishes, are being drawn into a channel leading in an opposite direction from that of the source of their allegiance. In a word, the central link in the chain of settlements which should connect Canada with British Columbia is being rapidly Americanized; and, unless a prompt effort be made to advance British interests in that direction, there is reason to fear that incalculable mischief will follow.

The tendencies which have in the main operated in keeping the North Western Country closed to the industrial enterprise of the British and Canadian people may be traced to the alleged obstacles in the way of the construction of practicable roads and the improvement of navigation.

Recent explorations, however, prove these obstacles to have been greatly exaggerated.

The expeditions of the Imperial and Canadian Governments demonstrate the entire feasibility of establishing communication, for postal and telegraphic service, at reasonable rates through the territories which the Hudson's Bay Company claim as being under their jurisdiction.

Starting from the head of Lake Superior (with which, during the summer months, constant intercourse is maintained by steamers) the route naturally divides itself into three sections—the first extending to the Red River Settlement, the next stretching forward to the Rocky Mountains, and the third reaching thence to the Pacific. It may be advantageous briefly to consider the principal characteristics of each, in the order in which they are here presented.

Mr. Simon Dawson, who explored the first-named section of the route in 1858, under the direction of the Provincial Government, describes that portion of it extending from Lake Superior to Lake Winnipeg "as a hilly and broken country, intersected by rapid rivers and widespread lakes. The mountains, however," he adds, "do not rise to any great elevation, except on the immediate borders of Lake Superior, and there are some fine alluvial valleys, the most extensive of which is that of Rainy River. The lakes and rivers," he goes on to say, "present long reaches of navigable water, the principal of which, extending from Fort Francis to the western extremity of Lake Plat, is 158 miles in length. Dense forests cover the whole of this region, and the most valuable kinds of wood are seen in various places and in considerable quantities." The most difficult and laborious part of the journey is the first, leading up to the "height of land," from Lake Superior. Before Mr. Dawson's exploration the rocky, broken structure of the country by the Kaministoquoa was thought to present an insuperable barrier to further extension, except at an immense expenditure; but his examinations led to the discovery of a good line from Thunder Bay to Dog Lake, by which the entire practicability of that part of the route was established. The country from the Lake of the Woods to Fort Garrie is spoken of by the same authority as a region differing as widely as may be in its physical character from that which had previously been described. Although the distance across from the Lake of the Woods to Red River is but 90 miles, the country gradually undergoes a change for the better, until the prairie region is reached, about 30 miles east of Fort Garrie; thence through the Red River Settlements, by the Valley of the Saskatchewan, to the base of the Rocky Mountains (forming the second section of the route), the country presents the same favourable characteristics of fertile prairie, thinly wooded here and there by clumps of timber. Over this, by far the most extensive of the three divisions referred to, good natural roads, in constant use by the Red River settlers and the Hudson's Bay Company's employés, already exist; besides which, the Saskatchewan River is reported, on good authority, to be navigable for steamboats from near its mouth, with but one short interruption, to the very foot of the mountains. The crossing of the Rocky Mountains has been objected to as one of the obstacles in the overland route, but that too has been proved, by actual exploration, to be much less formidable than it had been supposed; Captain Palliser, in his report to the British Government, stating—"I am rejoiced to say that I have completely succeeded in discovering a pass, practicable not only for horses, but one which, with but little expense, could be rendered available for carts also. This pass will connect the prairies of the Saskatchewan with Her Majesty's possessions on the west side of the Rocky Mountains." And further on in the same report, speaking of another pass, explored by Dr. Hector, who was attached to the expedition in a scientific capacity, Captain Palliser adds: "He found the facilities for crossing the mountains so great as to leave little doubt in his mind of the practicability of constructing even a railroad connecting the plains of the Saskatchewan with the opposite side of the main chain of the Rocky Mountains." Dr. Hector himself in his report says, "The ascent to the watershed from the Saskatchewan is hardly perceptible to the traveller, who is prepared for a tremendous climb, by which to reach the dividing ridge of the Rocky Mountains; and no labour would be required, except that of hewing timber, to construct an easy road for carts, by which it might be attained." Of the descent on the western slope of the mountains, he remarks, "A road for carts down the Valley of Vermillion River, from the height of land to the Kootanie River, could be cleared without difficulty; for, supposing the road to follow a straight line along the river, and the descent to be uniform, which it almost is, the incline would only be 40 feet in a mile, or 1 in 135." Other passes discovered indicate equal facilities.

With regard to the third or British Columbian section, as it appears, from the views held by his Grace the Colonial Minister, that Canada would not be expected to participate

in the construction of that part of the route, it is only necessary to say that its practicability has been satisfactorily proved. Captain Palliser, after giving all the details of his explorations west of the Rocky Mountains, claims as one of the results of the expedition under his command, "That we have succeeded in finding a way from the Red River Settlement across the Rocky Mountains to the mouth of Fraser River, entirely within British territory, and which, even in its wild state," he intimates to be "a route practicable for horses throughout." And here it may not be inappropriate to remark that there is abundant reason for believing that the hearty co-operation of the people of British Columbia would be certain in any judicious effort to bring them into closer intercourse with their fellow North American colonists. Of the prospective value of that intercourse, and as an indication of their anxious desire for the opening-up of communication between their own Colony and Canada, the undersigned, from numerous communications received by him on the subject, takes the liberty of quoting the following passage from a letter recently written him by a Canadian resident at New Westminster: "We hope that you and your friends will not forget us here, but that your best efforts will be directed to the opening-up of a communication with this country by means of an overland route, whereby a market might be secured for Canadian produce of which the colonists here would most gladly avail themselves. I believe that Canada could supply the miners in the Cariboo district as cheaply, if not more cheaply, than they were able to get their supplies this summer. * * * This country would pay in treasure, the very thing you want; for just as soon as provisions can be obtained here at a reasonable rate, say 25 to 30 dollars per barrel for flour, there would at once be an immense extent of mining country opened up. * * * Canadians now exert a controlling influence here, and our great desire is to see a practicable road constructed between the Canadian and British Columbian Provinces."

The availability, then, of a continuous route on British soil being established, the question arises as to its suitability for settlement. On this point there exists abundant favourable evidence. Speaking generally of the country from Lake Superior to Red River, Sir Alexander M'Kenzie says: "There is not perhaps a finer country in the world for uncivilized man. * * * It abounds in everything necessary to the wants and comforts of such a people; fish, venison, and fowl, with wild rice, are in great plenty." And more particularly specifying the central part of the same tract of country, Sir George Simpson, in his interesting work, "A Journey round the World," says that the country between Lake of the Woods and Rainy Lake is most favourable to agriculture, resembling in some measure the banks of the Thames near Richmond; and, describing the water-communication from Fort Francis downwards, he asks, "Is it too much for the eye of philanthropy to discern, through the vista of futurity, this noble stream, connecting as it does the fertile shores of two spacious lakes, with crowded steamboats on its bosom, and populous towns on its banks."

Corroborative of this testimony is that of Sir Alexander M'Kenzie, who, speaking of the same stream, says, "This is one of the finest rivers in the North-west. * * * Its banks are covered with a rich soil, particularly to the north, which in many parts is clothed with fine open groves of oak, with the maple, the pine, and the cedar." Of the country watered by the Red River and Lake Winnipeg, Mr. John M'Lean says: "Red River rises in swamps and small lakes in the distant plains of the south, and, after receiving a number of tributary streams that serve to fertilize and beautify as fine a tract of land as the world possesses, discharges itself into the eastern extremity of Lake Winnipeg, in latitude 50°. The climate is much the same as in the midland districts of Canada; the river is generally frozen across about the beginning of November, and open about the beginning of April. The soil along the banks of the river is of the richest vegetable mould, and of so great a depth that crops of wheat are produced for several years without the application of manure. The banks produce oak, elm, maple, and ash. The woods extend rather more than a mile inland. The farms of the settlers are now nearly clear of wood; an open plain succeeds, of from four to six miles in breadth, affording excellent pasture. Woods and plains alternate afterwards, until you reach the boundless prairie." In another place the same writer says: "Thus it happens that the Red River farmer finds a sure market for six or eight bushels of wheat and no more. Where he finds a market for the remainder of his produce, Heaven only knows! I do know this much, however, that the incomparable advantages this country possesses are not only in a great measure lost to the inhabitants, but also to the world, so long as it remains under the dominion of its fur-trading rulers.

"In the possession of and subject to the immediate jurisdiction of the Crown, Assiniboine would become a great and flourishing colony, the centre of civilization and Christianity to the surrounding tribes, who would be converted from hostile barbarians into a civilized and loyal people; and thus Great Britain would extend and establish her dominion in a portion of her empire that may be said to have been hitherto unknown to her, whilst she would open up a new field for the enterprise and industry of her sons."

On this head there is much additional testimony; but two further quotations may suffice. One is an extract from an article published in May 1860, in the newspaper established in the Colony by a gentleman from Canada, whose statements are entitled to the fullest credit: "One farmer says, that last year he put down eight bushels of wheat on four acres of land, and got a return of 153 bushels: this was 19 to 1, and about 38 to the acre; another says he put down 43 bushels on 18 acres, and obtained 753 bushels: this is more than 17 to 1, and 42 to the acre; a third put down 16 bushels on eight acres,

and

and had 401 of a return, making 25 bushels to 1, and 50 to the acre. Two others are as follows: seven bushels, sown on four acres, yield 170 bushels, being 24 to 1, and 42 per acre; again, six bushels sown on 4 acres returned 180, which made 30 to 1 sown, and 45 to the acre. The fields were accurately measured, and the facts and figures were carefully made out, and may be relied on."

The other quotation is from the evidence of Colonel Crofton, before a Committee of the House of Commons:—

"Question 3197. Mr. *Roebuck.*] Can you tell me when the spring or summer there (in the Red River Settlement) begins?—The season opens about the first week in April, and closes about the middle of November.

"3198. That is about what occurs in Lower Canada?—I thought it was about that of Upper Canada; I may be wrong.

"3199. Does the summer season close as early as the middle of November?—The summer season may be said to close in August; but the finest weather is what is called the fall, which extends from August to the middle of November.

"3200. When does the permanent snow fall?—It commences in the latter part of November, and is not off the ground until the first week in April.

"3201. Had you any opportunity of seeing anything of agriculture when you were there?—A great deal.

"3202. What sort of crops did they grow?—Oats, barley, and wheat chiefly; but all sorts of vegetables.

"3203. Did the wheat ripen?—In 90 days from sowing.

"3204. It ripened very perfectly?—It was the finest wheat I ever saw.

"3205. Was the soil fertile?—Along the immediate banks of rivers, and extending for, perhaps, the breadth of two miles, no finer loamy soil could be seen with a limestone foundation.

"3206. Is it geologically limestone?—All.

"3207. And wherever limestone is there is fertile land, is not there?—I think that is the consequence.

"3208. Do you know how far the limestone extends; looking at that map?—I have ascertained from servants of the Hudson's Bay Company that it extends, as a base of the whole prairie-land, to the Rocky Mountains.

"3209. So that, in fact, that part of the territory is fit for agriculture?—Quite so.

"3210. And would make a good colony?—It might maintain millions."

As to the Saskatchewan country, the richness of its soil and its adaptability for settlement are so well known and understood, that it is unnecessary to dwell on them at so great length.

This country is the favourite resort of vast herds of buffalo, an unerring indication of the mildness of the climate and the fertility of the soil. Captain Palliser speaks of it as a partially-wooded country, abounding in lakes and rich natural pasturage, in some parts rivalling the finest park-scenery in England.

The bulk of the valuable trade of the Red River country is at present made tributary to the Western States. Penetrating through their own unsettled territory a distance of some hundreds of miles, the people of Minnesota have spared no exertion or expense to secure the large and profitable commerce of the Red River country beyond.

The returns have amply rewarded them for their outlay. And if mere trading interests are considered as a sufficient compensation by the Minnesotians for opening up communication to the Red River (to them a foreign country), how much more ought the same considerations, when superadded to the many others of equal if not of yet higher importance, which apply in the case of Canada to cause surprise in regard to our indecision and supineness in not long before stretching forth our communications, so as to embrace a country presenting so many inviting features of interest?

The trade passing between the Red River Settlement and the United States, even in the present condition of the North-west, was stated by the Earl of Carnarvon, in his place in the House of Lords, to amount to no less than 1,500,000 dollars during the summer of 1859: added to this, traffic to the amount of at least 500,000 dollars finds its way through the channels of the Hudson's Bay. Thus there is a commerce of about 2,000,000 dollars annually maintained with the North-west, the greater portion of which, even supposing most of the country to continue under the control of the Hudson's Bay Company, would pass over the proposed new route, attracted thither by the three combined requisites—cheapness of carriage, shortness of the road, and speed.

Such being the trade of the country whilst as yet but slightly improved from its natural state, who shall estimate its value when brought under the influences of advancing civilization, and made to administer to the wants of the millions we are assured of its capability of sustaining in comfort and affluence?

The undersigned respectfully submits that such a territory ought not to be permitted longer to remain under the sole control of the mere handful of traders, however powerful and influential, who have hitherto monopolised its rich resources, and for so many years barred out all others from a participation in its advantages.

Sooner or later their hold upon those portions of it specially suitable to agriculture must be relaxed; and a movement having for its object an end so desirable is deserving of prompt and liberal encouragement. In our proceedings hitherto we have been far too

tardy. Our apparent indifference and unconcern have been taken advantage of by the Hudson's Bay Company to assert, with continuously increasing pretension, their claims to the entire territory; and, to-day it may be said with truth that they feel themselves stronger than ever before in their claims to keep, if they choose, for all time to come unsettled a vast region in every way suited to human habitation.

Without any suggestion at present as to legal title, it is sufficient that we are invited by his Grace the Duke of Newcastle to join in adopting means to effect the communication on this side to the summit of the Pass of the Rocky Mountains; and that while, in his Despatch of the 3d June last, he promised the co-operation of the Imperial Government, he afterwards intimated to the House of Lords, on the 4th July last, his hope "that when Parliament met next year he should be able to inform their Lordships that some progress had been made towards the establishment of postal communication between Canada on the one side and New Westminster on the other." In the opinion of the undersigned it is not only desirable but essential that advantage be taken of the present favourable disposition of the Imperial Authorities.

The late Administration, yielding to the pressure of public opinion, exhibited, as well as professed, a strong sense of the practical importance of opening up the first link of the route. To this end subsidies were from time to time, at their request, readily granted by Parliament; but for some cause or other—whether arising from difficulties occasioned by rival claimants for the performance of the service, or want of judgment in the parties immediately concerned in the application of the funds, or otherwise, it is not for the undersigned here to express an opinion—the means granted by the liberality of the Legislature for a good and useful purpose were worse than wasted, although during the first year, before partisan rivalry had been introduced, and when real efforts were directed to the solution of the question, as to the commercial advantages and the feasibility of the project, success beyond the expectation of the parties engaged was the actual result.

As to the difficulties suggested by the Hudson's Bay Company through their officers, Governors Berens and Dallas, in the correspondence herein referred to, those gentlemen, in truth, substantially, though evidently unwittingly, vindicate most strongly the views contended for by the advocates of improvement and colonization.

The first and second of the objections of Governor Berens, as to the practicability of the route between Lake Superior and Red River, and the deductions to be drawn from the failure of the projects hitherto encouraged by the Canadian Government, are sufficiently met by what has gone before. His next statement establishes, in the judgment of the undersigned, the very reverse of the conclusions he arrives at; and one finds it difficult to account for his permitting himself to be involved in such manifest inconsistencies as are apparent on the very face of his statement.

Directly in contradiction of the well-authenticated reports of others, among them Governor Dallas, who speaks of the Red River and Saskatchewan countries as the sources of supply of the employés of the Company, Governor Berens describes the country beyond the Red River to the base of the Rocky Mountains "as a vast desert, in some places without wood or water, exposed to the incursions of roving bands of Indians, and entirely destitute of any means of subsistence for emigrants, save herds of buffalo, which roam at large through the plains, and whose presence on any particular portion of these prairies can never be reckoned on. "These, again," he says, "are followed up by Indians in pursuit of food" (a good ground, one would say, for the buffalo not remaining all the time in the same particular places), whose hostility will expose travellers to the greatest dangers." One can well fancy precisely the same reasons being given by interested parties in any uncivilized country against its settlement. The Governor evidently loses sight of his design to prove the territory to be a vast desert, when he adds to that terror those of the Indians and the buffalo. The early settler in any part of America would tell him that the regions to which the Indian as well as the buffalo and other wild animals most resorted were those above all others the most fertile and fitted for cultivation, and just the sections most sought after by the pioneer, anxious within the shortest possible period to make for himself and those dependent upon him a habitation, and to aid in conquering for his country, with his axe, his spade, and his plough, fresh accessions and contributions to civilization and improvement.

The Governor's next fear, namely, that the construction of telegraph lines would be useless, because of the probability of their being burnt up, is just as groundless, as is apparent from the fact that over the boundless plains of California, and across the unsettled prairies of Illinois and other States, these almost indispensable accompaniments of civilization are in full, active, and undisturbed operation.

So with respect to the "depredations of the natives, and the general chapter of accidents:" these are encountered in every new country, and are not in our day anything like such formidable obstacles as they have been in the past

On Governor Berens' principle, the settlement of any portion of America was a grave mistake, for at some time or other, and at every place within its vast extent, precisely the same difficulties which he conjures up in the shape of roving bands of Indians, wild animals, desolation by flood and tide, and tomahawk, as well as a "general chapter of accidents," existed over them all: however, the unconquerable white race triumphed, and to its energy and self-sacrificing exertions and indomitable perseverance the British and Canadian people are indebted for an inheritance such as Providence never before bestowed upon any race since the world began.

If

If they fail to improve their opportunities, the loss will be proportionate to the advantages otherwise certain of attainment.

Differing from Governor Berens as well as to the facts as with respect to the style of objection, Governor Dallas puts the whole matter on its true ground when he refers to the Saskatchewan and the Red River countries as the sources whence the Hudson's Bay Company draw their supplies of food. And the simple question in view of his admission is, as to whether or not these magnificent territories shall continue to be merely the source of supply for a few hundreds of the employés of a fur-trading company, or the means of affording new and boundless contributions to civilization and commerce; whether they shall remain closed to the enterprise and industry of millions, in order that the few may monopolise their treasures, and keep them for all time to come as the habitation of wild beasts and the trappers engaged in their pursuit.

It is but necessary to add that in point of distance, as well as in other respects, the Canadian route, with its facilities fully developed, would manifestly be the superior one.

From Toronto to Fort Garrie, by way of St. Paul (or, as it is called, the Minnesota route), the distance is over 1,500 miles; by the Lake Superior or Canadian, 1,114 miles. The former in its unimproved state was the more practicable, because of the nature of the soil, the evenness of the surface, and comparative absence of woodland; but, with each equally improved, ours would be decidedly the more advantageous.

It rests with us to see that our advantages are not thrown away.

In July last the undersigned, considering an arrangement, the preliminaries of which had been agreed upon, for the carrying of the mails to Fort William to be at once improvident and useless as regards the opening-up of the territory, recommended its abrogation and the establishment of a temporary mail-service for the season, pending further action of a more permanent character. In the report which he had then the honour to make, and which was adopted by his Excellency the Governor General in Council, the importance of aiding in the securing of the needed communication with the North-west territories was fully sanctioned. He now respectfully submits, that to render effective the suggestions then so recognised, it is desirable that immediate steps should be taken to commence, at the opening of navigation next year, a series of operations having for their object, first, the establishment of a regular mail-service to the head of Lake Superior; and, secondly, the construction of roads, and the improvement of the lakes and rivers thence westward towards British Columbia.

From the best information obtainable on the subject, and which the undersigned believes to be wholly reliable, it is ascertained that a sum of 80,000 *l.* would be abundantly sufficient for the permanent opening-up and establishment of efficient and continuous land and water communication to Red River from the head of Lake Superior; thence to the passes of the Rocky Mountains, it is estimated that an additional 100,000 *l.* would be amply adequate.

Thus the whole expenditure, including steam-service on Lake Superior and on the navigable reaches beyond, would certainly not exceed 200,000 *l.*

With reasonable encouragement from the Government, the undersigned feels justified in stating that no more than ordinary difficulty would be encountered in the obtainment of the necessary means; and he has no doubt whatever, from the repeated assurances of his Grace the Duke of Newcastle, speaking on behalf of the British Government, that from the Imperial Authorities effective co-operation can be relied upon.

The question as to what is reasonably to be expected from Canada is that at present to be considered.

In view of all the facts and circumstances, and feeling that on our people it is the initiative in the matter rests—that it is to the Province the Imperial Government looks for a commencement of the movement, a movement demanded alike from our patriotism and our interests, the undersigned considers himself fully justified in submitting that, unless the Government deem it expedient to proceed under the direction of the Honourable the Commissioner of Public Works, as soon as it can be satisfactorily shown that competent and responsible parties are prepared to assume the work, they should propose to Parliament the granting of an annual subsidy of 50,000 dollars, or such other sum as his Excellency the Governor General in Council may deem judicious, for a term of years towards the undertaking. Should the above suggestion for a subsidy be concurred in, the undersigned will be in a position to submit to his Excellency the Governor General in Council the details of such arrangements as it may be desirable to make with responsible parties willing to perform the service; but as the question of the construction of works, as well as that of carrying the mails, would be involved, it is expedient that the Honourable the Commissioner of Public Works should be associated with him for that purpose.

All of which is, nevertheless, respectfully submitted.

(signed) *M. H. Foley*, Postmaster General.

Quebec, 17 October 1862.

— No. 4. —

(No. 49.)

No. 4.
Duke of Newcastle, K.G., to Viscount Monck.
1 May 1863.

COPY of a DESPATCH from his Grace the Duke of *Newcastle*, K.G., to Governor General Viscount *Monck*.

My Lord, Downing-street, 1 May 1863.

I ENCLOSE copies of a letter* addressed to me by Mr. Watkin, on behalf of the "Atlantic and Pacific Transit and Telegraph Company," and transmitting the heads of a proposal made by that Company for establishing telegraphic and postal communication from Lake Superior to New Westminster.

I also enclose copies of the answer which I have caused to be returned to that letter, and of a Despatch which I have addressed to the Governor of Vancouver Island. From these you will perceive that I value highly the advantages promised by this scheme, taken as it ought to be as part of a large scheme for connecting through British territory, the shores of the Atlantic with that of the Pacific; that I am prepared to accede, on the part of Her Majesty's Government, to the grant of land contemplated in the 3d Article of the "Heads of Proposal;" and that I have recommended the project to the acceptance of the Colonies of British Columbia and Vancouver Island, subject to such modifications of detail, if any, as further examination may show to be necessary. With this information I should wish you to submit the proposal for the consideration of your Government.

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

The Viscount Monck,
&c. &c. &c.

— No. 5. —

(No. 46)

No. 5.
Viscount Monck to the Duke of Newcastle, K.G.
8 May 1863.

COPY of a DESPATCH from Governor General Viscount *Monck* to His Grace the Duke of *Newcastle*, K. G.

Quebec, 8 May 1863.
(Received 26 May 1863.)

My Lord Duke, (Answered, No. 67, 4 July 1863. Page 14.)

I HAVE the honour to enclose a Memorial from the people of Red River, on the subject of the establishment of communication between Canada and British Columbia. This Despatch will be delivered to your Grace by Mr. Sandford Fleming, who has been deputed by the memorialists to act on their behalf, and to submit their views to Her Majesty's Government. Mr. Fleming is anxious to be allowed to place your Grace in possession of the information which he has acquired on the matters to which the memorial relates.

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

Enclosure in No. 5.

Encl. in No. 5.

MEMORIAL of the People of Red River Settlement to the British and Canadian Governments.

THE people of the Red River Settlement hereby desire briefly to set forth their views and wishes in reference to the proposed opening-up of the road from Canada to British Columbia through the Red River and Saskatchewan region, and the establishing of a telegraphic line along the same.

The people of Red River have long earnestly desired to see the Lake Superior route opened-up for commerce and emigration, and they rejoice to hear of the proposal to open up a road and establish a line of telegraphic communication through the interior to British Columbia entirely within British territory, believing that such works would greatly benefit this country, while subserving at the same time both Canadian and Imperial interests.

With reference to that section of the country lying between this settlement and Lake Superior, it is respectfully submitted that the difficulties to be encountered in opening-up an easy communication are entirely overrated.

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* The Enclosures to this Despatch will be found printed at pages 12, 13, and 16, of House of Commons Paper, No. 438, of 1863.

It is true that this route, for reasons which need not here be alluded to, has of late years been neglected; yet, when the fact is generally known that this was the regular route by which the North-West Fur Company imported and exported heavy cargoes for more than a quarter of a century, and which the Hudson's Bay Company have used more or less for nearly three-quarters of a century, it must be granted that the natural difficulties cannot be so great as they are commonly reported to be.

We, the people of this settlement, are so anxious to have a proper outlet in this direction, that we are quite prepared ourselves to undertake at our own expense the opening of a road from this settlement to Lake of the Woods, a distance of 90 or 100 miles, if England or Canada will guarantee the opening of the section from Lake of the Woods to Lake Superior.

From our intimate knowledge of the country lying between this place and the Rocky Mountains, we consider the project of a road in that direction perfectly practicable, at a comparatively small outlay. At all times during the summer season, loaded carts go from this place to Carlton, Fort Pitt, and Edmonton, on the Upper Saskatchewan; and last summer a party of Canadians, about 200 in number (*en route* to British Columbia), passed over the same road, and went with their vehicles to the very base of the Rocky Mountains; clearly showing that along the whole way there are, even at present, no insuperable obstacles to the passage of carts and waggons. And if in its present natural unimproved state the road is usable, it must be evident that only a comparatively small outlay would be requisite to make it all that could be desired.

The whole country through which the proposed road would run, almost from Lake Superior to the Rocky Mountains, is remarkably level. The surface of this vast region is, generally speaking, like the ocean surface in a calm; and, besides being so remarkably level, it is, for the most part, free from those heavy forests which, in Canada and elsewhere, cause such delay and expense in roadmaking. We believe a railway could be here laid at a cheaper rate than in most countries.

Having thus cursorily alluded to the practicability of the road, on which point our local knowledge and experience ought to give our views some weight, and while admitting the intense interest and satisfaction with which we view the prospect of a work fraught with so much good to us politically, socially, and commercially, we might be allowed to point out very briefly the views we entertain regarding its importance to England and Canada alike.

Canada would derive great benefit from the overland carrying-trade, which would spring up immediately on the establishment of this route, and the constantly-growing traffic of this district and British Columbia would thereafter be an ever-increasing source of profit.

Besides this, it may reasonably be presumed that the people of Central British America, present and prospective, would prove permanent and liberal customers in the markets of England and Canada. Be it remembered, moreover, that a vast fur business is carried on in this country, and that towards the Rocky Mountains gold has been discovered in many quarters. Besides gold there are iron, lead, coal, petroleum, and other minerals, which, together with the rich fur-trade, would prove a source of great wealth not only to this country but to Canada; and although the colonization and settlement of the vast area of cultivable land would somewhat curtail the territorial limits of the fur business, still the millions of acres north of the fertile tract will, in all probability, remain a rich fur-country for centuries to come.

This is the most natural highway by which commerce and general business with the East could be carried on; it would be also the most expeditious. And, as a result of such commerce and traffic along this route, Central British America would rapidly fill up with an industrious loyal people; and thus from Vancouver's Island to Nova Scotia, Great Britain would have an unbroken series of colonies, a grand confederation of loyal and flourishing provinces, skirting the whole United States frontier, and commanding at once the Atlantic and Pacific. In this connexion we feel bound to observe that American influence is rapidly gaining ground here; and if action is long delayed, very unpleasant complications may arise. Thus, both politically and commercially, the opening-up of this country, and the making through it a national highway, would immensely subserve Imperial interests, and contribute to the stability and glorious prestige of the British Empire.

These views the people of Red River desire most respectfully to present for the consideration of the British and Canadian Governments, and they earnesly hope that this year may witness the formal commencement of operations with a view to a telegraphic line, and a road from Lake Superior to this settlement, if not through the whole extent of country from Canada to British Columbia.

(signed) *James Ross*,
Chairman of Public Meetings.

Red River Settlement,
21 January 1863.

— No. 6. —

(No. 67.)

No. 6.
Duke of Newcastle, K.G., to Viscount Monck.
4 July 1863.

COPY of a DESPATCH from His Grace the Duke of *Newcastle*, K.G., to Governor General Viscount *Monck*.

My Lord, Downing Street, 4 July 1863.

I DULY received your Lordship's Despatch, No. 46,* of the 8th of May, transmitting a memorial from the people of the Red River on the subject of the establishment of a communication between Canada and British Columbia, and introducing to me Mr. Sandford Fleming, who was deputed by the memorialists to act on their behalf.

* Page 12.

I am happy to say that there appear to be good prospects of fulfilling the object of their wishes, and I have the honour to enclose for your information a copy of a letter addressed by my direction to Mr. Fleming.

29 June 1863.

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

Encl. in No. 6.

Enclosure in No. 6.

COPY of a LETTER from *T. Fredk. Elliot*, Esq., to *Sandford Fleming*, Esq.

Sir, Downing Street, 29 June 1863.

WITH reference to your letter of the 10th instant, I am directed by the Duke of Newcastle to acquaint you that he has given his best attention to the memorial which was entrusted to you by the inhabitants of the Red River Settlement on the establishment of a regular communication with Canada.

The question of forming such a communication has long been under his Grace's anxious consideration, and at length he has every reason to hope that it will shortly be accomplished. A scheme is in preparation, and almost matured, for establishing a postal and telegraphic communication, embracing the Red River Settlement, in the route between Canada and British Columbia. With the aid of those two Colonies, which have already been addressed on the subject, and by means of a concession to the promoters of the enterprise of land in the district of country which is free from the rights of the Hudson's Bay Company, the Duke of Newcastle trusts that the execution of the project will be entered upon at no distant date.

I have, &c.
(signed) *T. Frederick Elliot.*

Sandford Fleming, Esq.,
&c., &c., &c.

— No. 7. —

(No. 17.)

No. 7.
C. Fortescue, Esq., M.P., to Viscount Monck.

COPY of a DESPATCH from *C. Fortescue*, Esq., M.P., to Governor General Viscount *Monck*.

My Lord, Downing Street, 9 February 1864.

With reference to my Despatch, No. 49,* of the 1st of May last, I have the honour to acquaint your Lordship that I have received, through the Governor of Vancouver Island, a copy of a Resolution arrived at by the House of Assembly of that Colony, on the 25th of November last, to the effect that whilst regarding the designs of the Atlantic and Pacific Transit and Telegraph Company with warm interest, the House forbears to proceed to active measures in furtherance of them until the intentions of the Canadian Government respecting the undertaking are made public.

* Page 12.

I have, therefore, to request that you will take an early opportunity of acquainting me with the views of your Government on the subject.

I have, &c.,
(signed) *C. Fortescue,*
(In the absence and by the authority of the Duke of Newcastle.)

— No. 8. —

(No. 18.)

COPY of a DESPATCH from Governor General Viscount *Monck* to his Grace the Duke of *Newcastle*, K.G.

No. 8.
Viscount Monck to the Duke of Newcastle, K.G.
19 February 1864.

Quebec, 19 February 1864.

My Lord Duke, (Received 8 March 1864.)

I HAVE the honour to enclose a report of the Executive Council on the proposals of the Atlantic and Pacific Transit and Telegraph Company, transmitted to me with your Grace's Despatch, No. 49,* of the 1st May 1863.

* Page 12.

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

Enclosure in No. 8.

COPY of a REPORT of a Committee of the Honourable the Executive Council, approved by His Excellency the Governor General on the 18th of February 1864. Enclosure in No. 8.

THE Committee of the Executive Council have had under consideration a Despatch, No. 49, from his Grace the Duke of Newcastle, dated 1st May 1863, with enclosures, on the subject of a proposal of the "Atlantic and Pacific Transit and Telegraph Company" to establish telegraphic and postal communication from Lake Superior to New Westminster, in British Columbia. The Committee have also had communication of certain correspondence laid before the House of Lords by the Imperial Government, in answer to an address, dated the 2d of July 1863, which has an important bearing on the project referred to in his Grace's Despatch.

The "Atlantic and Pacific Transit and Telegraph Company" appears to have been organized by certain influential capitalists in London, in consequence of interviews and discussions which took place between them and Messrs. Sicotte and Howland, on the occasion of their visit to England in December 1862, as Canadian delegates in the matter of the Intercolonial Railway. The proposition of Messrs. Sicotte and Howland was for "the construction of a telegraph line, and of a road to establish more frequent and easy communication between Canada and the Pacific, and to facilitate the carrying of mails, passengers, and traffic," which they thought would be "highly favourable to the settlement of an immense territory," and also of "great advantage to the trade of England." They expressed their opinion to the gentlemen proposing to form a company to construct the work, that the "Canadian Government would agree to give a guarantee of interest at the rate of 4 per cent. upon one-third of the sum expended, provided the whole sum did not exceed 500,000 *l.*, and provided also that the same guarantee of interest will be secured on the other two-thirds of the expenditure by Imperial or Columbian contributions." At a subsequent stage of the negociations, Messrs. Sicotte and Howland, though unwilling to believe that Her Majesty's Government would not accede to the proposal of co-operation, expressed their opinion that the Canadian Government would grant to a Company organized as proposed, a "guarantee of interest even on one-half of the capital stated," should the Imperial Government refuse to contribute; but they declare they would not advise or press with their colleagues a higher rate of interest than 4 per cent. These gentlemen were therefore of opinion, that to secure the object they had mentioned, viz.: "a telegraph line, and a road to establish more frequent and easy communication between Canada and the Pacific, and to facilitate the carrying of mails, passengers, and traffic," the Government of Canada would be willing to contribute an annual aid or subsidy of not more than ten thousand pounds (10,000 *l.*) The Canadian delegates did not in the opinion of the Committee over estimate the importance of the objects stated, nor the willingness of the Canadan people to grant pecuniary aid in order to secure them. But the Committee observe that the "Heads of Proposal" submitted by Mr. Watkins on behalf of the "Atlantic and Pacific Transit and Telegraph Company," and enclosed to your Excellency by his Grace the Duke of Newcastle, are for a line of telegraph only. It is true that in the preamble of the document "a mail post" is mentioned, and in the first "head" it is stipulated that the Imperial Government, the Colonies and the Hudson's Bay Company shall each grant "land" and "all such rights" as may be required for the "post route," telegraph and necessary stations; but the Company do not propose or agree to construct anything but a "line of telegraph." The road contemplated by Messrs. Sicotte and Howland to facilitate the carrying of "mails, passengers, and traffic," is not provided for in any of the "Heads of Proposal."

It is proposed in the second "head" that the line of telegraph shall be divided into sections, and so soon as telegraphic communication shall be established throughout any such section, "the Colonies of Canada, &c. will guarantee to the Company a rate of profit on the capital expended, of "not less than 4 nor more than 5 per cent.," the total capital guaranteed being limited to 500,000 *l.* Canada might thus be called upon to pay interest on the cost of sections of a telegraphic line wholly without her territory, and having no connection with any line within it.

The Committee notice also that in the observations of his Grace the Duke of Newcastle on the "Heads of Proposal" submitted by Mr. Watkin, and which observations are trans-

mitted to your Excellency for the information of the Canadian Government, the construction of a road to facilitate the carrying of "mails, passengers, and traffic" seems not to be contemplated. The Committee further observe that while his Grace speaks of the benefit which the Colonies are to receive as that of "direct telegraphic communication" merely, he declares that "the commencement of the undertaking must depend on the willingness of the Canadian Government and Legislature to complete telegraphic communication from the seat of Government to the point on Lake Superior, at which the Company will take it up," a condition which would involve the construction and maintenance by Canada, at her own cost, of several hundred miles of telegraph line through a wilderness.

The Committee have not been able to persuade themselves that the people of Canada would be likely to receive benefits corresponding to the cost of constructing a line of telegraph from the seat of Government to the head of Lake Superior, and guaranteeing half the interest of the cost of constructing a line from that point to the Pacific coast, unless, at the same time, the fertile valleys and plains of the Great North-West are made accessible to Canadian settlers and to European emigrants who are in quest of cheap lands, under the protection of the British flag and a free constitutional Government.

A "telegraph line" will not accomplish these objects, though it may serve an important purpose and lead ultimately to their attainment. But unless the "Atlantic and Pacific Transit and Telegraph Company" are prepared to undertake the construction of a road *pari passu* with the telegraph line, the Committee cannot, in the present condition of the Canadian Exchequer, and with the important questions of boundary, territorial jurisdiction, and form of Government in the vast territory proposed to be opened, still unsettled, recommend the acceptance of the "Heads of Proposal" as submitted by them, and conditionally approved by his Grace.

The Committee are of opinion that, in view of the recent change in the constitution and objects of the Hudson's Bay Company, which, from the correspondence laid before the House of Lords, appears to have been effected; and the claims which the new organization have reiterated, with the apparent sanction of his Grace the Duke of Newcastle, to territorial rights over a vast region not included in their original charter, it is highly expedient that steps be taken to settle definitely the north-western boundary of Canada.

The Committee, therefore, recommend that correspondence be opened with the Imperial Government with the view to the adoption of some speedy, inexpensive, and mutually satisfactory plan to determine this important question, and that the claim of Canada be asserted to all that portion of Central British America which can be shown to have been in the possession of the French at the period of the cession in 1763.

(Certified.) *Wm. H. Lee,*
Clerk of the Executive Council.

— No. 9. —

EXTRACT from a LETTER from Sir *Frederic Rogers,* Bart., to the Right Honourable Sir *Edmund Head,* Bart., dated Downing-street, 6 June 1864.

"Mr. CARDWELL does not understand that you are willing to undertake to complete a line of telegraph and road to the Pacific until you shall have received the assurances from Canada, British Columbia, and Vancouver Island, to which reference has been made in the former correspondence."

— No. 10. —

EXTRACT from a LETTER from the Right Honourable Sir *Edmund Head,* Bart., to Sir *Frederic Rogers,* Bart., dated Hudson's Bay House, London, 7 June 1864.

"WITH regard to the latter part of your letter, the Hudson's Bay Company are prepared to take steps at once for the erection of the telegraph from Pembina or Rainy Lake (as the case may be) to the Pacific at New Westminster. Whether they would connect this line with the Canadian line over British territory would depend upon the readiness of the Canadian Government to complete their own telegraph up to Rainy Lake, and fulfil conditions similar to those which were originally discussed with the Duke of Newcastle. As a matter of course, the Hudson's Bay Company would expect from the Government of British Columbia such support and assistance as would on their part be equivalent to the benefits conferred by a direct and easy communication with the Atlantic ports, whether by way of Canada or of the United States."

CANADA AND PACIFIC TELEGRAPH.

COPY or EXTRACTS of any CORRESPONDENCE between the Colonial Office and the Authorities in *Canada* and *British Columbia*, on the subject of the proposed TELEGRAPHIC COMMUNICATION between *Canada* and the *Pacific* (in continuation of Parliamentary Paper, No. 438, of Session 1863).

(*Mr. Sinclair Aytoun.*)

Ordered, by The House of Commons, *to be Printed*,
17 *June* 1864.

402.

Under 3 *oz.*

PRINCE EDWARD ISLAND.

RETURN to an Address of the Honourable The House of Commons, dated 2 May 1864;—*for*,

"COPY of the ADDRESS to Her Majesty, adopted by the House of Assembly of *Prince Edward's Island* on the 9th day of May 1859, praying for the Appointment of a COMMISSION to inquire into the existing Relations of LANDLORD and TENANT in that Colony:"

"And, COPY or EXTRACTS of the subsequent CORRESPONDENCE of the Secretary of State for the Colonies with the Governor of *Prince Edward's Island* and Landowners and others of that Colony, relating to the same Subject."

Colonial Office,
25 July 1864.

FREDERIC ROGERS.

(*Lord Stanley.*)

Ordered, by The House of Commons, *to be Printed*,
26 *July* 1864.

SCHEDULE.

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COPY of the ADDRESS to Her Majesty, adopted by the House of Assembly of *Prince Edward's Island* on the 9th day of May 1859, praying for the appointment of a COMMISSION to inquire into the existing Relations of LANDLORD and TENANT in that Colony:—And, COPY or EXTRACTS of the subsequent CORRESPONDENCE of the Secretary of State for the Colonies with the Governor of *Prince Edward's Island* and Landowners and others of that Colony, relating to the same subject.

Despatches from the Governor.

— No. 1. —

(No. 29.)

No. 1.
Lieut.-Governor Sir D. Daly to Sir E. B. Lytton, Bart.
13 May 1859.

COPY of a DESPATCH from the Lieutenant Governor Sir *D. Daly* to the Right Hon. Sir *E. B. Lytton*, Bart.

Government House, Prince Edward Island,
13 May 1859.

Sir, (Answered, No. 11, 6 September 1859, page 59.)

I HAVE the honour of transmitting to you herewith, an Address to Her Majesty, passed by the Legislative Assembly of this Island in their present Session, on the subject of the "Land Tenures," and the fishery reserves, for the purpose of being laid at the foot of the Throne.

2. In an Address to myself, which I have also the honour of transmitting to you, the Assembly request my favourable recommendation of their proposition, with which request I beg very respectfully to comply, for although not very sanguine as to the efficiency of the remedy prayed for, I consider the proceeding of the Assembly in the present instance to be a move in the right direction.

3. It has also the singular advantage of having been adopted all but unanimously by the Assembly, the only dissentient voice being that of the "notorious escheator, Mr. Cooper."

4. Much might be said as to the prospect of complete success which this proceeding is imagined by some persons to present, but if it should meet the approval of Her Majesty's Government, it will I trust at all events have the effect of suspending the mischievous agitation of the subjects in question, and will give to all the parties interested further time for the consideration of other means for the solution of the difficulties which have so long impeded the advancement of this Colony.

I have, &c.
(signed) *D. Daly*,
Lieut. Governor.

Enclosure 1, in No. 1.

To the QUEEN'S MOST EXCELLENT MAJESTY.

Most Gracious Sovereign,

WE, Your Majesty's loyal and devoted subjects, the House of Assembly of Prince Edward Island, in Parliament assembled, beg to approach Your Majesty, and most humbly submit for Your Royal consideration the following premises:—

"In certain Despatches from one of Your Majesty's Ministers, the Right Honourable Sir Edward Bulwer Lytton, Baronet, Secretary of State for the Colonies, dated Downing-street, 20th October and 3d December 1858, the Right Honourable Baronet therein states that the whole question of the land tenures in this Island is engaging his most anxious attention, and that it would give him unfeigned pleasure to receive such suggestions for their amicable settlement as could be accepted by Your Majesty's Government.

"Having taken these Despatches into consideration, after mature deliberation, and with an earnest design to terminate the disputes which have so long disturbed the peace and harmony of the Colony, the House have adopted the following resolutions:—

"Whereas certain questions arising out of the original grants of the lands in this Island, severally called the Escheat question, the Fishery Reserve question, and the Quit-rent question, have for many years caused much discussion and difference of

 opinion

opinion amongst the people of this Island, and many delusive projects and impracticable measures have been and are from time to time enunciated respecting such questions, whereby the tenantry have been and are greatly imposed upon and induced to support the propounders of such measures, under the delusive hope that by doing so they will be relieved of the payment of rent; and the attention both of the people and Legislature being occupied with such deceptive schemes, measures intended to develop the resources of the Colony are not only neglected, but a state of society equally opposed to the moral, social, and political welfare of the people, and their true interests is produced: And whereas various despatches have for a great number of years declared that Her Majesty's Government will not consent to any compulsory interference with the laws and rights of the proprietors, and which has been strongly reiterated in the despatch of Sir Edward Bulwer Lytton, now Her Majesty's Principal Secretary of State for the Colonies, dated 20th October 1858, and 3d December 1858, from which it is clear that any measures for the benefit of the tenantry must result from an amicable arrangement with the proprietors: And whereas the agitation of hostile measures, such as escheat, fishery reserves, and quit-rents, must not only result, as they always have done, in leading the tenantry into costs and trouble without in any way ameliorating their condition, but will also engender a feeling in the proprietors, rendering them disinclined to listen to proposals which, if such agitation were at an end, they would be likely to entertain: And whereas Sir Edward Bulwer Lytton, in his despatches above referred to, while refusing to sanction measures which in England are considered inconsistent with the rights of property, has expressed the readiness of Her Majesty's Government to co-operate with the Legislature in furthering measures for the settlement of the land tenures, if conceived in a spirit of fairness and conciliation to all parties:

"Therefore resolved, 1st. That an humble address be presented to Her Majesty, praying that Her Majesty will be pleased to direct a Commission to some discreet and impartial person, not connected with the Island or its affairs, to inquire into the existing relations between landlord and tenant, and to negotiate with the proprietors for such abatement of present liabilities, and for such terms for enabling the tenantry to convert their leaseholds into freeholds, as, without infringing on the rights of the landlords, may be fairly and reasonably asked for to ameliorate the condition of the tenantry.

"2d. Resolved, That in the opinion of this House the basis of any such arrangement should be a large remission of arrears of rents now due; and secondly, the giving every tenant holding under a long lease an option of purchasing his land at a certain rate, at any time he might find it convenient to do so.

"3d. Resolved, That a remission of arrears of rent may be reasonably asked, inasmuch as the existence of these arrears, although it is due partly to an unwillingness of the tenants to pay rent, under the idea that escheat or some other delusive scheme would enable them to evade; yet it is also due in part to the lâches and remissness of the landlords and their agents in not enforcing it; and because, in many cases, the arrears, however incurred, amount to so large a sum that the exacting them would prove ruinous to a large number of loyal and industrious people, and would further entirely put it out of their power to avail themselves of the plan suggested in subsequent resolutions for purchasing their farms.

"4th. Resolved, That as the circumstances of the tenantry would not in general enable them to pay down any large portion of the purchase-money, the best and only means for converting the tenures into freeholds lies in the adoption of the plan which would practically constitute every farm a savings bank for its owner, in which he could from time to time invest his savings at interest, towards the purchase of his farm, an arrangement which could be effected by the following means; viz., that the landlords should agree to permit the tenants to purchase their farms for such sum per acre as shall be fixed upon; and providing further, that when any tenant (whose rent was paid up) should be desirous of paying any sum, not being less than ten pounds, towards the purchase of his land, he should have the option of doing so, and that the interest on the ten pounds, or other amount so paid, should thenceforth go in reduction of his yearly rent, and so on for every payment on account of purchase until the whole was paid, when he should receive his deed, and that similar covenants should be inserted in all future leases for terms over 40 years; such an arrangement would not only give the tenant the advantage of paying an instalment of his purchase-money, and at the same time reducing his rent whenever he chose, without subjecting himself to the vexation and costs incident to cases of inability to meet instalments agreed to be paid at a particular day, but would, in the opinion of this House, gradually but certainly change the tenures into freeholds, without the aid of loans and the expensive subsistence of public offices, by which heavy liabilities have already been, and would, if persevered in to a much greater extent, be imposed on the public finances.

"We do therefore humbly pray that Your Majesty will be pleased to take the foregoing matters into Your Royal consideration, and to appoint some fit and proper person or persons Commissioner or Commissioners to inquire into the relations of landlord and tenant in this Island, and negotiate with the proprietors of township lands for the fixing some certain rate of price at which every tenant may at any time have the option of purchasing his land, or or of paying instalments of such purchase, and thereby gradually reducing the yearly rent until the whole price thereof is paid; and also to negotiate with the proprietors for a remission of the arrears of rent in such cases and on such townships as the said Commissioner

or Commissioners, from the circumstances of the tenantry or otherwise, may deem reasonable and expedient; and also to make such report respecting the Fishery Reserve question, and other questions relating to the township lands of the Island, as we confidently hope will effect a final settlement thereof, and prevent an agitation regarding the same in future.

"(signed) DONALD MONTGOMERY,
"Speaker.

"House of Assembly, P. E. Island,
9th May 1859."

Enclosure 2, in No. 1.

Encl. 2, in No. 1.

To His Excellency Sir *Dominick Daly*, Knight, Lieutenant Governor and Commander-in-Chief in and over Her Majesty's Island, Prince Edward, and the Territories thereunto belonging, Chancellor, Vice Admiral and Ordinary of the same, &c. &c. &c.

May it please Your Excellency,

THE House of Assembly having resolved to address Her Majesty on the subject of the land tenures and fishery reserves of this Island, as alluded to in the Despatches of Her Majesty's Principal Secretary of State for the Colonies, addressed your Excellency, and bearing date the 20th October and 3d December 1858, have passed an Address to Her Majesty on the foregoing questions.

The House of Assembly respectfully request that your Excellency will be pleased to forward the same to Her Majesty at your earliest convenience, and at the same time to give your Excellency's favourable recommendation.

(signed) *Donald Montgomery*,
Speaker.

House of Assembly,
9 May 1859.

—No. 2.—

No. 2.
Lieut. Governor Dundas to the Duke of Newcastle, K.G.
8 August 1859.

(No. 21.)

COPY of a DESPATCH from Lieutenant Governor *Dundas* to His Grace the Duke of *Newcastle*, K.G.

Government House, Prince Edward Island,
8 August 1859.

(Answered, No. 13, 17 September 1859, page 59.)

My Lord Duke,

IN the instructions, dated 7th January 1859, which before leaving England I received from Sir E. B. Lytton, he desired me to ascertain, after my arrival in the Island, whether it would be possible to appoint a Commission or Committee to consider the best means for the final settlement of those questions, connected with the tenures of land, that had for so long agitated this Colony, and hindered its prosperity.

2. At the time that Sir Edward delivered these instructions to me, a Government was in power here, which it was believed would not be favourable to the appointment of such a Commission.

3. Since then, however, that Government has been replaced by one which has anticipated the means of adjustment pointed to by Sir E. B. Lytton, and which carried an Address from the House of Assembly, dated 9th May 1859, praying that Her Majesty would appoint a Commission to inquire into the relations of landlord and tenant in this Island, with the view of settling what was in dispute between them, and facilitating the equitable acquisition by purchase of his farm by the tenant.

The Address likewise suggests other questions, the principal of which is that of the fishery reserves, to be dealt with by this Commission.

4. From all I have learned since my arrival in the Colony, I am strongly of opinion that the appointment of such a Commission would be highly beneficial, and that it would go far towards effecting a final and satisfactory settlement of what has been for so many years in dispute.

5. I think it is very desirable that arrangements be entered into at once for the formation of this Commission.

6. Though Sir Edward pointed to a selection, by me, of men belonging to the Island to compose the Commission, I consider that it would be preferable to take two out of the three, who would form it, from the adjoining colonies, and the third from England.

7. This would prevent any unfair bias or leaning towards either party being attributed to the Members of the Commission.

8. From the time of my arrival in North America, I have made anxious inquiry, with the view of securing the services of the best and the most able men to be had.

9. I feel

9. I feel much gratification in being able to submit to your Grace the names of two gentlemen, of whom there seems to be but one opinion entertained by all who have expressed themselves to me regarding them.

10. Mr. John Hamilton Gray, of St. John, New Brunswick, is one, and Captain Robinson, R.N., of Campo Bello, in the Bay of Fundy, is the other; both these gentlemen are well qualified for Commissioners, they bear high characters for integrity and uprightness, they are well acquainted with all colonial subjects, and well used to deal with them; Mr. Gray has already the advantage of a personal acquaintance with Prince Edward Island, acquired during the time that he was employed as umpire between the English and American Commissioners on the Reciprocity Treaty respecting the rivers of the Island, when he gave great satisfaction.

11. Being a barrister, his legal knowledge will prove highly advantageous to the Commission.

12. In addition to these two, I would also bring under your Grace's notice Mr. Johnston, the Attorney General of Nova Scotia, a gentleman of profound legal acquirements, and who, if your Grace thought it desirable, might be substituted for Captain Robinson.

13. The third name which I would submit to your Grace is that of a gentleman in whose ability and judgment I place full reliance, based on my personal knowledge of his character. He is Mr. Thomas Robert Preston, of 26, Austinfriars, E. C.

14. Mr. Preston has had large colonial experience, gained during a residence in Canada, and while he acted as a Special Commissioner for the Southern Whale Fishery Company to the Auckland Islands. He is a thorough business man and accountant.

15. If your Grace will sanction my doing so, I shall put myself in communication with Mr. Gray and Captain Robinson, or Mr. Johnston; and should your Grace approve also of Mr. Preston being appointed a Member of the Commission, that gentleman might receive, direct from the Colonial Office, orders to hold himself in readiness to proceed, without delay, to Prince Edward Island.

16. With regard to the expenses of the Commission, it has been suggested that one-third be defrayed by the Legislature of the Island, one-third by the proprietors, and the remaining third by the Home Government.

17. To the last part of the proposed arrangement I trust your Grace will not object. Compared with the results to be gained, the expense is as nothing; and when the long-agitated questions that have disturbed the peace of the Colony shall have been settled, much difficulty and embarrassment will be saved, not only to Her Majesty's Representative here, but to the Colonial Office at home.

18. Independently of the advantages to be gained both by the Island and at home by the settlement of these questions, there is another consideration demanding grave attention.

19. In the original grants of several of the townships of this Island, a space of 500 feet high-water mark, is reserved, and free liberty extended to all Her Majesty's subjects to make use of this space for fishing purposes. By treaty, equal rights to those of British subjects, as regards fishing, are granted to the Americans, who, if they were aware of the extent to which they might, under the words of that treaty, claim these, would not be slow in taking advantage of them, and thus causing extreme inconvenience, if not incurring the certainty of serious misunderstanding.

20. The principal questions, to the solution of which the Commissioners will have to apply themselves, are, "the Land Tenures," "the Quit-rents," and "the Fishery Reserves." With regard to the two first, there is in reality but little difficulty; and an authoritative decision, at which men of sound judgment can readily arrive, will go far to set these matters at rest for ever.

21. The fishery reserves question will probably require more time and deeper inquiry; but I anticipate the most satisfactory results from the practical acquaintance which Mr. Gray has already with all the shores and numerous inlets of the Island, a knowledge which will greatly assist the Commission in arriving at an equitable and just conclusion.

22. Should

22. Should the report of these gentlemen meet with your Grace's approval, perhaps your Grace will sanction a short declaratory Act of the Imperial Legislature being passed to carry out the recommendation of the Commissioners. This would effectually silence any attempt to revive in the Colony agitation on the subject, even for electioneering purposes.

23. On an adjustment of these questions being attained, I anticipate that the prosperity of the Colony will at once make a marked and rapid progress. It is impossible to over-state the resources of the Island as an agricultural settlement. The fertility of the soil, the ease with which that soil may be wrought, the cheapness of every necessary of life, and the facility of land and water carriage, all render it—when these advantages are combined with a climate healthy and congenial to an Englishman—a home essentially fitted for that class of colonist who is an active labourer, and has saved a sufficient sum to enable him to begin his career in a new country.

I have, &c.
(signed) *George Dundas*,
Lieut. Governor.

— No. 3. —

(No. 29.)

No. 3.
Lieut. Governor Dundas to the Duke of Newcastle, K.G.
3 October 1859.

COPY of a DESPATCH from Lieutenant Governor *Dundas* to His Grace the Duke of *Newcastle*, K.G.

Government House, Prince Edward Island,
3 October 1859.

My Lord Duke,

I HAVE the honour to acknowledge the receipt of your Grace's Despatch, No. 11,* of date 6th September 1859, in which, with regard to the proposed Commission to inquire into the existing relations between landlord and tenant in this Island, your Grace expresses your opinion that any prospect of a beneficial result from the labours of that Commission would be nullified were the independent action of the Commission fettered by its having prescribed to it, by the House of Assembly, any particular measures as a basis of that arrangement which it should be the endeavour of the Commission to bring about.

* Page 59.

2. I laid your Grace's Despatch before my Executive Council, who unanimously assured me that nothing could have been further from the wish of the House of Assembly than in any way to impede the free and independent action of the Commission, were your Grace to sanction its appointment; and that the principal reason for passing the Resolutions, which appeared to your Grace to indicate the circumscribing of the powers of the Commission, was to point out the existence of difficulties which a Commission might remove.

3. Under these circumstances I have only to add that, while it is the wish of the Government of this Island that the Commission should be at liberty to propose any measure which they may themselves judge desirable, yet the Government trusts that the suggestions of the House of Assembly, as contained in these Resolutions, may not be lost sight of by the Commission.

I have, &c.
(signed) *George Dundas*,
Lieut. Governor.

— No. 4. —

(No. 15.)

No. 4.
Lieut. Governor Dundas to the Duke of Newcastle, K. G.
16 April 1860.

COPY of a DESPATCH from Lieutenant Governor *Dundas* to His Grace the Duke of *Newcastle*, K. G.

Government House, Prince Edward Island,
16 April 1860.

My Lord Duke,

(Answered, No. 23, 16 June 1860, page 60.)

I HAVE the honour to acknowledge the receipt of your Grace's Despatch No 12,* of date 21st March 1860, on the subject of the Land Commission, and enclosing copy of a letter to your Grace from Sir Samuel Cunard.

* Page 60.

I lost no time in laying your Grace's Despatch before my Executive Council, that immediate action might be taken to ascertain whether the tenants of

Prince Edward Island, or the House of Assembly on their behalf, were prepared to agree to a reference on the terms proposed in your Grace's Despatch.

With this object a Resolution, copy of which I herewith enclose, was moved in the House of Assembly, and affirmed by a large majority. Your Grace will observe that, by this Resolution, the House of Assembly, on behalf of the tenantry, agrees to the appointment of three Commissioners, one by each party to the reference, binds itself to abide by the decision of the Commissioners, or the majority of them, and pledges itself to concur in whatever measures may be required to give validity to that decision.

I have, &c.
(signed) *George Dundas*,
Lieut. Governor.

Enclosure in No. 4.

Enclosure in No. 4.

EXTRACT from Journal of the House of Assembly, Saturday, 14 April 1860.

RESOLUTION on the subject of the appointment of a Commission of Enquiry in relation to the Land Tenures of Prince Edward Island; carried on division, 18 to 6.

Resolved, that this House deem it expedient to concur in the suggestions offered for the consideration of the House of Assembly, as set forth in the Despatch from His Grace the Duke of Newcastle, dated Downing-street, 21st March 1860, on the subject of the proposed appointment of a Commission of Enquiry for the arrangement of the long pending disputes between the landlords and tenants of this Island. The House of Assembly therefore agree to the appointment of three Commissioners, one by Her Majesty, one by the House of Assembly, and the third by the proprietors; the expense of the Commission to be equally divided between the Imperial Government, the general revenue of the Colony, and the proprietors.

The House of Assembly also agree, on the part of the tenantry, to abide by the decision of the Commissioners, or the majority of them, and pledge themselves to concur in whatever measures may be required to give validity to that decision.

A further Resolution, nominating the Honourable Joseph Howe, of Nova Scotia, a Commissioner on the part of the Assembly, passed *nem. con.*

(Certified.)
(signed) *J. M'Neill*, Clerk, House of Assembly.

— No. 5. —

No. 5.
Lieut. Governor Dundas to the Duke of Newcastle, K.G.
30 April 1860.

(No. 21.)

COPY of a DESPATCH from Lieutenant Governor *Dundas* to His Grace the Duke of *Newcastle*, K.G.

Government House, Prince Edward Island,
30 April 1860.

My Lord Duke, (Answered, No. 23, 16 June 1860, page 60.)

I HAVE the honour to inform your Grace that the House of Assembly, on behalf of the tenantry of this Island, have unanimously invited the Hon. Joseph Howe, of Halifax, Nova Scotia, to be their referee or arbiter in the approaching Land Commission.

Mr. Howe has expressed his willingness to act in the above capacity.

I have, &c.
(signed) *George Dundas*,
Lieut. Governor.

— No. 6. —

No. 6.
Lieut. Governor Dundas to the Duke of Newcastle, K.G.
30 April 1860.

(No. 22.)

COPY of a DESPATCH from Lieutenant Governor *Dundas* to His Grace the Duke of *Newcastle*, K.G.

Government House, Prince Edward Island,
30 April 1860.

My Lord Duke, (Answered, No. 23, 16 June 1860, page 60.)

* Page 5.

REFERRING to my Despatch, No. 15*, of date 16th April 1860, enclosing copy of a Resolution passed by the House of Assembly on the 14th instant, on the subject of the Land Commission, I have to inform your Grace that, confirmatory

tory of the said Resolution, a short Act to the same effect has since been passed through both Houses.

This has been done in order to carry out the views expressed in your Grace's Despatch, No. 12*, of date 21st March 1860, that as far as possible the Legislature of the Colony would concur in any measures which might be required to give validity to the decision of the Commissioners.

* Page 60.

I have, &c.
(signed) *George Dundas*,
Lieut. Governor.

— No. 7. —

(No. 55.)

No. 7.
Lieut. Governor Dundas to the Duke of Newcastle, K.G.
1 October 1860.

COPY of a DESPATCH from Lieutenant Governor *Dundas* to His Grace the Duke of *Newcastle*, K.G.

Government House, Prince Edward Island,
1 October 1860.

My Lord Duke,

(Answered, No. 40, 22 October 1860, page 63.)

I INFORMED your Grace, in my Despatch, No. 50, of date 3d September 1860, that Messrs. Gray, Ritchie, and Howe, the three Commissioners appointed to investigate the land question, had arrived at Charlotte Town, and were to open their court on Wednesday the 5th September.

2. I have now to report that the Commissioners have brought their inquiries to a close, and that they leave Prince Edward Island to-day for Halifax.

3. These gentlemen have, since the opening of their court, conducted their investigations in a manner so careful and comprehensive that it reflects the utmost credit on their ability, and they have gained general confidence and respect from the courtesy, urbanity, and patience with which they have listened to every person claiming to be heard before them.

4. I have the honour to enclose, for your Grace's information, a report of the proceedings of the Commissioners, which has been prepared by them at my request.

I have, &c.
(signed) *George Dundas*,
Lieut. Governor.

Enclosure in No. 7.

Enclosure in No. 7.

Charlotte Town, Prince Edward Island,
1 October 1860.

Sir,

WE have the honour to report for your Excellency's information, and for that of the Right Honourable the Secretary of State for the Colonies, who will, we assume, communicate with the combined proprietors, that the Queen's Commission was read in the council chamber in this city on the 6th day of September last, and that we have since held an open court, either in Charlotte Town, or in one of the shire towns of the counties into which the island is divided, on every day since, closing this morning.

All parties interested having been invited by public notice, and the members of the legislature by special circular, we have throughout the month been occupied in hearing evidence in the presence of large masses of the population, and have collected and written down a body of evidence, extending over 276 pages, and including the testimony of almost every leading public man in the Island, of a large majority of the proprietors or their agents, and of 200 delegations chosen and accredited by the tenantry.

In conducting this inquiry we have had the very able assistance of Joseph Hensley and Samuel Thomson, esquires, representing the provincial government and the tenants, and of Robert G. Haliburton and Charles Palmer, esquires, who have represented the proprietors. These gentlemen have been permitted to cross-examine every witness who presented himself in open court, and we have been favoured with their fearless discussion of the whole case for two days at the close of the sittings in Charlotte Town, including such legal questions as we presented for their investigation, or such as naturally arose in the progress of the inquiry.

The documentary history of this question is very voluminous, and we regret to say was not, at our coming, and is not now, arranged with sufficient accuracy and order to enable

us to study it with the ease and assurance of completeness which would guard us from error on important points.

This documentary history runs over nearly a century, including the correspondence of 25 Governors with the Board of Trade and with the Colonial Office, and is to be found in the journals of the legislature and the letter books of the province, or must be sought for on the files in Downing-street, where those of the Colony are, as often happens in the loose practice of early Colonial Governors, very incomplete.

To enable us rightly to comprehend all the proportions of the relations we are charged to investigate, and of the remedies we may desire to propose, it is almost indispensable that we should be furnished with the rent rolls of the proprietors, and with abstracts of the titles under which they hold their lands, and with various returns from the different public departments, including one or two that can only be obtained from home.

We propose now to spend the next three months in digesting the vast body of evidence we have collected, and in a thorough search into the history and merits of a controversy unexampled, perhaps, for length and virulence, in the history of colonization, and in the preparation of those returns which may be required to illustrate the subject, or fortify our decisions.

When we commenced our labours we were in hopes that they might be terminated in a few weeks, and that by the adoption of some general principles, we might be enabled to adjust the rights of all parties in a spirit of equity and fairness with very little delay. We have reluctantly abandoned this hope, and resigned ourselves to the conviction that haste in a matter of so much importance would not be true wisdom.

We had hardly entered upon this inquiry before we were compelled to consider it in some aspects scarcely anticipated when we assumed the task, and the questions of—

Escheat,	Quit-rents,
Fishery reserves,	Pay-list hands,

and the treatment and claims of the French and Indians have been pressed upon our attention by numerous delegations, and have been discussed in the arguments of counsel upon either side. It being impossible to cut off these collateral branches from the main inquiry, we decided to hear all that could be said upon them, and if possible to quiet, by an authoritative decision, the agitation of them for the future.

Coming to the conflicting claims of landlord and tenant, we soon discovered that all parties with whom the Commission originated had under-estimated the delicacy and difficulty of the inquiry. If one landlord owned the island—if one family had controlled its territory, one system would be apparent to the eye, and one remedy might be applied to its disorders, whatever they were.

But the Island having been divided into 67 townships, some of which have been since subdivided among several proprietors, each estate has a history and complications of its own; and even where several estates have fallen, at a later period, into the hands of one proprietor, their past treatment affects the length of leases, the value of the property, the amount of arrears, and the equitable considerations which must ultimately control our decisions in respect to them.

On some lots the leases have but 20 years to run, on others they are for 999 years. On some the rents are 1*s.*, on others they are 2*s.* 6*d.* per acre. For some lots a price not higher than was paid for the Worrall and Selkirk estates would seem to be sufficient to remunerate the proprietor, while on others there is proof before us that lands are actually selling at prices varying from 2*l.* to 3*l.* 5*s.* per acre.

Where agents have been vigilant, and landlords have comprehended their duties as well as their rights, estates are in fair condition, leasehold tenures are easily converted into freehold, and there is but little discontent; but where the management has been bad, the title uncertain, or the tenants of a thriftless class, the contrasts are very striking; and it is therefore apparent that the hasty application of any general principles might work frightful injustice, either to the proprietors or the tenants.

Under these circumstances, it may yet be necessary, and we fear it will, to deal with each lot separately; and to enable us to do this with the care and circumspection which are indispensable to an equitable decision in each case, the facts bearing upon it must be collected, and so arranged as to afford the materials for just comparison.

We are most reluctant to deceive his Grace the Duke of Newcastle or your Excellency in a matter of so much importance, and we ought not, in an investigation affecting more than a million of acres of land, and the rights and interests of 80,000 people, to peril our reputations, as gentlemen, by deciding upon questions so important and interests so vast in less time than is often required by legal tribunals to adjudicate on a single estate, and without the aids which a Court of Chancery deems indispensable to the adjustment of the complicated transactions of individual parties.

It is clear to us that a hasty decision would compromise the honour of the Crown, and if unjust, as it probably would be, might be followed by renewed agitation, even more aggravated than that which has characterised the past. We are most anxious that our decision should be based upon such a thorough examination into the facts, and careful comparison of the relative condition of each township, that the grounds of our decision shall be apparent to proprietors and tenants, and defended either in the Colonial or the Imperial Parliament.

We propose, therefore, between this date and the end of the year, to review the 300 memorials which are upon our files, to digest the evidence which we have accumulated, and to dispose of the documentary history of the question, scattered through the files of nearly

nearly a century. In the meantime we may be compelled to employ a competent person to examine the condition of each township, and, after careful inquiry upon the soil, to fill up the returns with which he will be furnished.

When these are completed, should it be necessary we will visit the Island, and, with these returns in our hands, decide upon each case, and with a discriminating regard to every consideration which can be pleaded either by landlords or tenants.

However much we may regret the delay, we are very anxious that Her Majesty's Government, and all parties concerned, shall at least have the assurance that every pains have been taken to adjust these unfortunate disputes with the care and circumspection which are demanded by an acute sense of their magnitude and importance.

We cannot close this letter without thanking your Excellency for the ready access with which we have been honoured, the facilities afforded in the course of our inquiries, and for the hospitality and courtesy which we have received at your hands.

We have, &c.
(signed) *J. Hamilton Gray.*
Joseph Howe.
J. W. Ritchie.

His Excellency
Lieut. Governor George Dundas,
&c. &c. &c.

— No. 8. —

(No. 56.)

No. 8.
Lieut. Governor Dundas to the Duke of Newcastle, K.G.
1 October 1860.

COPY of a DESPATCH from Lieutenant Governor *Dundas* to His Grace the Duke of *Newcastle*, K.G.

Prince Edward Island, 1 October 1860.

My Lord Duke, (Answered, No. 45, 2 January 1861, page 63.)

I HAVE the honour to transmit three authenticated copies of two Bills, intituled respectively, "An Act to authorise Grants of the Shores of this Island," "An Act to give effect to the Report of the Commissioners to be appointed on the Land Question."*

* Page 10.

2. I also enclose a statement by the Attorney General, explanatory of the objects of these Bills.

Encl. 1 and 2.

3. A suspending clause required by the character of these Bills is attached to each, they cannot therefore come into operation before receiving Her Majesty's assent; as it is desirable that the action of these measures should not be delayed, I would beg your Grace's early consideration of them.

I have, &c.
(signed) *George Dundas,*
Lieut. Governor.

Enclosure 1, in No. 8.

CAP. XXIV.

AN ACT to authorise Grants of the Shores of this Island.

Encl. 1, in No. 8.

THE Legislature deemed it expedient to pass this Act in order to invest the Government of the Colony with power to issue grants of portions of the sea shore of the Island, and of the shores along the bays and rivers thereof, to individuals, for the purpose of building breakwaters, wharfs, ships, and other such useful and necessary works and undertakings, and thereby to facilitate and encourage commercial enterprise.

This Act authorises the Lieutenant Governor to issue the grants for the purposes aforesaid, either with or without conditions, restrictions, or limitations, and either in fee simple, for life, or for a term of years, and at and for such price or yearly rent, to be expressed in such grants or leases, as to the Governor in Council shall appear just and reasonable.

The Act contains a suspending clause, until Her Majesty's pleasure therein shall be known.

(signed) *Frederick Brecken,*
Attorney General.

Charlotte Town,
Prince Edward Island.

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* The authenticated copy of this Bill is printed as an enclosure to Lieutenant Governor Dundas' Despatch, No. 45 of 25th June 1862, page 24.

Enclosure 2, in No. 8

CAP. XXVIII.

Encl. 2, in No. 8: "AN ACT to give effect to the Report of the Commissioners to be appointed on the Land Question."

THE Government of the Colony introduced this Act, and carried it through the Legislature, in pursuance of a suggestion contained in a Despatch from His Grace the Duke of Newcastle, Her Majesty's Principal Secretary of State for the Colonial Department, bearing date the 21st day of March last, and addressed to the Lieutenant Governor of this Island.

The policy and object of the Act are so clearly set forth in the preamble thereto, that it is unnecessary to enter into any further explanation of the reasons for passing it.

The Act provides that the report or award to be made by the three Commissioners, or any two of them, to be nominated and appointed by the several parties respectively, and to be authorised and empowered by Her Majesty, agreeably to and in conformity with the suggestions contained in the Duke of Newcastle's said Despatch, when in all respects signed and completed by the said Commissioners, or any two of them, shall be delivered to the Lieutenant Governor of this Island, who shall endorse thereon, under his own hand and signature, a note of the day and year when received, and it shall thereafter be registered at full length in the office of the Registry of Deeds in this Island, and the original part thereof, after being duly registered, shall be filed and kept in the office of the Colonial Secretary of this Island.

The Act further provides and declares, that the said award when so completed and delivered shall be deemed and taken to be final and conclusive, and the rights, interests, and estates of Her Most Gracious Majesty the Queen of, in, and to all the township, lands, tenements, and hereditaments, in so far as Her Majesty stands seised therein, or vested therewith, on behalf of the Government or inhabitants of this Island, and so far as the said rights, interests, and estates shall be submitted to the consideration and determination of the said Commissioners, and the rights, estates, rents, issues, and profits of such estates, liberties, franchises, and interests of all and every person and persons whomsoever, of, in, to, out of, or concerning the said township, lands, tenements, and hereditaments; whether acquired before or after the making of the said award or report, shall be and become subject to, charged and chargeable with, and bound by the award or report of the said Commissioners, or any two of them, in such manner, and to such extent, and for such time, as shall in the said award or report be awarded or required.

The Act contains a clause authorising the award or report to be pleaded in any court of law or equity in the Island, by any person whose estate or property may be affected thereby.

The Act provides for the appointment of new Commissioners in case of death, resignation, or incapacity, before the final making of the award or report.

The Act contains a suspending clause, declaring it shall have no force or effect until Her Majesty's pleasure therein shall be known.

(signed) *Frederick Brecken*,
Attorney General.

Charlotte Town,
Prince Edward Island.

— No. 9. —

No. 9.
Lieut. Governor Dundas to the Duke of Newcastle, K.G.
12 November 1860.

(No. 61.)

COPY of a DESPATCH from Lieutenant Governor *Dundas* to His Grace the Duke of *Newcastle*, K.G.

Government House, Prince Edward Island,
12 November 1860.

My Lord Duke,

I HAVE the honour to enclose a letter addressed to your Grace, which has been placed in my hands for that purpose, by Mr. Charles Wright, a resident proprietor in this Island.

The letter and petition from Mr. Wright will be found printed at page 143.

2. This letter accompanies a Petition to Her Majesty from Mr. Wright, which he desires that your Grace may lay at the foot of the Throne.

3. The prayer of Mr. Wright's Petition is, that Her Majesty will withhold Her sanction from an Act of the local Legislature of this Island, passed during the last session, and intituled, "An Act to give effect to the Report of the Commissioners on the Land Question."

4. The

4. The object of my Government in the introduction of this Act was to give effect to the views contained in your Grace's Despatch, No. 12, of date 21st March 1860, that the Legislature of the Colony would, as far as possible, concur in any measures required to give validity to the decision of the Commissioners.

5. Mr. Wright's Memorial proceeds upon the assumption that the estates of those proprietors who were not parties to the Commission will, by this Act, be subjected to the investigations of the Commissioners, and be also bound by their award.

6. Your Grace will be able to judge whether this is the case or not. If it be so, the Petition drawn up by Mr. Wright explains the position in which he conceives himself to be placed.

I have, &c.
(signed) *George Dundas,*
Lieut. Governor.

— No. 10. —

(No. 62.)

No. 10.
Lieut. Governor Dundas to the Duke of Newcastle, K.G.
12 November 1860.

COPY of a DESPATCH from Lieutenant Governor *Dundas* to His Grace the Duke of *Newcastle,* K.G.

Government House, Prince Edward Island,
My Lord Duke, 12 November 1860.

I HAVE received for transmission to your Grace from Mr. Bruce Stewart, the proprietor of an extensive landed estate in this Island, a Memorial signed by him and others owning land in this Colony.

2. This Memorial I have now the honour to enclose. The Memorialists pray that your Grace will recommend Her Majesty to withhold Her sanction from an Act of the Provincial Legislature framed to give effect to the Report of the Land Commissioners.

This Memorial will be found printed at page 138.

3. I must direct your Grace's attention to a statement in this Memorial calculated to convey an erroneous impression.

4. In the second page the Memorialists, referring to a letter addressed to your Grace, dated Bush-Hill, 15th February 1860, declare that "they were no parties to this correspondence, but that, on the contrary, when certain of them were afterwards requested to become so by the Lieutenant Governor and others they refused.

5. These expressions would lead your Grace to suppose that I had solicited certain of the Memorialists to become parties to the arrangements agreed to by Sir Samuel Cunard and other large proprietors resident in England, with respect to the Land Commission.

6. Mr. Bruce Stewart was the only person whose name is attached to the Memorial with whom I had any conversation on the subject, and on one occasion I endeavoured to point out to him how desirable it was that all the large proprietors should act together harmoniously, so as to secure, if possible, the settlement of disputes injurious not only to their own interests, but to the general welfare of the Island.

7. I have already, in my Despatch, No. 61,* of this date, addressed your Grace on the subject of the Act in question being petitioned against by a proprietor not a party to the Commission.

* Page 10.

8. What I stated in that Despatch applies equally to the case of Mr. Bruce Stewart.

I have, &c.
(signed) *George Dundas,*
Lieut. Governor.

— No. 11. —

(No. 63.)

No. 11.
Lieut. Governor Dundas to the Duke of Newcastle, K.G.
12 November 1860.

COPY of a DESPATCH from Lieutenant Governor *Dundas* to His Grace the Duke of *Newcastle*, K.G.

Government House, Prince Edward Island,
My Lord Duke, 12 November 1860.

* Page 62. I HAVE the honour to acknowledge Sir Frederic Rogers' Despatch, No. 39,* of date 19th October 1860, enclosing copy of a Memorial from Mr. Bruce Stewart, and requiring a report from me on the subject.

2. Mr. Bruce Stewart's reluctance to permit his Memorial to be seen by any one here except myself, was the cause of my declining to send it officially to your Grace.

3. Mr. Bruce Stewart's scruples having been overcome by the return of his Memorial, I have addressed your Grace on the subject of it, in my Despatch,
† Page 11. No. 62,† of this date.

4. With regard to Mr. Bruce Stewart's complaint of injustice inflicted on him by the Honourable Joseph Howe, in his capacity of Land Commissioner, I have already, in my Despatch, No. 59, of date 15th October 1860, informed your Grace that I cannot believe that Mr. Howe acted towards Mr. Bruce Stewart in an unjust manner.

I have, &c.
(signed) *George Dundas*,
Lieut. Governor.

— No. 12. —

(No. 64.)

No. 12.
Lieut. Governor Dundas to the Duke of Newcastle, K.G.
12 November 1860.

COPY of a DESPATCH from Lieutenant Governor *Dundas* to His Grace the Duke of *Newcastle*, K.G.

Government House, Prince Edward Island,
My Lord Duke, 12 November 1860.

1. A MEMORIAL from Lady Georgiana Fane has been placed in my hands for transmission to your Grace.

2. This I have now the honour to enclose.

3. Lady Georgiana Fane is possessed of a considerable landed estate in this Island. She was not a party to the appointment of the Land Commission, and she declines being bound by its award.

4. She fears that the Act of the Local Legislature, intituled, "An Act to give effect to the Report of the Commissioners to be appointed on the Land Question," if it receive the Royal sanction, may constrain her with regard to her estate.

5. She therefore prays that this Act may not be submitted for Her Majesty's confirmation.

* Page 10. 6. I have already in my Despatch, No. 61,* of this date, addressed your Grace on the subject of Mr. Charles Wright's protest against the Act in in question.

The case of Lady Georgiana Fane is one so nearly parallel to Mr. Wright's, that it demands no additional notice.

I have, &c.
(signed) *George Dundas*,
Lieut. Governor.

Enclosure in No. 12.

To His Grace the Duke of *Newcastle*, K.G., Her Majesty's Principal Secretary of State for the Colonial Department. Encl. in No. 12.

The Memorial of *Cecily Georgiana Fane*,

Respectfully showeth,

That your memorialist is possessed of an estate consisting of township lands, situate in Prince Edward Island.

That the greater portion of this estate is held by tenants under leases for the term of 900 years, reserving an annual rent of 9*d.* British sterling per acre.

That on the 5th day of July last past a Commission was issued under the Royal sign manual and signet, appointing John Hamilton Gray, Joseph Howe, and John W. Ritchie, Esqrs., Commissioners, for the purpose of inquiring into the differences relative to the rights of landlords and their tenants in Prince Edward Island, and adjusting them upon fair and equitable principles.

That the said Commission was granted, as memorialist has understood, at the request of the Legislature of the Colony, and with the consent and approbation of Sir Samuel Cunard and a few other proprietors of land in the Island, who had been consulted by Her Majesty's Colonial Minister on the subject, and who nominated one of the Commissioners above named.

That your memorialist understands that the proprietors who, with Sir Samuel Cunard, have signed a communication, dated "Bush Hill, Edmonton, 13th February 1860," and addressed to your Grace, are willing that the Commissioners shall fix and declare a price per acre, on payment of which their tenants may be entitled to conveyances of the fee-simple of the lands held by them, and also that the Commissioners shall have power to remit the whole or any portion of the rents in arrear and unpaid by the tenants.

That an Act was passed by the Legislature of the said Island in May last, intituled, "An Act to give effect to the Report of the Commissioners to be appointed on the Land Question." That your memorialist is advised that this Act, if assented to by the Queen, may have the effect of subjecting your memorialist's estates to the jurisdiction and award of the said Commissioners.

That your memorialist is unwilling to place her lands at the disposal of the Commissioners, or to alien an estate which she inherited from her ancestors, the original grantees thereof.

Your memorialists therefore prays that the "Act to give effect to the Report of the Commissioners to be appointed on the Land Question" may not be submitted for Her Majesty's confirmation.

And your memorialist will ever pray.

(signed) *C. Georgiana Fane.*

Prince Edward Island,
8 November 1860.

— No. 13. —

(No. 65.)

No. 13.
Lieut. Governor Dundas to the Duke of Newcastle, K.G.
12 November 1860.

COPY of a DESPATCH from Lieutenant Governor *Dundas* to His Grace the Duke of *Newcastle*, K. G.

Government House, Prince Edward Island,
12 November 1860.

My Lord Duke, (Answered, No. 52, 13 February 1861, page 64.)

I HAVE the honour to transmit to your Grace a letter from Mr. Bruce Stewart, in which he desires to be informed whether "the Lieutenant Governor may, at his option, show or communicate to his Council, or others, any or every memorial or letter addressed by a resident in the Colony to Her Majesty's Secretary of State for the Colonies."

2. I have assured Mr. Bruce Stewart of my readiness to assist him by transmitting at any time such letters or memorials as he may wish to send to your Grace; but I claim a discretionary power with respect to communicating the same to the Leader of my Government, or to such Members of my Council as I may consider desirable.

3. I have no wish in doing this to place any restraint on the expression of the opinions of Mr. Stewart, or any other resident in the Colony, appealing to your Grace; but in such a case as Mr. Stewart's memorial, in which a public measure—an act of the Legislature—is protested against, it would lead to much inconvenience were I debarred, at the pleasure of the memorialist, from consulting my Constitutional Advisers, should I require further information to enable me to convey to your Grace an accurate report on the statements such a document might contain.

I have, &c.
(signed) *George Dundas,*
Lieutenant Governor.

Enclosure in No. 13.

Charlotte Town, Prince Edward Island,
Encl. in No. 13. My Lord Duke, 6 November 1860.

YESTERDAY I received a communication from Sir Frederic Rogers, of the Colonial Office; I have also learned from his Excellency the Lieutenant Governor, that the memorial, signed by me and others respecting the Land Commission, having been sent back to his Excellency from the Colonial Office, is now in his Excellency's hands, and that he will again transmit it to your Grace. The letter from myself which accompanied that memorial, stated that a second communication would follow it, and mentioned the names of some of those noblemen and gentlemen to whom my late father, Mr. David Stewart, of Great Russell-street, London, had the honour of being well known. My last communication to your Grace explained the cause of the two first having been sealed after they had been read by his Excellency, Mr. Dundas. May I now beg respectfully to inquire whether it be your Grace's intention that the Lieutenant Governor may, at his option, show or communicate to his Council or others any or every memorial or letter addressed by a resident in the Colony to Her Majesty's Secretary of State for the Colonies, and placed open in his Excellency's hands for the purpose (if I rightly understand the rule in such case made and provided) of receiving such comments as his Excellency himself may see occasion to make, and (as I respectfully venture to hope your Grace may consider) not for the purpose of being seen and made use of by other persons, whether members of the Council or not.

Your Grace's reply on this point will greatly oblige,

Your Grace's, &c.
(signed) *Robert Bruce Stewart.*

To His Grace the Duke of Newcastle.

— No. 14. —

No. 14. (No. 4.)
Lieut. Governor Dundas to the Duke of Newcastle, K.G. COPY of a DESPATCH from Lieutenant Governor *Dundas,* to His Grace the Duke of *Newcastle,* K.G.
1 February 1861.

Government House, Prince Edward Island,
My Lord Duke, 1 February 1861.

I HAVE the honour to transmit, for your Grace's information, copy of a communication I recently received from Messrs. Gray, Howe, and Ritchie, the Commissioners appointed to investigate the land question of this island.

2. Your Grace will observe that these gentlemen, after devoting the labour of a fortnight at Halifax to the arrangement of the mass of materials collected during the sitting of their court here last autumn, have adjourned their meeting until April, shortly after which period they hope to be in a position to make their report.

I have, &c.
(signed) *George Dundas,*
Lieutenant Governor.

Enclosure in No. 14.

Sir, Halifax, 11 January 1861. Encl. in No. 14.

We have the honour to report that Mr. Gray having visited Halifax for the purpose of enabling us to resume our labours in connection with the Land Commission, we have been engaged during the past fortnight; and though we have thus been enabled to make some progress in the investigation, the mass of materials before us renders it impossible for us to complete our report at the present sitting.

It is not probable that we can meet again till April, as Mr. Howe will presently be engaged in the business of the session; but, in the meantime, there is much work that we can subdivide; and your Excellency may be assured of our anxious desire to resume our labours, and to report as early in the ensuing summer as may be practicable.

We have, &c.

(signed) *J. Hamilton Gray,*
Joseph Howe,
T. W. Ritchie.

Lieutenant Governor Dundas,
&c. &c. &c.

— No. 15. —

(No. 54.)

No. 15.
Lieut. Governor Dundas to the Duke of Newcastle, K.G.
24 June 1861.

Copy of a DESPATCH from Lieutenant Governor *Dundas* to His Grace the Duke of *Newcastle*, K.G.

Government House, Prince Edward Island,
24 June 1861.

My Lord Duke,

I have the honour to inform your Grace that Messrs. Howe, Gray, and Ritchie, the Commissioners appointed on the land question of this Colony, have assembled at Rothsay, in New Brunswick, for the purpose of completing the business of the Commission, and making their final award.

2. As these gentlemen have been already some days at Rothsay, and are devoting all their time and attention to the matter of the Land Commission, I am led to expect that I shall be able shortly to submit their decisions to your Grace.

I have &c.,
(signed) *George Dundas,*
Lieut. Governor.

— No. 16. —

(No. 80.)

No. 16.
Lieut. Governor Dundas to the Duke of Newcastle, K.G.
2 September 1861.

Copy of a DESPATCH from Lieutenant Governor *Dundas* to His Grace the Duke of *Newcastle*, K.G.

Government House, Prince Edward Island,
2 September 1861.

My Lord Duke,

(Answered, No. 94, 7 February 1862, page 65.)

I am informed by Mr. Gray, the Chairman of the Land Commission, appointed last year, that he has transmitted to your Grace, by the mail of the 5th August, the unanimous report and award of Mr. Howe, Mr. Ritche, and himself,

himself, on the different subjects arising out of the land question here, submitted to them by Her Majesty.

2. No copy of this report was furnished to me, as the Commissioners determined to place this document in the hands of your Grace only.

3. One of the Commissioners, however, in the course of conversation, divulged the chief features of the award, which appeared in a garbled form, shortly afterwards, in one of the public journals of the Island.

4. It was, therefore, desirable to obtain and publish, with the least possible delay, a true statement of the award; and the opportune arrival of Mr. Howe in the Island afforded an opportunity for him to correct the garbled account I have above alluded to, as also to justify, before a large audience of tenants, and their delegates, the unanimous report at which he and his fellow Commissioners had arrived.

1. 2. 5. I have the honour, herewith, to enclose a report of Mr. Howe's remarks on this occasion, as also a summary of the award, published under Mr. Howe's indorsement in the "Islander" of 23rd August.

6. I would venture to direct your Grace's attention to a difficulty, which, judging from the above summary, may arise, unless provided for in the award.

7. A loan of 100,000 *l.* will not be sufficient to purchase out all the large proprietors. In the event, therefore, of this sum being obtained and expended in the purchase of land, will the tenants on the unpurchased estates be excluded from the advantages offered in the other alternative, recommended by the Commissioners, namely, a compulsory power of purchase at 20 years' rent (or 18 years' of cash down), and in case of the farm not being worth 20 years' purchase, a valuation to decide its price?

8. I observe with satisfaction that decided opinions are expressed by the Commissioners on the long agitated questions of titles, escheat quit rents, and fishery reserves. These opinions, coming from unprejudiced and impartial men, cannot fail, in a great measure, to satisfy the minds of the people of this Island, and to terminate agitation on these points for ever.

I have, &c.
(signed) *George Dundas,*
Lieut. Governor.

Enclosure 1, in No. 16.

LAND COMMISSION.

Encl. 1, in No. 16. Honourable Mr. *Howe's* Exposition of the Award.

(From the "Examiner," 26 August 1861.)

Charlotte Town, Tuesday, 20 August 1861.

MR. HOWE said that his visit to the Island at the present time was unconnected with the land question; he had come solely with a view to render the steamboat service on the Gulf more perfect and useful to both Provinces. On his arrival here, however, he had seen in one of the papers what appeared to be a garbled and inaccurate report of the award, and had thought it due to his brother Commissioners and to the people of the Colony to correct those errors, which he had done in a letter, over his own signature, which they would find in the "Examiner." He had yesterday received a note from Benjamin Davies, Esq., chairman of a committee of delegates, enclosing a copy of a letter which that gentleman had addressed on the 16th of August to the Hon. John H. Gray, requesting to be favoured with an outline of the Commissioners' Report. He thought it his duty under all the circumstances, and to satisfy the very natural anxiety of the people, to intimate to Mr. Davies that if the delegates would call upon him he would be happy to give them any information in his power. This meeting had grown out of those communications; he saw no necessity for mystery in the matter; on the contrary, the sooner the general principles embodied in the Report of the Royal Commissioners were universally known in the Island, the sooner all parties would prepare for the legislation which would be required to give effect to it. The Report itself had been sent to His Grace the Duke of Newcastle to be laid at the foot of the Throne. The Commissioners would have been glad to have sent forward

forward a copy for the information of the people whose interests were so deeply involved, but in our monarchical country there were certain forms, which, however they might sometimes seem to retard public business, it was graceful and prudent to observe. In accordance with official etiquette, therefore, it had been deemed proper that the Report should be transmitted to the Lieutenant Governor through the Secretary of State. He had no doubt that it would be printed in England and sent to the Island without any unnecessary delay; he had no copy with him, and of course could not pretend to give them from memory more than an outline of a document that covered hundreds of pages; he would do his best, however, to explain the general views and decisions propounded by the Commissioners.

In the "Examiner" of yesterday there was an abstract that was in the main very accurate; there was one paragraph, however, which though correct so far as it went, did not convey the entire judgment of the Commissioners. The paragraph read thus:—

"The Commission consider that the original grants were improvident, and the conditions not complied with; but owing to the lapse of time, it is deemed inexpedient to interfere with them. The Commission are of opinion that the Government of the Colony have always had and still possess the power to establish a court of escheat."

This is true, so far as it goes. The Government of Prince Edward Island always had, like all the other Colonial Governments, the right to escheat lands as part of its constitution. But the Commissioners decide, that as this right has not been exercised for 43 years, that as the Crown had expressly instructed the governors not to sanction any such measures, as though power had changed hands, no political party had resorted to this remedy, it was now too late to talk about escheat, and that a solution of the difficulties must be sought in other directions. Besides, the Commissioners were opposed to escheat, because if the original grants were annulled all title would be swept away; freehold and leasehold would be alike unsettled, and it did not follow, even if juries could be got to despoil the grantees, that the lands would belong to those who occupied them. For these and other reasons, it would be seen by the Report that the Commissioners while recognizing the abstract power of the Government, put aside the plan of escheating the lands as impracticable and absurd at the present day.

On one point Mr. Howe said that he wished to offer an explanation; it was very natural that the people of Prince Edward Island should be impatient of delay, and anxious for an early decision, but he had known a chancery suit involving the title to a single estate to last for 14 years; it was no uncommon thing for a suit about land in our common law courts to run over two or three terms. The Commissioners were all busy men, surrounded by public and personal engagements. A million of acres were involved in the land question, and the rights and interests of 70,000 or 80,000 people. It could hardly be said that the Commissioners, in adjudicating upon the varied and momentous questions covered by their Commission, in 18 months, could be charged with want of zeal, decision, and industry. For himself he would have preferred to have had another year, because although he believed that they had exhausted the evidence, and carefully examined the bearings of every question, still another year might have been well spent in reviewing the whole case, and in giving to the language of the Report greater condensation and precision. But the Commissioners had felt from the first that every hour's delay was fatal or injurious to some existing interest; they had, therefore, not only given to the Commission all their leisure hours when separated, but when together had laboured most assiduously. At Rothsay he was rarely in bed after four o'clock, and the daily labours of the Commission never closed till six; he trusted, therefore, that all parties would be satisfied that there had been no unnecessary delay.

Upon another point it was due to all parties that an explanation should be made. When the Commissioners were here last summer they held an open court for weeks together in all parts of the Island, and heard everybody, either personally or by delegate. A vast body of testimony was thus accumulated, but as almost everybody was a witness for himself, or gave testimony under strong party or personal bias, it became indispensable that the Commissioners should be in a position to check the statements by returns and information collected by a competent person whose errand to the Island nobody knew. To perform this service Mr. George Wightman was selected, and as that gentleman was perhaps not much known here, it might be satisfactory to the people to know something about him. George Wightman was born on the banks of the Shubenacadie, and has been familiar with farms and farming from his boyhood; having a natural turn for science, he taught himself engineering, and when Sir James Kempt came to our province from the battle fields of the Continent, where he had seen Napoleon's great roads, he brought with him M'Adam's Treatise, and began to turn the public attention to the improvements suggested; at that time all our great roads ran over the hills. Wightman was employed to re-survey them, and many of the best roads of our country we owe to his skill and to that of the young men who he trained in this service. When the St. Andrew's Railroad was commenced he sought employment on that work, where he learned and taught a good deal. When the line from St. John to Shediac was commenced, Mr. Light, who knew Wightman's value, took him there, and has assured me that in the completion of that great work Wightman's practical knowledge and experience were of the utmost value; a man so trained was just the man we wanted, particularly when we knew that his character and simple habits placed him above all temptation. The value returns, tables, and observations, appended to their report, would justify the selection; these contained a vast deal of information touching the soil, timber, sales of land, fertilizers and productive power of the Island, which would be found of great value, and the scientific deductions drawn from the Census Returns would be

found of great use to all parties who might be called upon to fix hereafter the value of the farms. It had been objected that Mr. Wightman's mission had not been announced, but if it had been, the very object would have been defeated, because he would have been liable, as we were, to be misled by those whose interests coloured or exaggerated their statements.

Mr. Howe said that he was happy to be able to assure the Delegation that the Commissioners had acted in a spirit of harmony; they had discussed every point with the most perfect frankness, had never decided anything by a vote, but had invariably come to a common conclusion; the Report was of course unanimous. It was due to his brother Commissioners to say that both Mr. Gray and Mr. Ritchie had, from the first, acted in an elevated and fair spirit. Had the Commissioners merely represented opposite interests, antagonism, and a majority and a minority report, ending in no practical advantage, would have been the result of their labours. That in a document so voluminous some errors might be found was more than probable; that the whole would be sharply criticised he well knew, but he had no fears but what that, when carefully read and fairly weighed, justice would be done to the Commissioners by the great body of the people.

The first part of the Report contained a history of the Land Question, down to the appointment of the Commission. To understand the question and to prepare this narrative had cost a deal of labour; public correspondence and documents of various kinds, scattered over old journals, newspaper files, and pamphlets, embracing a period of 70 or 80 years, had to be searched for, read, and collated. Their thanks were due to gentlemen on all sides, who had directed their attention to many of these documents; but they had to be studied, and the study of them necessarily took up much time. The Commissioners did not consider that they were in a condition to decide till these old files had been searched, till the evidence collected here had been digested, and until Mr. Wightman's labours had also been brought to a close. When all these sources of information had been exhausted, not a moment had been lost in deciding upon general principles, and preparing and signing the award.

Gentlemen present would readily comprehend the heavy responsibility which rested upon the Commissioners; as jurors they would not decide upon the title to a single fellow subject's estate without grave doubt and deliberation, and a sense of heavy obligation to do what was just and right. How much more onerous the burthen when a million of acres, and the rights of thousands, were involved. It was relief to feel the burthen off the mind; it was, perhaps, too much to hope that the verdict would give universal satisfaction.

Coming to the main question referred to them, the Commissioners decided that the granting away of the whole Island in blocks of 20,000 acres each was an improvident exercise of the prerogative of the Crown; but even improvident grants can only be revoked by a legal process, which had never been resorted to. There was no doubt that all the grants were forfeited for breach of conditions in not settling the lands with foreign Protestants. There is little doubt that they were forfeited over and over again for non-settlement and non-payment of quit rents, but as the Crown was the sole judge in all these cases; as the Crown not only did not avail itself of the laches of the subject, but actually forgave them, and confirmed their titles by authoritative declarations over and over again, the Commissioners justly decide, yielding everything that Mr. Cooper and other gentlemen have ever claimed, that the title of the proprietors cannot now be disturbed. With respect to the leases it is equally clear, that when a man had signed a lease, and in a written document had signed an acknowledgment of title, it was too late for him to ask the Commissioners to pronounce that bad which he had himself confirmed. All leases must, therefore, be regarded as valid and binding on all parties.

As regarded the quit rents the Commissioners considered the Treasury Minute binding, and that all arrears were remitted up to that period. As long as the Land Tax Act remained on the Statute Book, no quit rents could be collected; when that Act was repealed the quit rent of course revived.

It was apparent then that the conversion of the leasehold tenure into freehold could only be accomplished by a compromise, and it appeared to the Commissioners that an extension of the principles of the Land Purchase Act, passed by the Island Legislature some years ago, offered the fairest basis of compromise, the best solution of the difficulty that could be devised. The Commissioners, therefore, strongly recommend to Her Majesty's Government to guarantee a loan to the Colony of 100,000 *l.* sterling, to be loaned on the pledge of the general revenue of the Island, to be applied to the purchase of the estates, and repaid out of the money paid by the tenants for the conversion of their tenures. With a cash account to this extent at the disposal of the Government, the competition of proprietors for the money would determine the value of lands; there would be no necessity for coercion; the estates would be bought at prices which would enable the Government to resell them low, and to remit all the arrears as had been done in respect of the Selkirk and Worrell estates. If the prices paid for those properties formed any criterion, then, for about 2 *s.* 6 *d.* sterling per acre 800,000 acres could be relieved from the leasehold tenure. Adding what was already free, there would remain but about 160,000 acres, which could easily be purchased as the proceeds of the Selkirk and Worrell estates came in. If the prices demanded were higher, the operations might take a longer time; but far and above all other solutions of the difficulty this mode was certainly to be preferred.

This was the first solution of existing difficulties recommended by the Commissioners, and it was in their opinion, far above and beyond all others, the best. But should the Imperial Government decline to guarantee a loan, or the Provincial Government refuse to tender the securities, then other remedies were provided; there were two. It was in evidence

before

before the Commissioners that some leasehold properties are selling at high prices, and that for others the landlords had refused from the tenants 1 *l.* sterling an acre. It was clear that however valuable these properties might be, the landlord's interest in them was but 20 years' purchase. The Commissioners then award, that when any tenant shall tender to his landlord 20 years' purchase, or 100 *l.*, the landlord shall be bound to give him a deed, and if the tenant pays in cash, a deduction of 10 per cent.; under this clause tenants can at once, and without delay, convert their farms, and become freeholders; if the tenant is not prepared to pay the money down, he may pay by instalments of 10 *l.* a year for 10 years, the rent diminishing as the instalments are paid.

But many farms are not worth 20 years' purchase, and many are worth very little. To provide for all such cases, the Commissioners award, that any tenant who wants to purchase, may tender to his landlord what he conceives to be the value of his farm, say 30 *l.* or 40 *l.*; if the landlord accepts, there is an end of the matter; if he declines, he must appoint an arbitrator; the tenant appoints another, and if these two cannot agree, they appoint a third; these three men fix the price to be paid for the farm; if it exceeds the tenant's offer, the tenant pays the expense of the arbitration; if it does not, the expenses are to be paid by the landlord. The award is final and binding on all parties without appeal. The expenses could not exceed a few pounds. By this simple machinery, said Mr. Howe, every lease in the Island may be converted into freehold, should the British Government, which I trust it will not, decline to guarantee a loan.

The process of arbitration was common in all our courts; the people were familiar with it. There would of course be decisions as various as the localities, and the materials of which these simple tribunals were comprised; but that could not be helped. The Commissioners would much have preferred a skilful valuer for the whole of the Island, but they had no power to appoint or pay such an officer, and it was quite clear that a valuer appointed by the Government would not give satisfaction. There might be, under the system proposed, some eccentric valuations; a farm at one end of the Island may be valued too high, and one at the other too low, but, after all, the system was the best that could be devised, and no system was perfect. Tenants, whose price was fixed by arbitration, would be entitled to a discount of 5 per cent. for cash, and could pay by instalments if they preferred that mode.

The Commissioners, for a time, clung to the belief that they could fix some medium price, which could be applied to the whole Island; but they were compelled to abandon that idea. Some lands were worth $10 an acre, some were not worth 5 *s.*; no medium price could have been fixed that would not have worked frightful injustice. If fixed too low, the best properties would be sacrificed; if too high, the poorer class of tenants could not purchase at all.

As respected the arrears of rent, the Commissioners had been most anxious to act fairly between man and man. Very large arrears had accumulated on many of the estates. After anxious deliberation, the Commissioners had decided to strike off all the arrears which had accrued prior to 1858; this left to the landlord as much as in most cases he could ever collect, and it freed the tenant from a heavy burthen. Arrears of rent must of course be paid up before the landlord was bound to sell, but the tenant would have no difficulty in borrowing what he wanted when his title to the farm was confirmed by the transaction.

Mr. Howe said he had seen it stated in the "Examiner," that proprietors and their agents had, since the appointment of the Land Commission, been exerting themselves by the exaction of judgment bonds, promissory notes, and other securities from such of the tenants as were in arrears. That might be the case, and the Commissioners might regret that it was so, but they had no power to prevent them, or to arrest the ordinary course of law; all that they could do was to hasten their decision, and now it was quite clear that the sooner that the award was confirmed by legislation, the sooner would the tenantry be protected from any pressure of this kind.

On reviewing the actions of our ancestors we sometimes think them great fools, as our posterity will think us hereafter; of all the acts of folly committed in relation to this Island, perhaps there was none greater than that of drawing a cordon of 500 feet all round the Island, and calling it a fishery reserve. In Nova Scotia, where no such reserve existed, a resident fishery had sprung up all round the coast; in Prince Edward Island, with the reserve, the fisheries were of comparatively little value. The Commissioners abolish this absurd reservation, and allow the lands to merge into the adjoining properties, whoever may own them. But, that a resident fishery may spring up, they provide that any man wanting to carry on the fishery may purchase from the Government a lot below high-water mark, and be entitled to purchase from the owner of the upland an acre immediately behind it. If there is any dispute about the price of the acre, which in nine cases out of ten there is not likely to be, then the value is to be fixed by arbitration. Of course, a man's orchard or barn-yard is not to be taken. But he had no doubt that the good sense of the Legislature would regulate the mode in which the general views of the Commissioners were to be carried out, and he had as little doubt that a valuable resident fishery would be the result of this policy.

The loyalists claims had not been forgotten; it was apparent that some of the proprietors had in good faith and in a generous and patriotic spirit, dedicated portions of their lands to the relief of the loyalists. There was too much reason to suspect that others merely made the tender to evade the payment of their quit rents; but after the lapse of more than half a century, the Commissioners could not distinguish between them, nor could they compel those who owned the lands now to appropriate them for the benefit of others without their own consent. But the matter as it stood in the papers was not creditable, and these old claims ought to be set at rest; that they might be, the Commissioners recommend that out

of any Crown lands that now are or hereafter may be in possession of the Government, they shall be satisfied, the burthen of proof that his claims are valid resting upon the applicant.

The claims of the French had seriously engaged the attention of the Commissioners; but the facts of history were against them. When the French had forfeited Louisburg and possessed Cape Breton, Prince Edward Island was their granary; and the French here, no doubt, aided and abetted in all those hostile incursions and breaches of treaty which led to the expulsion of the Acadians from Nova Scotia. Small blame to them for adhering to their own flag and fighting for their own nation; but as they did so, they must accept the misfortunes and casualties of war; they lost their lands, as many other worthy people did before them, by adhering to the falling cause. In Nova Scotia and New Brunswick, though the French, who are everywhere a worthy and amiable people, now own lands and have thriving and populous settlements, it does not appear that any of the lands confiscated in 1758 were ever restored to them. However much, therefore, the Commissioners might regret that it was so, it was quite apparent that the French in Prince Edward Island must follow the fortunes of those upon the mainland.

The right of the Indians to the undisturbed possession of Lenox Island and the hay lands that surround it, had been confirmed by the Commissioners.

"Having run over as briefly as I can, speaking from memory, the outlines of the Report, permit me to observe," said Mr. Howe, "that upon the public men of the Island it now depends whether any good shall result from the labours of the Land Commission. If you, laying aside all personal rivalries, party considerations, give legislative sanction to this report, I believe that these old vexed questions will be adjusted, and the prosperity of the Island secured. We have discharged our duty. Do yours, and all will be well. I do not mean to say that our report is perfect. I am prepared for disappointment in many quarters where people have been taught to expect too much. But I am quite confident that when the award comes to be carefully read and pondered by the people, they will do us justice, and that rational men will say that we have, under all the circumstances presented, dealt fairly and justly by all parties.

"In the absence of my brother Commissioners, it may not be out of place for me to say that both these gentlemen discharged their very delicate duties with a degree of thoughtful appreciation of the magnitude of the great interests committed to their care, and in a spirit so independent and yet so conciliatory, that they are entitled to your highest respect. Permit me also, in their names and my own, to acknowledge the obligations which we are under to the people of this Island for the confidence, courtesy, and kindness shown to us on all occasions, and in every part of it. In mixing freely with the public men of the province we have carefully abstained from the expression of any opinions upon the mere party questions of the hour, nor do I wish to touch them now. Parties, and party strife, and even party acrimony and injustice, are the prices we pay for freedom. You will always have these. The land question is not indispensable as a battle ground. There are others of sufficient magnitude and importance to engage your attention and employ all your energies when this is swept from the field of controversy. Let me implore you then to approach this great subject in a becoming spirit, and to lend to your country your best abilities to give vitality and security to this award by practical legislation. If you do, trust me when I say that Prince Edward Island will enter upon a new era, and that her industrial development and social elevation will be rapid and strongly marked in the happier future before her.

"I have said that there are many questions to engage the attention of thoughtful public men. I will refer but to one—the fisheries. As I stand upon the shores of the Strait of Canso, and see the white sails of hundreds of American fishermen gliding into this gulf to carry away the treasures that surround you—when I know that out of a single county of my province a hundred beautiful schooners are sent here every summer on the same errand, I am smitten with wonder that the people of Prince Edward Island appear so indifferent to the value of treasures which all the rest of the world so highly prize; and if I were a native of this Island I would never rest till my countrymen had vindicated their right to largely appropriate the resources of the surrounding seas, which God has so abundantly enriched. From the prosecution of the fisheries will spring more of foreign trade and the steady growth of a mercantile marine. Towns will rise up along the sea coast, giving a domestic market for the produce of the soil. Questions such as these are worthy of the consideration of your public men, and the development of the resources of the Island, moral, intellectual, and industrial, will, I trust, task their highest powers when these old questions have been adjusted and forgotten. I trust, at no distant day, to see these maritime provinces more closely united—their great lines of communication strengthened and improved; and at some more appropriate season it will give me pleasure to explain to you how all this may be brought about."

Here the Hon. Mr. Howe would have concluded his remarks, but the Hon. Mr. Whelan having stepped forward and apologetically requested to know, for the information of the people, what course, if any, the Commissioners in their award had recommended to be pursued with respect to those proprietors who had not been consenting parties to the appointment of the Commission, and whom the Duke of Newcastle had said, in one of his Despatches, would not therefore be bound by the award of the Commissioners:—

The Hon. Mr. Howe.—"Yes, the Duke of Newcastle had certainly said that the Commissioners had no power to bind the proprietors who were not parties to the reference; but at the same time, his Grace had given a most significant hint that they must, if they refused, expect no aid from him if difficulties arose hereafter. The view taken by the Commissioners

sioners was this: That as the Crown had overlooked all the laches of these people—had forgiven them their arrears and paid the civil list, which they ought to have paid out of the treasury of Great Britain, that they were bound to submit to any policy that had the sanction of the Imperial and Provincial Government. If they did not, the Commissioners thought they ought to be constrained by legislation. Whatever their rights were, they should bend before the public interests, as those of the seigneurs of Canada, of the slave owners in the West Indies, or of the owners of the encumbered estates in Ireland had been made to bend, when great interests or high moral considerations were at stake.

Benjamin Davies, esq., then came forward, and apologising to the Hon. Mr. Howe for the trouble he was about to impose upon him, by presuming to require from him some information on a point to which he had not adverted in the explanation which he had so fully and kindly given, said—Public interests, as well as private, were in his opinion, to a certain extent, placed before the Royal Land Commission, to be adjudicated upon by them; and he conceived it to be the duty of public men to look, in an especial manner, with a careful and jealous eye to the preservation of public rights when they were in any way called in question; for if they suffered public rights to be invaded and infringed upon, the invasion and diminution of private rights could scarcely fail to follow, as an inevitable consequence. In listening to the information which his Excellency had so kindly afforded, he had failed to discover that any arrangement had been made for the protection or satisfaction of the claims which the people had upon the lands held by the proprietors. On the contrary, his Excellency had said that the Commission, induced thereto by various considerations, had confirmed the original grants, and that lapse of time, and the tenor of various despatches from the Colonial Office, had confirmed them in the propriety of remitting the quit-rents also to the proprietors; and he also understood his Excellency to say, that the Colonial Government had not, as guardians of the sacred trust reposed in them by the people, taken any action to lead the Commissioners to believe otherwise than that the Government admitted the validity of the proprietary claims. As such was the case, he would just beg leave to state, that the people very generally and their friends laboured under the opinion that the Royal Commission would point out the forfeited and other lands which were the property of the people, as well as state the amount of debts due to the Colony, in the shape of quit-rents and otherwise. When, in the year 1854, that part of the civil list of the Colony which had been borne and paid by the Imperial Government ceased to be so paid, and the people, through the action of their Parliamentary representatives, took upon themselves the burthens of the whole civil list, they did so on the express condition and with the assured understanding that, in return for their so doing, there would, over and above the concession of self government, be surrendered and placed at the disposal of the Colonial Legislature all the quit-rents, Crown lands, and permanent revenues belonging to the Crown in the Colony; and, therefore, the people and their friends had confidently expected that the Royal Commission would fully make good to them all that, at the period of which he had just spoken, had been promised to them on the part of Her Majesty, through Lieutenant Governor Bannerman. But his Excellency (Hon. Mr. Howe) had said, if he (Mr. Davies) had comprehended him aright, that in consequence of the Government's having declared that there were no public interests of a nature likely to clash with the proprietary claims to the lands of the Colony, the promises so sacredly guaranteed at the time he (Mr. Davies) had just referred to had not been or could not be entertained.

The Hon. Mr. Howe.—No decision of ours could affect the Civil List Bill. All the rights acquired under it belong of course to the Colony; but what was legally remitted prior to the passage of that Act could not have been transferred by it. This is the view we take, but the legal rights of the province could at any time be tested under the Civil List Bill independent of our award. The Crown was to decide what it did or meant to transfer. A court of law might decide even against the Crown, but the Commissioners had no power to reinvest the Crown with rights or revenues that they thought had been remitted.

George Beer, esq., M.P.P., then presenting himself to the notice of Mr. Howe, thanked him for the very elaborate explanation of the award which he had been kind enough to give. He (Mr. Beer) could have wished that the purchase money had been fixed by the Commissioners at a more moderate rate. Twenty years' purchase would certainly be a high valuation for farms in general, although some might be worth it. He was, however, glad to find that the award provided machinery, by the operation of which tenants would have it in their power to decline compliance with such valuation, or any other on the part of their landlords which they might think too high; and he believed much benefit to the tenantry would result from the arbitration clause of the award. There was great diversity as to the quality of the soil in different parts of the Island; but under the operation of the arbitration clause, that fact would in every case receive due consideration, and the award as to the value of the farm be made accordingly. In the matter the Commissioners had, he thought, gone quite as far as it was possible for them to go, with due and impartial regard to all the interests concerning which it had been their important duty to deliberate and decide; and as the people in general were becoming quite impatient to know the result, he was pleased to think that the report of his (Hon. Mr. Howe's) exposition of it would, in a great measure, relieve the public mind from anxiety on account of it. He again thanked Mr. Howe for the satisfactory manner in which he had explained the most important particulars of the award, from which, he doubted not, a great deal of good would ultimately result to the tenantry. The duties of the Commissioners had certainly been of a very onerous nature.

Hon. Mr. Whelan, M.P.P., having previously consulted with the other members of the

deputation, came forward and said—He begged leave to tender him the thanks of the deputation for the very full and minute information which, at their request, he had been pleased so candidly and courteously to communicate to them for the information of the people. Such information had for some time back been most anxiously looked for by them, and he would undertake that it should, as soon as possible, be transmitted to every quarter of the Island. They would doubtless be glad to receive it; for although the decisions by which they would learn the Royal Commissioners had arrived might not equal their expectations, it would yet afford them relief from the anxiety and suspense to which they had so long been doomed respecting it. He hoped, however, he should be excused from saying that he much regretted that etiquette should have been thought to prescribe that a duly authenticated copy of the award should not reach the people in any other way than by the circuitous route through Downing-street; for, owing to official delays and other causes, it might yet be several months before the transmission of it to the Island would be made from the office of the Secretary of State. Mr. Whelan then concluded, by again, for himself and brother delegates, thanking Mr. Howe for the very full and particular information which he had communicated, and for the very kind and candid spirit in which he had given it.

And so the audience terminated. (signed) *R. B. Irving*, Reporter.

Encl. 2, in No. 16.

Enclosure 2, in No. 16.

(From the "Islander," Friday, 23d August 1861.)

Dear Sir, Charlotte Town, 21 August 1861.

I HAVE much pleasure in transmitting you, for publication in the "Islander," the following particulars of the award of the Commissioners on the land question, obtained by me, since the arrival here of the Hon. Mr. Howe. I also enclose a note just received from Mr. Howe, to whom the manuscript had been submitted, in which that gentleman testifies to its correctness.

Yours, &c.

John Ings, Esq., Queen's Printer. (signed) *W. H. Pope.*

Dear Sir, 21 August 1861.

I HAVE run my eye over your notes, written after our conversation; they are substantially correct, and contain, I presume, some details which I overlooked in my explanations to the delegates yesterday.

Yours, &c.

W. H. Pope, Esq., Col. Secretary. (signed) *Joseph Howe.*

The best mode of quieting the disputes between the proprietors and their tenants, and of converting the leasehold into freehold tenures, is the first question discussed in the award.

This matter is gone into very fully, and the reasons set forth for the conclusions at which the Commissioners arrived, and the difficulties of almost any settlement pointed out.

A loan from the Imperial Government of 100,000 *l.* is recommended as the best and most expeditious mode.

Failing an arrangement between the Imperial and Local Governments on this point, the Commissioners enter upon the question of valuation. They refer to the conflicting nature of the evidence in the Island, the employment of Mr. Wightman, his returns, &c.; and then the impossibility of fixing any general rate to operate throughout the whole Island; and after pointing out that a specific valuator could alone do exact justice in each particular case, but whom they had no power to appoint owing to the time and remuneration required, they declare that the leases must be regarded as valid, but that there shall be a compulsory power of purchase, that the tenant shall have that right, the rent stipulated for in the leases being taken as the basis of the compromise. The Report then provides that in all cases where the tenant chooses to pay 20 years' purchase, he shall be entitled to a deed of the fee simple (if all arrears allowed by the award are paid up); if he pays cash down, 10 per cent. discount; if not, 10 years to pay; no payment to be less than 10 *l.*, and no payment to be credited to purchaser while any arrears of rent shall be due.

Secondly.—If the lands are not considered by the tenant worth 20 years' purchase, the tenant may offer what he considers the value; if landlord refuses to accept the price offered, the amount to be settled by valuation, tenant to name one valuator, landlord another, and these two to name a third as umpire, the valuation of any two to be accepted as the value of the land; if price awarded be not greater than price offered, landlord to pay costs of valuation; if greater, tenant to pay them. If amount settled at be paid in cash down, tenant entitled to discount of five per cent.; if not, 10 years' credit; payments subject to conditions before mentioned. In both cases rents to be reduced in proportion to payments made.

Thirdly.—Proprietors of not more than 1,500 acres not to be affected by the award; and any

any proprietor desirous of retaining 1,500 acres exempt from operation of the award shall have that right.

Fourthly.—Leases under 40 years not to be affected.

Arrears of Rent.—All arrears prior to 1st May 1858 remitted.

Fishery reserves to be abolished. Proprietors of lands, of which they form the sea front, to be entitled to them, subject to any right acquired by lessees; that is treating them exactly as if the fishery reserves had passed by the original grants without any restriction. Provision is made for persons wishing to carry on the fisheries to have compulsory power of purchase of one acre by appraisement.

Escheat of original grants declared impracticable; and that every Government of the Island for the last 40 years has practically ignored that solution, for none of them when in power ever tried to accomplish it.

Quit Rents.—Declared that all arrears previous to 11 Geo. 4, c. 17 (Land Tax Act) have been remitted, and are not now reasonable.

Claims of descendants of loyalists are not now to interfere with proprietors' rights. If claimants can make out a case for redress, local Government to afford relief out of public lands now or hereafter to be acquired.

Claims of descendants of original French cannot be entertained.

Indian Claims.—Lennox Island confirmed to Indians.

— No. 17. —

(No. 3.)

COPY of a DESPATCH from Lieutenant Governor *Dundas*, to His Grace the Duke of *Newcastle*, K.G.

No. 17.
Lieut. Governor Dundas to the Duke of Newcastle, K. G.
10 January 1862.

Government House, Prince Edward Island,
10 January 1862.

My Lord Duke, (Answered, No. 94, 7 February 1862, page 65.)

I HAVE the honour to inform your Grace that I have fixed the 20th February, as the day on which the Legislature of this Island will assemble.

2. Much disappointment will be felt, if I am unable at the opening of the Session to give any information respecting the award of the Land Commissioners.

3. My Government have requested me to ask your Grace to furnish me with a copy of the Report of the Commissioners, in order that their decision may be communicated to the House of Assembly.

4. I would therefore venture to request, that, if possible, your Grace would place me in possession of a copy of the award before the 20th February.

I have, &c.
(signed) *George Dundas*,
Lieut. Governor.

— No. 18. —

(No. 15.)

COPY of a DESPATCH from Lieutenant Governor *Dundas*, to His Grace the Duke of *Newcastle*, K.G.

No. 18.
Lieut. Governor Dundas to the Duke of Newcastle, K.G.
3 March 1862.

Government House, Prince Edward Island,
3 March 1862.

My Lord Duke, (Answered, No. 97, 21 March 1862, page 65.)

I HAVE the honour to acknowledge the receipt, this day, of your Grace's Despatch, No. 94,* of date, 7th February 1862, enclosing a copy of the Report of the Land Commissioners. I have to thank your Grace for the promptitude with which your Grace has responded to my request to be furnished with it.

* Page 65.

2. I regret, however, that it is not accompanied by an Appendix, which is referred to in the Report.

3. It is understood that the Appendix contains, *inter alia*, the report of Mr. Wightman, C.E.; who was sent by the Commissioners to collect additional information for them.

4. My Government is particularly desirous that the Report or Returns made by this gentleman, should be laid before the House of Assembly. I would, therefore, venture to request that your Grace will furnish me with a copy of this Appendix.

5. I trust that this Despatch may reach England in time to allow your Grace to send this Appendix (should your Grace think fit to comply with my request) by the mail which leaves England on the 22d instant, as I shall thereby be enabled to lay it before the Legislature, previous to its closing.

6. I trust that the extreme importance of the subject warrants me in respectfully requesting your Grace's immediate attention to it.

I have, &c.
(signed) *George Dundas*,
Lieut. Governor.

— No. 19. —

No. 19.
Lieut. Governor Dundas to the Duke of Newcastle, K.G.
24 April 1862.

(No. 26.)

COPY of a DESPATCH from Lieutenant Governor *Dundas* to His Grace the Duke of *Newcastle*, K.G.

Government House, Prince Edward Island,
24 April 1862.

My Lord Duke,

I HAVE the honour to acknowledge the receipt, yesterday, of your Grace's Despatch of the 5th inst.,* enclosing a Draft Bill which you had received from Sir Samuel Cunard, embodying a plan for giving the tenants in Prince Edward Island the power of purchasing their holdings on certain terms therein laid down.

* Page 66.

2. This Bill did not arrive in time to be laid before the Legislature during the late Session, which I closed on the 17th instant.

3. I have laid before my Government your Grace's Despatch, together with the Draft Bill enclosed in it, and I shall have the honour to communicate fully on the subject as soon as they have decided on the course they intend to pursue on this subject.

I have &c.
(signed) *George Dundas*,
Lieut. Governor.

— No. 20. —

No. 20.
Lieut. Governor Dundas to the Duke of Newcastle, K.G.
25 June 1862.

(No. 45.)

COPY of a DESPATCH from Lieutenant Governor *Dundas* to His Grace the Duke of *Newcastle*, K.G.

Government House, Prince Edward Island,
25 June 1862.

My Lord Duke,

(Answered No. 120, 9 August 1862, page 66).

I HAVE the honour to transmit, herewith, in triplicate, authenticated copies of two Bills passed last Session.

No. 1.
No. 2.

2. These Bills have reference to the award or report made by the Commissioners on the land question. Suspending clauses are attached to both.

3. These Bills are intituled respectively

1. "An Act to give Effect to the Report of the Commissioners on the Land Question."
2. "An Act to facilitate the Operation, in certain Particulars, of the Award or Report made by certain Commissioners to settle and adjust Differences respecting certain of the Township Lands of this Colony."

4. The

4. The Attorney-General has furnished me with a statement explanatory of the objects of these Bills. This statement I now also enclose.

No. 3.

5. A Minute of Council on the subject of these two Bills is being prepared by my Government. In this Minute my Government will state their reasons for framing these measures and carrying them through the Legislature.

6. When this Minute is placed in my hands, I shall at once forward a copy to your Grace.

I have, &c.
(signed) *George Dundas*,
Lieutenant Governor.

Enclosure 1, in No. 20.

CAP. IV.

AN ACT to give effect to the Report of the Commissioners on the Land Question. [Passed 17 April 1862.]

Encl. 1, in No. 20.

WHEREAS the lands of this colony, shortly after it was ceded to Great Britain, were granted by his late Majesty King George the Third, in large tracts, generally containing twenty thousand acres each, to divers British subjects, and their heirs and assigns respectively, in fee simple, and in the grants or patents by which the said tracts of land were so conveyed, there were contained certain clauses and conditions, respecting the time and manner of settling the said lands, and also respecting certain quit rents therein reserved to his said Majesty, and his heirs, as well as certain reservations and rights intended for the benefit and encouragement of persons engaged in carrying on the fisheries of this Island. And whereas at different times since the issuing of the said grants, and often during the last thirty years, the legal interpretation and construction of the conditions and reservations, contained in the said grants, respecting the settlement of the said lands, the right of enjoyment of the said fishery reserves, and the payment of the said quit rents have been much questioned, and have greatly occupied and agitated the minds of large numbers of inhabitants of this colony. And whereas the final settlement and adjustment of these questions, with a due regard to the rights of all persons whomsoever interested therein, will conduce much towards the peace and contentment of the inhabitants of this Island. And whereas on the ninth day of May, in the year of our Lord one thousand eight hundred and fifty-nine, the House of Assembly of this Island agreed to an address to Her Most Gracious Majesty the Queen, wherein it was prayed that Her Majesty would be pleased to appoint some fit and proper person or persons as Commissioner or Commissioners, to inquire into the relations of landlord and tenant, in this Island, and negotiate with the proprietors of township lands, for the fixing of some certain rate of price at which every tenant might at any time have the option of purchasing his land, or of paying instalments of such purchase, and thereby gradually reducing the yearly rent until the whole price thereof be paid, and also to negotiate with the respective proprietors for a remission of the arrears of rent in such cases, and on such townships, as the said Commissioner or Commissioners, from the circumstances of the tenantry, or otherwise, might deem reasonable and expedient; and also to make such report respecting the fishery reserve question, and other questions relating to the township lands of this Island, as the House of Assembly confidently hoped would effect a final settlement thereof, and prevent all agitation regarding the same in future, which said address was duly forwarded to England, and laid at the foot of the Throne. And whereas a copy of the said address having been communicated by his Grace the Duke of Newcastle, Her Majesty's principal Secretary of State for the Colonial Department, to the proprietors of certain of the said township lands or estates in this Island, the same proprietors, by a certain communication in writing, dated from "Bush Hill House, Edmonton," on the thirteenth day of February, in the year of our Lord one thousand eight hundred and sixty, subscribed with their hands, and addressed to his Grace the said Duke of Newcastle, proceeded to state, and did state, and agree as follows, namely:—

"My Lord Duke,

"We have been furnished with a copy of a memorial addressed to Her Majesty, by the House of Assembly of Prince Edward Island, on the subject of the questions which have arisen in connexion with the original grants of land in that Island, and the rights of proprietors in respect thereof.

"We observe that the House of Assembly have suggested that Her Majesty should appoint one or more Commissioners, to inquire into the relations of landlord and tenant in the Island, and to negotiate with the proprietors of township lands, for fixing a certain rate of price at which every tenant might have the option of purchasing his lands; and also to negotiate with the proprietors for a remission of the arrears of rent, in such cases as the Commissioners might deem reasonable, and proposing that the Commissioner should report the result to Her Majesty.

"As large proprietors of land in this Island, we beg to state that we shall readily acquiesce in any arrangement that may be practicable for the purpose of settling the various questions alluded to in the memorial from the House of Assembly, but we do not think that the appointment of Commissioners, in the manner proposed by them, would be the

most desirable mode of procedure, as the labours of such Commission would only terminate in a report which would not be binding on any of the parties interested.

"We therefore beg to suggest that instead of the mode proposed by the House of Assembly, three Commissioners or referees be appointed, one to be named by Her Majesty, one by the House of Assembly, and one by the proprietors of land, and that these Commissioners should have power to enter into all the inquiries that may be necessary, and to decide upon the different questions which may be brought before them, giving of course to the parties interested an opportunity of being heard.

"We should propose that the expense of the Commission should be borne by the three parties to the reference, that is to say, in equal thirds, and we feel assured that there will be no difficulty in securing the adhesion of all the landed proprietors to a settlement on this footing.

"The precise mode of carrying it into execution, if adopted, would require consideration and upon that subject we trust that your Grace would lend your valuable assistance.

"We have, &c.
"*S. Cunard*,
"*E. Cunard*, per S. Cunard,
"*Graham Montgomery*,
"*Selkirk*,
"*James Montgomery*,
"*Laurence Sulivan*."

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

And whereas a certain other agreement or paper writing, bearing date in the year one thousand eight hundred and sixty, was subscribed at Charlottetown, in the said Island, by certain other landowners, namely, Thomas Heath Haviland, Daniel Hodgson, and William Cundall, all of Charlottetown, Esquires; also John Roach Bourke, of Township Number Fifty, Esquire, John Archibald McDonald, of Tracadie, Esquire, and Charles Palmer, of Charlottetown aforesaid, Esquire, on behalf of himself, and the other proprietors of the western half of Township Number One, by which said last-mentioned agreement or paper writing, the said persons above named submitted and agreed to be bound by the award, or report of the said Commissioners, in like manner and effect as they the said hereinbefore named persons who subscribed the said recited letter, dated at "Bush Hill House, Edmonton," the thirteenth day of February, in the year one thousand eight hundred and sixty, which said other agreement or writing of the said year one thousand eight hundred and sixty, was also forwarded to his Grace the Duke of Newcastle, and it is just and reasonable that the said landowners who, either by themselves or agents, subscribed the said last above-recited agreement or paper writing, should be bound by the said report or award.

And whereas by a Despatch from his Grace the said Duke of Newcastle, bearing date the twenty-first day of March, in the year of our Lord one thousand eight hundred and sixty-one, and addressed to his Excellency the Lieutenant-Governor of this Island, a copy of which has been laid before the Legislature of this colony, his Grace, after referring to the prayer of the said address of the House of Assembly, and also to the above-recited communication from the above-named proprietors of township lands or estates in this Island, was pleased to state as follows, namely: "They, (the above-named proprietors) therefore, instead, suggest that three Commissioners or referees should be appointed, one by Her Majesty, one by the House of Assembly, and the third by the proprietors, and that they should be invested with power to hear and determine all the questions in dispute. It is further suggested that the expense of the Commission should be divided equally between the Crown, the tenants and the proprietors. If the consent of all the parties can be obtained to this proposal, I believe that it may offer the means of bringing these long-pending disputes to a determination. But it will be necessary, before going further into the matter, to be assured that the tenants will accept as binding the decision of the Commissioners, or a majority of them, and as far as possible, that the Legislature of the colony would concur in any measures which might be required to give validity to that decision."
And whereas, in pursuance of the suggestions contained in the said recited Despatch, the House of Assembly on the fourteenth day of April, in the year of Our Lord one thousand eight hundred and sixty, passed the following resolutions, namely:—

"*Resolved*, That this house deem it expedient to concur in the suggestions offered for the consideration of the House of Assembly, as set forth in the Despatch from his Grace the Duke of Newcastle, dated Downing-street, the twenty-first day of March, in the year of our Lord one thousand eight hundred and sixty, on the subject of the proposed appointment of a Commission of Inquiry for the arrangement of the long-pending disputes between landlords and tenants of this Island, the House of Assembly, therefore, agree to the appointment of three Commissioners, one by Her Majesty, one by the House of Assembly, and the third by the proprietors, the expense of the Commission to be equally divided between the Imperial Government, the general revenue of the colony, and the proprietors; the House of Assembly also agree, on the part of the tenantry, to abide by the decision of the Commissioners, or the majority of them, and pledge themselves to concur in whatever measures may be required to give validity to that decision."

And whereas, in order to carry into effect the agreement or arrangement constituted by the above recited communication of the above-named proprietors, and the said last above-recited

recited Resolution of the House of Assembly, as well as by the said last-recited Despatch of his Grace the said Duke of Newcastle, Her Majesty's said Colonial Minister, Her Majesty was pleased to issue a Commission under Her Seal and Royal Sign Manual, in the words following; namely:

(L. S.) VICTORIA R.

"Victoria by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith.

"To all to whom these presents shall come, greeting:

"Whereas, we have been moved by the Assembly of our Island of Prince Edward, to appoint Commissioners to inquire into the differences now prevailing in our said Island, relating to the rights of landowners and tenants in our said Island, with a view to the settlement of the same, on just and equitable principles. And whereas the said Assembly has further, by a resolution dated the fourteenth day of April last, set forth its agreement to abide by the decision of any such Commissioners, or the majority of them, and to concur in whatever measures may be requisite for giving validity to their decision. And whereas it is highly desirable that the said differences should be adjusted. Now know ye that we taking the premises into our Royal consideration, are graciously pleased to nominate and appoint, and do by these presents nominate and appoint our trusty and well-beloved John Hamilton Grey, Esquire, our trusty and well-beloved Joseph Howe, Esquire, and our trusty and well-beloved John William Richie, Esquire, to be our Commissioners for inquiring into the said differences, and for adjusting the same, on fair and equitable principles.

"Given at our Court at Buckingham Palace, this twenty-fifth day of June, one thousand eight hundred and sixty, in the twenty-fourth year of Our reign.

"By Her Majesty's Command.

(signed) "*Newcastle.*"

And whereas the said Commissioners having accepted the office conferred upon them by the said Commission, and taken upon themselves the duties imposed thereby, and having conjointly, at a court held by them in the said Island, proceeded to inquire and examine into the various questions and matters referred to them, as aforesaid, and having heard counsel on behalf of the landowners who submitted to the said Commission of Inquiry, and subscribed to the hereinbefore-recited letter of the thirteenth day of February, one thousand eight hundred and sixty, addressed to his said Grace, the Duke of Newcastle, by the said Sir Samuel Cunard and others, as well as on behalf of the said landowners who subscribed the said last hereinbefore-recited agreement; and having also heard counsel on behalf of the tenants of the said landholders, and heard and examined numerous witnesses on behalf of both parties, as well as divers other persons, inhabitants of the said Island, interested in the final settlement and adjustment of the said questions and differences referred to the said Commissioners, they the said Commissioners did thereafter, namely, on the eighteenth day of July, in the year one thousand eight hundred and sixty-one, at Rothsay, in the Province of New Brunswick, make their report or award in writing, of and concerning the various questions and matters referred to them, and did subscribe the said report or award with their respective names, and in their respective handwriting, a true and examined copy of which said report or award is to this Act annexed, marked Schedule (A).

And whereas, in order to maintain that good faith subsisting between Her Most Gracious Majesty the Queen and Her Imperial Government, and all those tenants and other inhabitants of this colony, interested in the award or report of the said Commissioners, and emanating from the reciprocal Acts of the said-recited Despatch of his Grace the Duke of Newcastle, bearing date the twenty-first day of March, in the year one thousand eight hundred and sixty, and the Resolutions of the House of Assembly of the said Island, passed on the fourteenth day of April in the same year, it is necessary that an Act of the Legislature should be passed to give validity to the said decision, or report of the said Commissioners:

1. Be it therefore enacted, by the Lieutenant Governor, Council and Assembly, that the report or award of the said Commissioners, the hereinbefore-named John Hamilton Gray, Joseph Howe, and John William Richie, so made and subscribed by them, on the said eighteenth day of July, in the year one thousand eight hundred and sixty-one, and by them transmitted to his Grace, the said Duke of Newcastle, Her Majesty's Principal Secretary of State for the Colonial Department, shall be, and the same is hereby declared to be final and conclusive, and the rights, interests, franchises, uses, trusts and estates of Her Most Gracious Majesty, the Queen, of in, and to the aforesaid township lands, severally owned by the respective proprietors thereof, who, by themselves or agents severally, submitted to the said commission of inquiry; and subscribed to the hereinbefore-recited letter, dated the thirteenth day of February, in the year one thousand eight hundred and sixty, addressed to his said Grace, the Duke of Newcastle, and also the said agreement or paper writing, dated in the year one thousand eight hundred and sixty, in so far as Her Majesty stands seised thereof, vested therewith, or otherwise interested therein, on behalf of the Government or inhabitants of this Island, and so far as the said rights, interests, franchises, uses, trusts and estates have been submitted to the consideration and determination of the said Commissioners, and all and singular the rights, uses,

trusts, and estates, rents, issues and profits of such estates, liberties, franchises and interests of all and every the aforesaid landowners or proprietors who, by themselves or their agents, severally, subscribed to the said recited letter of the thirteenth of February, in the year last aforesaid, as well as of those landowners or proprietors who subscribed the aforesaid agreement or paper writing, dated in the year one thousand eight hundred and sixty, as aforesaid, of, in, to or out of the said township lands, tenements, and hereditaments, owned by them respectively, their heirs and assigns, shall be, and the same are hereby declared to be subject to, charged and chargeable with, and bound by, the said report or award of the said Commissioners, in such manner and to such extent, and for such time as in and by the said award is awarded, ordered, expressed, or required. Every tenant of any land, part or parcel of the said township lands, mentioned in the preceding clause of this Act, and every other person whomsoever, whose estate, property, or interest shall in any manner be, or become affected by, or according to the meaning of the said award or report, be intended to be affected thereby, shall and may be at liberty to plead the same in any court of law or equity in this Island; and every such court shall admit, and allow to every such person, as regards the estate, interest, claim or demand of such person, the full force and effect of the said award or report, according to the true intent, meaning, and operation thereof.

II. This Act shall be deemed to be a public Act, and the printed copy of the said award or report of the said Commissioners, appearing in Schedule (A), as aforesaid, and printed by the Queen's printer, in this Island, along with, and as part of this Act, shall be deemed and taken to be evidence of the said award, in all courts in this Island, touching any question arising from or out of the same, and shall have the same force and effect therein, as the said original award or report, bearing the actual signatures of the said Commissioners, would or could have were the same original award actually produced and proved in evidence.

III. Nothing in this Act contained shall have any force or effect until Her Majesty's pleasure therein shall be known.

(A true copy, which I certify.)

Charlottetown, Prince Edward Island,
19 June 1862.

Frederick Brecken,
Attorney General.

Enclosure 2, in No. 20.

Encl. 2, in No. 20.

CHAPTER XII.

AN ACT to facilitate the operation in certain particulars of the Award or Report made by certain Commissioners, to settle and adjust Differences respecting some of the Township Lands of this Colony.

[Passed 17 April 1862.]

WHEREAS on the twenty-fifth day of June, in the year of Our Lord One thousand eight hundred and sixty, Her Majesty was pleased to issue to John Hamilton Gray, Joseph Howe, and John William Ritchie, Esquires, Her Royal Commission, in form and to the effect hereinafter set forth, namely:

(L. S.) "VICTORIA R.

"Victoria by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith.

"To all to whom these Presents shall come, Greeting:

"Whereas, we have been moved by the Assembly of our Island of Prince Edward, to appoint Commissioners to inquire into the differences now prevailing in our said Island, relating to the rights of landowners and tenants in our said Island, with a view to the settlement of the same, on just and equitable principles. And whereas the said Assembly has further, by a resolution, dated the fourteenth day of April last, set forth its agreement to abide by the decision of any such Commissioners, or a majority of them, and to concur in whatever measures may be requisite for giving validity to their decision. And whereas it is highly desirable that the said differences should be adjusted. Now know ye that we taking the premises into our Royal consideration, are graciously pleased to nominate and appoint, and do by these presents nominate and appoint our trusty and well-beloved John Hamilton Gray, Esquire, our trusty and well-beloved Joseph Howe, Esquire, and our trusty and well-beloved John William Ritchie, Esquire, to be our Commissioners for inquiring into said differences, and for adjusting the same, on fair and equitable principles.

"Given at our Court at Buckingham Palace, this twenty-fifth day of June, one thousand eight hundred and sixty, in the twenty-fourth year of our reign.

"By Her Majesty's Command.

(signed) "*Newcastle.*"

And whereas the said Commissioners having taken upon themselves the burthen of the said Commission, did proceed fully to inquire and examine into the various matters to them thereby referred, and afterwards, that is to say, on the eighteenth day of July, in the year one thousand eight hundred and sixty-one, at Rothsay, in the Province of New Brunswick, they, the said Commissioners, did make and subscribe their report or award, in writing, of and concerning the various matters to them referred, and by them examined into, a true copy of which said report or award is set forth in the Schedule to an Act made and passed by the Legislature of this Island, during the present Session, intituled, "An Act to give effect to the Report of the Commissioners on the Land Question:" And whereas the said Commissioners, in their said report or award have suggested as one mode of settling the differences between the landowners and their tenants, named or referred to in the said report or award, or intended to come within the operation thereof, that a loan of one hundred thousand pounds should be obtained to enable the Government of this Colony to purchase the lands of the said landowners, and sell them to the said tenants, and that Her Majesty's Imperial Government should guarantee the repayment of the said loan, in the manner and upon the conditions in the said report or award mentioned or expressed; and the said Commissioners did therein, and thereby, further suggest and report, that in case the Imperial Parliament should refuse to guarantee such a loan, or the Government of the said Island should decline to tender the securities therefor, then, as another mode of adjusting the disputes between the aforesaid landowners and their said tenants, the said Commissioners did, by their said report, award that every tenant of the said township lands, owned by the aforesaid landowners, except as in the said report is excepted, should have the right to purchase from his landlord the land held by him, and that every landlord and tenant should have the security of a fair valuation of the land, in case of a difference.

I. Be it therefore enacted, by the Lieutenant Governor, Council and Assembly, as follows: In the event of any such tenant or lessee of township lands, as aforesaid, not agreeing to pay the price or sum fixed by his landlord, at which he, the said landlord, shall be willing to sell to such tenant the fee simple of the farm or land held by him, and the tenant shall have offered a lesser sum for the same, which the landlord has refused to accept, such tenant shall then have the right to demand an arbitration to be holden for the purpose of fixing a price or sum at which he may purchase the fee simple of his farm, as aforesaid, and thereupon it shall be the duty of such landlord, and he is hereby required, within ten days from the time when the tenant shall have named his arbitrator, for the purpose aforesaid, and shall have given notice of such nomination in writing to his said landlord, to name a person to act as such on behalf of him the said landlord (the said two arbitrators to be both residents in Prince Edward Island), and he shall signify such nomination to such tenant, in writing; and in case the parties so named, or either of them respectively, refusing to serve, they the said landlord and tenant, or either of them, as the case may be, shall proceed to name other person or persons to act as such arbitrator or arbitrators, as the case may be, and so proceed, until two arbitrators willing to serve are obtained, and give notification thereof in like manner as hereinbefore prescribed. And the parties so nominated as such arbitrators shall, in every case, be notified thereof, in writing, by the said landlord and tenant, respectively; and such notice shall be in the form in the Schedule to this Act annexed, marked (A.), or to the like effect.

II. The persons to be chosen and appointed arbitrators in manner, and for the purpose aforesaid, being notified of such their appointment, by notice under the hands of them the said landlord and tenant respectively, or those of their agents, in manner as hereinbefore prescribed, and upon their consenting to act in that capacity, such consent to be also made known in writing by them, under their hands, to the said landlord and tenant respectively, they shall be allowed ten days from the time of being so notified of such their appointment within which to decide upon the price or sum at which such tenant as aforesaid shall have the right or privilege of purchasing the fee-simple of his said farm, and to make their award or decision, which, when made, shall be in writing, under the hands of the said arbitrators, and shall be in substance as in the form in the Schedule to this Act annexed, marked (B.), and shall be in duplicate, one copy for the landlord and the other for the tenant; and such award, when so made, shall be binding and conclusive on each of the last-named parties, and the price or sum fixed upon in said award shall be the price or sum at which such tenant shall have the right of purchasing the fee-simple of his said farm or land; and upon such tenant paying, or tendering the price or sum so awarded to his said landlord, or to the agent of such landlord, less five pounds per centum discount, in terms of the said in part recited report or award of the Commissioners appointed in manner, and for the purposes aforesaid, he shall be entitled to receive from his said landlord an absolute conveyance of his said farm or land: Provided always, that nothing herein contained shall take from such tenant the right or privilege of paying the said price or sum for the purchase of his said farm, in yearly instalments, in manner pointed out in the said, in part, recited report or award of the aforesaid Commissioners.

III. Immediately after the expiration of the ten days hereinbefore specified, if said arbitrators shall not have agreed upon the price or sum at which such tenant as aforesaid shall have the privilege of purchasing the fee-simple of his farm or land, and if they shall not have mutually agreed upon the choice of an umpire, it shall be the duty of such arbitrators thereupon forthwith to attend at the residence of a justice of the peace, residing in the vicinity of the farm or land in question, and shall then and there proceed to appoint an umpire, who shall be chosen in manner following: each of the said arbitrators shall pro-

ceed to name alternately six persons who shall be freeholders, resident on the township lands of the county wherein such tenant's farm shall be situate, but who shall not have any tenants under them; and from the names of the twelve persons so to be chosen as aforesaid, the said landlord, or his agent, and the said tenant, shall each strike off four names, and each of the remaining four names shall be placed on a separate slip of paper, folded up and placed in a ballot box; and the first name drawn therefrom, the same to be drawn by the said justice at whose residence they, the said arbitrators, shall have met, as aforesaid, shall be the umpire.

IV. It shall be the duty of the aforesaid justice of the peace, immediately after having drawn the one name from the ballot box, as hereinbefore mentioned, to seal up the said ballot box, with the three remaining names therein, and keep it in safe custody.

V. The said arbitrators are hereby required to notify the person so to be appointed umpire, as aforesaid, which notice shall be in substance as in the form in the Schedule to this Act annexed, marked (D), within three days after such his appointment (and such notification shall in like manner be given to each person successively appointed umpire as hereinafter pointed out, in the event of the person previously appointed refusing to serve), and it shall be the duty of such umpire, within ten days after having been so notified as aforesaid, to decide upon a valuation, and make his final award or umpirage in the premises; which award or umpirage shall be in writing, under the hand and seal of the said umpire, in duplicate, one copy for the tenant and the other for the landlord, and shall be in the form in the Schedule to this Act annexed, marked (C.), or to the like effect, and which award when so made shall be binding on each of them, the said landlord and tenant aforesaid, and the price or sum fixed upon in such award shall be the price at which such tenant shall have the right of purchasing the fee-simple of his said farm; and upon his paying, or tendering such price or sum so awarded, to his said landlord, or to the agent of such landlord, in such manner, and subject to such deductions as is hereinbefore prescribed, for cases where such arbitrators as aforesaid shall themselves decide upon a valuation, he shall in like manner as therein mentioned be entitled to receive from his said landlord an absolute conveyance of his said farm or land, provided always as in the last case mentioned.

VI. If the umpire so to be appointed as aforesaid shall refuse to take upon himself that office, and shall signify such refusal to the said arbitrators, the said arbitrators shall forthwith attend at the residence of the aforesaid justice of the peace, as in the first instance, and make the same known to him, who shall thereupon, in the presence of the said arbitrators, draw from the aforementioned ballot box one from the three names remaining therein, and which process in case of further refusal shall again be repeated until all the four names first placed in the ballot box shall have been drawn; and in case of all four whose names shall have thus been drawn, refusing to act as umpire to the said arbitrators, for the purpose aforesaid, it shall be the duty of the said arbitrators and such justice of the peace as aforesaid to follow and repeat the same process, until the person so chosen shall consent to act as such umpire.

VII. Provided always, and it shall be the duty of the justice of the peace before whom the said two arbitrators shall attend before proceeding to act in the appointment of the said umpire, to make a note or entry of the price offered by the tenant to the landlord, or his agent, for the purchase of the land in question. Each arbitrator and umpire who shall be appointed in manner and for the purposes aforesaid, and who shall discharge the duties hereinbefore prescribed to him respectively, shall be entitled to receive twenty shillings for his services in that behalf; that the said justice of the peace before whom the umpire shall be chosen and appointed, shall receive for his services the sum of ten shillings; and that every person who shall serve any paper or notice required by this Act, shall be allowed one shilling for every such service, together with mileage for the distance travelled in making such service, such distance to be calculated from the place where said person shall receive such paper or notice for service to the place where the same shall be served, and such mileage shall be the same as is allowed to constables under the Small Debt Act.

VIII. If any such landlord as aforesaid shall neglect or refuse to name or appoint an arbitrator, as hereinbefore required, the tenant in such case shall be entitled to receive an absolute conveyance of his land or farm, upon his tendering to his said landlord, or his agent, the price or sum first offered by said tenant for the same, as hereinbefore mentioned, provided that nothing herein contained shall take from such tenant or lessee the right or privilege of paying in instalments the sum last named for the purchase of the fee-simple of his said farm or land.

IX. Any person resident in this Island who shall hold a power or letter of attorney from any proprietor, authorising him to collect or receive rents in this Island, shall be competent and eligible to appoint an arbitrator for such proprietor, and to act for the said proprietor under this Act, in all respects as fully and effectually to all intents and purposes as the said proprietor himself, if present, might or could do.

X. Any proprietor of township lands who has already submitted himself to said award, if under the provisions thereof, he shall desire to retain particular lands to the extent of one thousand five hundred acres, shall within six months after this Act shall go into operation, file in the office for the registry of deeds, in Charlottetown, a plan and description of the lands which he shall so desire to retain; and any such proprietor who shall hereafter submit himself and his lands to the provisions of said award, shall file a like plan and description in said office, within six months after he shall so have submitted himself; and the lands specified in such plans and descriptions, shall be the only lands in each

each case which the proprietor filing the same shall be entitled to retain free from the provisions of this Act, and if no such plan and description shall within such time as aforesaid be filed by any such proprietor, he shall not be entitled to retain any such land free from the provisions of this Act.

XI. Nothing in this Act contained shall have any force or effect until Her Majesty's pleasure therein shall be known, and notification of Her Majesty's assent thereto shall have been published in the "Royal Gazette" newspaper of this Island.

SCHEDULE (A.)

To G. H. and J. K. of Take notice that we, the undersigned, have appointed you our arbitrators to decide and adjudge the price or sum at which the undersigned C. D. shall have the privilege of purchasing the fee-simple of his farm of acres of land held by him of the undersigned A. B., under lease for forty years and upwards.

Dated this day of A. D. 186

A. B.
C. D.

SCHEDULE (B.)

To all to whom these presents shall come.

We, the arbitrators, of township number in County (as the case may be) send greeting.

WHEREAS A. B., of , owner or proprietor of township, or part of township (as the case may be) number , by E. F. his agent (if such be the case) and C. D. of said township, number , have mutually agreed, in accordance with the provisions of the Act of the 25th Victoria, chapter , to appoint us arbitrators to award and determine the price or sum at which the said C. D. shall have the right or privilege of purchasing the fee-simple of his farm of acres of land situate on said township number , and owned by him the said A. B., and held under lease by the said C. D. for the term of forty years and upwards. Now know ye, that we the said arbitrators having taken upon ourselves such arbitration, and having viewed and examined the said farm or land so held by him, the said C. D. as aforesaid, and fully considered the matters submitted to us as such arbitrators, do by these presents, in writing, under our hand award, adjudge and determine that the said C. D. his executors, administrators, or assigns, shall have the right or privilege of purchasing the fee-simple of his said farm of acres of land so held by him, under lease as aforesaid, from the said A. B., at the price or sum of pounds of lawful current money of the said Island.

Dated A. D. 18

As witness our hands,

G. H.
J. K.

SCHEDULE (C.)

To all to whom these presents shall come.

I, , the umpire, of township number , in County send greeting.

WHEREAS G. H. and J. K., arbitrators mutually appointed by A. B., of owner or proprietor of township, number , in county in this Island (by E. F., his agent, if such be the case), and C. D., of said township, number , farmer, for the purpose of fixing and awarding a price or sum at which the said C. D. should have the privilege of purchasing the fee-simple of his farm of acres of land, situate on said township number owned by the said A. B., and held under lease by the said C. D. for the term of forty years and upwards; and whereas the said arbitrators have not been able to agree to an award in the premises, and have appointed me their umpire in the matters so referred the same as aforesaid, and have referred the same to the judgment and final determination of me the said (umpire's name) accordingly. Now know ye, that I the said (umpire's name) having taken upon me the burthen of the said umpirage, and having heard and duly weighed the allegations of both the said arbitrators concerning the matter or difference between them, and having viewed and examined the said farm or land, so held by him the said C. D. as aforesaid, do by these presents, in writing under my hand award, adjudge and determine that the said C. D., his executors, administrators or assigns, shall have the right or privilege of purchasing the fee-simple of his said farm of acres of land so held by him under lease as aforesaid, from the said A. B., at the price or sum of pounds of lawful current money of Prince Edward Island.

Witness my hand this day of , A. D. 186

S. T.

SCHEDULE (D.)

To S. T., of

Take notice that we, the undersigned, who were appointed arbitrators to decide and award the price or sum at which C. D., of township, number , farmer, should have the privilege of purchasing the fee-simple of his farm of acres of land situate on the aforesaid township, and held by him of A. B., of , owner or proprietor of said township, under lease for forty years and upwards, not being able to agree to an award in the premises, have appointed you our umpire, and hereby refer to your judgment and final determination the matter or question submitted to us as aforesaid for our decision.

Witness our hands, this day of A. D. 186

G. H.
J. K.

Charlottetown, Prince Edward Island,
19 June 1862.

(A true copy, which I certify.)

Frederick Brecken,
Attorney General

Enclosure 3, in No. 20.

Encl. 3, in No. 20.

CAP. IV.

"AN ACT to give effect to the Report of the Commissioners on the Land Question."

THIS Act was introduced and carried through the Legislature by the Government in order to confirm by Statute the award of the Royal Commissioners on the Land Question in all its parts, without any variation or alteration, and contains a suspending clause.

CAP. XII.

"AN ACT to facilitate the operation in certain particulars of the Award or Report made by certain Commissioners to settle and adjust Differences respecting some of the Township Lands in this Colony."

THIS Act was passed through the Legislature as a Government measure, for the purpose of facilitating the working of the Arbitration Clause in the Award of the Royal Commissioners on the Land Question.

The Act provides that, in case a tenant or lessee cannot agree with his landlord as to the amount of the price to be paid for the purchase of the fee-simple of the farm or land held by him, and the tenant has offered a lesser sum than the landlord demands, which the landlord has refused to accept, such tenant shall have the right to demand an arbitration to be holden for the purpose of fixing a price or sum at which he may purchase the fee-simple of his farm.

The first clause of the Act sets forth the mode in which the arbitrators are to be selected by the respective parties.

The second section provides the mode of conducting the arbitration, and the form and effect of the award.

The third section provides that if the two arbitrators cannot agree upon the price or sum at which the tenant shall have the privilege of purchasing the fee-simple of his farm, and have not mutually agreed upon the choice of an umpire, it shall be the duty of such arbitrators thereupon forthwith to attend at the residence of a justice of the peace residing in the vicinity of the farm or land in question, and shall then and there proceed to appoint an umpire, who shall be chosen in the mode set forth in the said section, and in the 4th, 5th, 6th, and 7th sections.

The eighth section declares that if the landlord neglects or refuses to appoint an arbitrator the tenant shall be entitled to receive an absolute conveyance of his land or farm upon his tendering to his landlord or his agent the price or sum first offered by the tenant for the same.

The ninth section declares that an agent, resident in this island, holding a power of attorney from any proprietor, authorising him to collect or receive rents in this island, shall be competent to appoint an arbitrator for such proprietor, and to act as effectually as if the proprietor himself were present.

The tenth section sets forth the time and manner in which a proprietor shall lay off the 1,500 acres he is entitled to reserve from the operation of the award.

The eleventh clause suspends the operation of the Act until Her Majesty's pleasure therein shall be known.

Frederick Brecken, Attorney General,
Prince Edward Island.

— No. 21. —

(No. 46.)

No. 21.
Lieut. Governor Dundas to the Duke of Newcastle, K. G.
25 June 1862.

COPY of a DESPATCH from Lieutenant Governor *Dundas* to His Grace the Duke of *Newcastle*, K.G.

Government House, Prince Edward Island,
25 June 1862.

My Lord Duke, (Answered, No. 120, 9 August 1862, page 66.)

MR. ROBERT POORE HAYTHORNE has placed in my hands, for transmission to your Grace, a memorial or petition against an Act of the Local Legislature passed last Session, intituled, "An Act to facilitate the operation, in certain particulars, of the Award or Report made by certain Commissioners to settle and adjust differences respecting some of the Township Lands of this Colony."

2. I have now the honour to enclose Mr. Haythorne's Memorial.

3. Mr. Haythorne is not a consenting party to the Commission, but he fears that his property will sustain injury, should the above-named Act, to which a suspending clause is attached, receive Her Majesty's assent.

I have, &c.
(signed) *George Dundas*,
Lieutenant Governor.

Enclosure in No. 21.

Encl. in No. 21.

THE Memorial of *Robert Poore Haythorne*, Esquire, of Marshfield, in Queen's County, Prince Edward Island, to his Grace the Duke of *Newcastle*, Her Majesty's Principal Secretary of State for the Colonies,

Humbly Showeth,

THAT your Grace's memorialist has resided upwards of 20 years in this Colony, and is the proprietor of certain township lands, the whole of which are let on leases for 999 years, the rents reserved being 1*s.* sterling per acre per annum on 1,800 acres, and 1*s.* 6*d.* (one shilling and sixpence) currency per acre per annum on 3,500 acres, or thereabouts, with some unimportant exceptions with which it is unnecessary to trouble your Grace.

That your memorialist believes that the value of his property will be greatly deteriorated, the income thereof diminished, or rendered precarious, if a certain Bill passed by the Legislature of this island during the recent Session, entitled "An Act to facilitate the Operation of the Report or Award of certain Commissioners to settle and adjust Differences respecting some of the Township Lands of this Colony," should become law and go into operation.

Your memorialist begs leave respectfully to set forth for your Grace's consideration, the following reasons for advising Her Majesty to withhold the Royal assent from the beforementioned Bill.

And, first, your memorialist desires to disclaim any intention of retarding or obstructing the settlement of the long-vexed land question, which has been the prolific source of so much disquietude and annoyance. On the contrary, your memorialist has evinced his desire to promote a just and equitable settlement of these unhappy differences, having appeared as a witness before the court of Her Majesty's Commissioners, and there declared his willingness to abide by their decision, or to accept a sum of money for his estate, which would have been equal to 15*s.* currency per acre, that is 10 years' purchase on the 3,500 acres let at 1*s.* 6*d.* currency per acre, and to 15 years' purchase, or thereabouts, on the 1,800 acres let at 1*s.* sterling; stipulating only for prompt payment in Government securities, bearing six per cent. interest, which would have produced an income about equal to that your memorialist now receives from his estate. Your memorialist has since met his tenants by appointment, and formally renewed the same offers, which however have not been accepted, perhaps from a fear on the part of some of the tenants that the expenses of management, and the necessity of punctual payments, if the Government stood in the position now occupied by your memorialist, would render their position little if at all more desirable than it is at present. These facts are thus respectfully set forth to prove that your Grace's memorialist is not actuated by factious or obstructive motives.

Up to the present time your memorialist has been unable to obtain a copy of the Bill in question, only an abstract thereof having hitherto appeared in the public papers; but from that abstract he learns that the Bill contains a provision that if, at the expiration of a certain period therein mentioned, "two arbitrators, one appointed by the landlord or his agent, and the other by the tenant (desiring to purchase), shall not have agreed upon the price at which the said tenant shall have the right to purchase the fee simple of his farm, and if they shall not have agreed on the choice of an umpire, the said two arbitrators shall then attend at the residence of a justice of the peace, and proceed to the appointment of an umpire in manner following:—Each of the said arbitrators shall proceed to name alternately six persons who shall be freeholders resident on the township lands of the county wherein such tenant's farm is situated (but who shall not have any tenants under them), and from the names of the twelve persons so to be chosen, the said landlord or his agent and the said tenants shall each proceed to strike off four, and each of the four remaining names shall be placed on a separate slip of paper, folded up and placed in a ballot box, and the first name drawn therefrom by the said justice of the peace shall be the umpire."

Further provision is made for the repetition of this process in case the party first appointed refuses to serve, and for other purposes which are unimportant if the principle above set forth is negatived.

Your memorialist objects to these provisions, inasmuch as the class of freeholders differs little in education or intelligence from the tenants amongst whom they dwell, and with whom they are connected by ties of consanguinity, of marriage, and of neighbourhood, and are thus identified with the cause of the tenants in a manner which, without casting any imputation on their integrity, must, your memorialist believes, completely disqualify them from forming an impartial decision in cases where a landlord's interests are concerned. Your memorialist also believes he would experience insuperable difficulties in finding amongst the class of freeholders a sufficient number of persons holding his own views, and disposed to support his interests, to be put in nomination as umpires; and even if such could be found, the price of farms would still in most cases be decided, not on the basis supplied by Her Majesty's Commissioners (with such reasonable exceptions as would appear on inquiry), but on the mere chance whether the umpire should be friendly to the landlord's interests, or the reverse, an anomaly which your memorialist believes is yet without precedent in British legislation. Your memorialist fears that if the Bill in question becomes law, that arbitrations will be called for in most cases, as the tenants will not be slow to perceive the great advantage they will possess in the appointment of umpires from amongst their friends and neighbours; the proprietors' field of choice being further narrowed by that provision of the Bill which precludes them from selecting any freeholder having tenants under him. The remedy provided by the Commissioners, and intended to meet exceptional cases only, and which would (your memorialist believes) be found to answer that purpose when the parties concerned were acting in good faith, would thus become of universal application, plunging the country into endless disputes, and embarrassing the proprietors in a manner they have not deserved, their honest endeavours to effect a settlement of the land question being taken into consideration.

Your memorialist also desires to draw your Grace's attention to a provision of the Bill enabling those proprietors only to retain particular lands to the extent of 1,500 acres who have submitted themselves to the award. He has been told that not being a consenting party to the award (that is, he supposes), his name not having appeared in the same list with the Cunards, the Montgomerys, and other large proprietors, he is not entitled to the benefit of that provision; a proposition certainly not borne out by your Grace's Despatch, which, while admitting the insufficiency of the award to bind non-consenting proprietors, tells them, at the same time, they need expect no support or countenance from the Home Government on any future dispute with their tenants. The power to retain 1,500 acres is a valuable boon to small proprietors, and would to a certain extent secure them from destitution, a not improbable event perhaps in some cases, if the best portions of their estates were taken under arbitrations conducted on the principles laid down in this Bill, leaving them a residue which possibly might do little more than pay the expenses of collection.

Your memorialist, for the reasons thus respectfully and, he trusts, candidly set forth, trusts your Grace will be induced to advise Her Majesty to withhold Her Royal assent from this measure, and your memorialist will ever pray the Almighty to prosper your Grace's efforts to effect a settlement of the land question in this Island on just and equitable principles.

Marshfield, near Charlotte Town,
Prince Edward Island,
9 May 1862.

— No. 22. —

(No. 52.)

No. 22.
Lieut. Governor Dundas to the Duke of Newcastle, K.G.
23 July 1862.

COPY of a DESPATCH from Lieutenant Governor *Dundas* to his Grace the Duke of *Newcastle*, K.G.

Government House, Prince Edward Island,
23 July 1862.

My Lord Duke, (Answered, No. 120, 9 August 1862, page 66.)

I HAVE the honour to enclose a Minute of the Executive Council, to which I referred in my Despatch, No. 45,* of date 25th June 1862.

* Page 24.

2. This Minute has reference to two Bills passed by the local Legislature on the subject of the award of the Land Commissioners.

I have, &c.
(signed) *George Dundas*,
Lieutenant Governor.

Enclosure in No. 22.

Encl. in No. 22.

THE Board having taken into consideration the proposed Bill, intituled "A Bill for settling Differences between Landlord and Tenant, and to enable Tenants on certain Townships to Purchase the Reversion of their Farms," submitted by Sir Samuel Cunard, in behalf of himself and certain other proprietors of lands in this island, and transmitted to his Excellency the Lieutenant Governor in a Despatch from his Grace the Duke of Newcastle, bearing date the 5th day of April 1862, have to report that they cannot consistently recommend his Excellency to hold out any expectations by which Sir Samuel Cunard and his associate proprietors, or his Grace the Duke of Newcastle might be induced to believe that the Legislature of this Colony would sanction any measure respecting the land question reported upon by the Land Commissioners, which might differ essentially from the principles embodied in their report.

The House of Assembly, at its last Session, deeming the faith of Her Majesty's Government pledged to this Colony, to maintain and carry out the award of the Commissioners, in its true meaning and spirit, have, by an overwhelming majority, passed a Bill for its confirmation. The Legislature at the same time passed a Bill to facilitate the execution of the award in that part which provides for ascertaining, by the medium of an arbitration, the price of land, in cases where the proprietor and tenant cannot mutually agree between themselves, a provision of this nature appearing indispensable to give full effect to the method of valuation in this respect awarded by the Commissioners.

In the Bill proposed by Sir Samuel Cunard, above referred to, it is recited that the said Commissioners "exceeded the authority intended to be given to them by the Assembly and the said proprietors."

This assumption on the part of the proprietors appears to be founded upon rules of construction merely applicable to instruments of a certain and well-defined legal character, but which rules would appear to be totally inapplicable to a report or adjudication proceeding from a Commission acting under the extraordinary powers conferred upon the Land Commissioners. These powers were never intended to be restrained or limited by any formal or arbitrary legal rules.

By reference to the words of the Commission, it will appear that the Commissioners were empowered to inquire into the existing differences between landowners and tenants, and to adjust "the same on fair and equitable principles." From the language here employed the powers conferred upon the Commissioners were of an unlimited description, and, in the opinion of the Board, amply sufficient to enable them to define any mode of settlement, even one of a purely equitable character. The Board know of no more equitable principle than that of an impartial valuation of each tenant's farm.

For the Commissioners to have attempted this by their own personal labours would have been a work of almost endless duration and incalculable expense. Having then established clearly the principle of valuation, they found that the object could be accomplished in a shorter time, and at much less expense, by the intervention of valuators; in whose judgment, also, more confidence would likely be reposed, from the circumstance of their being judges chosen by the parties themselves. In order that this, the principal element in the award, might not in any instance be rendered ineffective by the obstinacy of either party in the issue refusing to nominate an arbitrator, the Legislature provided a means as simple and just as could be devised, by which the intentions of the Commissioners might be carried out.

These enactments on the part of the local Legislature, it will be observed, do not in any manner vary or trench upon the principles of the award; and they have been passed, not only for the purpose of carrying out the provisions of the award in fuller detail, but as being essentially necessary in view of the Despatch of his Grace the Duke of Newcastle to his Excellency the Lieutenant Governor, of the date of the 21st March 1860.

By a passage contained in the Despatch of the Duke of Newcastle to his Excellency the Lieutenant Governor, dated the 7th February 1862, his Grace appears to apprehend

that the arbitration system prescribed by the Commissioners would necessitate a multiplicity of separate land arbitrations, which, in the estimation of his Grace, would constitute insuperable objections against this mode of adjustment. The Board, however, see no reason to apprehend that in the practical working of the measure many of these arbitrations would be called for; on the contrary, they are of opinion that, should arbitrations be resorted to, two or three cases on a township would have the effect of establishing a price or prices that would become the respective standards of value on that township.

The Board feel impelled to express their hope that his Grace the Duke of Newcastle, in considering the Bills which have been passed by the Legislature of this Colony for the purpose of giving effect to the award of the Commissioners, will bear in mind that the differences which the Commissioners were appointed to finally determine have, for upwards of a half century, exercised a most baneful influence upon this Colony, and that the people generally hailed with much satisfaction the prospect of having these differences adjusted by a mode to be pointed out by the very talented Commissioners to whom they were referred; and that should anything occur to prevent such adjustment, and the confirmation of their unanimous, able, and impartial report, to which the Legislature by these Bills seek to give effect, the consequences will be of a very serious nature and result in causing much anxiety to Her Majesty's Ministers, and also to those to whom may be entrusted the government of the Colony.

— No. 23. —

(No. 61.)

No. 24.
Lieut. Governor Dundas to the Duke of Newcastle, K.G.
3 September 1862.

COPY of a DESPATCH from Lieutenant Governor *Dundas* to his Grace the Duke of *Newcastle*, K.G.

Government House, Prince Edward Island,
My Lord Duke, 3 September 1862.

I HAVE the honour to acknowledge your Grace's Despatch, No. 120,* of 9th August 1862, informing me that you are unable to advise Her Majesty to give Her assent to two Acts of the local Legislature, passed during last Session on the subject of the award of the Land Commissioners.

* Page 66.

2. Immediately on the arrival of this Despatch, I communicated it to the Leader of my Government; and, at a meeting of the Executive Council on the 2d instant, it was laid before the other Members of the Government. It will be published in the "Gazette" of this day's date.

3. I am not yet able to inform your Grace what course my Government will pursue respecting the Bill forwarded by Sir Samuel Cunard's request.

I have, &c.
(signed) *George Dundas*,
Lieutenant Governor.

— No. 24. —

(No. 65.)

No. 26.
Lieut. Governor Dundas to the Duke of Newcastle, K.G.
17 September 1862.

COPY of a DESPATCH from Lieutenant Governor *Dundas* to his Grace the Duke of *Newcastle*, K.G.

Government House, Prince Edward Island,
My Lord Duke, 17 September 1862.

IN compliance with the instructions conveyed to me in your Grace's Despatch No. 120,* 9th August 1862, I immediately brought under the reconsideration of my Government the proposal of Sir Samuel Cunard, embodied in the Draft Bill transmitted to me by your Grace.

* Page 66.

2. I have now the honour to enclose copy of the Minute of Council, in which my Government express their opinion on this subject.

3. Your Grace will observe that my Responsible Advisers do not regard the terms offered by the proprietors as sufficiently favourable to the tenantry to justify their acceptance of them.

I have, &c.
(signed) *George Dundas*,
Lieutenant Governor.

Enclosure in No. 24.

EXTRACT from Minutes of the Executive Council. Encl. in No. 24.

Council Chamber, 16 September 1862.

At a meeting of Council.—Present:

His Excellency the Lieutenant Governor,

The Honourable Mr. Palmer,	The Honourable Mr. Laird,
„ Mr. Gray,	„ Mr. Pope,
„ Mr. Longworth,	„ Mr. Simpson,

His Excellency directed the attention of the Board to a paragraph in the Despatch of his Grace the Duke of Newcastle, No. 120, of date 8th August 1862, in which his Grace desires the Lieutenant Governor to bring under the reconsideration of the Government the proposal made by Sir Samuel Cunard, embodied in a Draft Bill previously transmitted by his Grace to the Lieutenant Governor, at Sir Samuel's request.

The Board, having maturely reconsidered the same, are clearly of opinion that the said Bill is not sufficiently favourable in its provisions to the tenantry to warrant the Board in recommending its adoption.

A true extract, which I certify,

(signed) *Charles Desbrisay,*
Assistant Clerk to Council.

— No. 25. —

(No. 66.)

No. 25.
Lieut. Governor Dundas to the Duke of Newcastle, K.G. 17 Sept. 1862.

COPY of a DESPATCH from Lieutenant Governor *Dundas* to His Grace the Duke of *Newcastle*, K. G.

Government House, Prince Edward Island,
17 September 1862.

My Lord Duke,

I HAVE received from the Commissioners, Messrs. Gray, Howe, and Ritchie, communications expressing their several opinions on Sir Samuel Cunard's Draft Bill, copies of which I had sent for their perusal.

2. As these opinions may interest your Grace, I transmit herewith extracts from their letters on the subject. These are marked respectively 1, 2, and 3.

No. 1.
No. 2.
No. 3.

3. For convenience of reference, I enclose also a copy, in a printed form, of Sir Samuel Cunard's Draft Bill, marked 4, and, for the same purpose, extracts from the Appendix to the Commissioners' Report, which have been printed from time to time in the "Islander" newspaper, marked 5.*

No. 4.
This Bill will be found printed at page 83.

4. A copy of this Appendix* was supplied by the Commissioners, at the request of my Government.

* Not printed.

I have, &c.
(signed) *George Dundas,*
Lieutenant Governor.

Enclosure 1, in No. 25.

OPINION of *John Hamilton Gray,* Esq. on Sir *Samuel Cunard*'s Draft Bill. Encl. 1, in No. 25.

IN some respects the proposed Bill is better for all parties; in other respects better for a particular class of the tenantry; in others again it is worse for a large number, but as a whole, it is far more injurious to the proprietors themselves. Such a proposition might emanate from them; it could not with impartiality come from us. Such a scheme, substantially the same, was discussed by us, and rejected upon the very ground of the injustice it would do to the proprietors, and also that it would be unavailing to relieve a large body of the tenantry. The sole advantage it possesses over the award is that of finality. The best and the worst is known at once; it is unjust towards the proprietors.

1st. Because the best farms will be immediately taken at 15 years' purchase, and the worst, with all the wild lands, expenses of management, collection, and taxes, be left on their hands.

2dly. Because a large portion of the farms are well worth the 20 years' purchase, and in such instances the proprietors are losing 25 per cent. of their capital, without any corresponding return in benefit to the rest of the estate.

3dly. It makes no distinction between good and bad estates. Practically there would be no difference between the landlord who has managed well and made his estate valuable, in fact self-sustaining, and one who has not. The former carries the latter on his back.

4thly. The value of location is entirely overlooked.

5thly. It makes no exception in favour of the small proprietor. It was before the Commissioners that there were many such in the Island, to the extent of 1,000 or 1,500 acres, whose dependence was entirely upon the rent roll from their small holdings. These parties having but small estates, managed them well, were personally on the spot, and were not open to any of the objections urged against the absent and larger proprietors. To take from such parties at 15 years' purchase would be unjust. The reinvestment after loss of 25 per cent. might not only be difficult, but entail ruinous loss. It is true they are not named in the schedule, but they must be affected by the Bill.

6thly. In the first section there is no limitation as to the quantity of land held by the tenant; I presume it intended to apply to 100 acre holdings, but it is not sufficiently comprehensive to take in smaller holdings, such, for instance, as at Caseumpec, where a man may have rented a small piece of ground for fishing purposes, at a rent entirely inadequate to the value of that holding, in case of a town or trading village centring round that spot. Such leases may be for short periods, 25 or 30 years, and yet have an unexpired term of 21 years (see 5th Section); the value of the holding from the increasing trade of the place may be worth a great deal more than 15 years' purchase. The award enabled the proprietors to reserve such lands to the extent of 1,500 acres. It might be as well to call the attention of Sir Samuel Cunard to this point. If the non-exception in the Draft Bill is intentional, no harm is done; if it is not, the omission may be rectified.

7thly. The 8th Section is a very proper one, but I think it might go a little further. It should be shown, if possible, that the Bill was intended only to meet the present emergency. The tenant should have the right *but once* of exercising his choice; he is not to make his election, then break off, and then claim it again.

Inasmuch as on the above points the Bill is prejudicial to the proprietors, it may be said to be to such extent favourable to the tenantry. Its finality is to some extent a recommendation; the right of purchase is conceded: that of itself is a great boon. To those whose farms are worth more than the 15 years' purchase it is unnecessarily liberal; but it is unfavourable, first to the large class whose farms are not worth the 15 years' purchase; for them it makes no provision. In their case also the payment of the cash down is an additional difficulty. Secondly, the latter part of the 5th Section is also unfavourable, and will exclude a large number. Justice to the proprietor certainly requires that the buildings, &c., if his should be paid for, in addition to the 15 years' purchase, unless the rent at the time of making the lease was based on them as well as on the land, they being at the time the proprietor's property. In such case, if the principle of the Bill is to be carried out, the exception should not be there. There must be many cases where the lands have fallen into the proprietor with buildings, &c., thereon, and have been subsequently relet.

In reality the only parties to whom the proposed Bill is more favourable than the award are just the parties who ought not to be so benefited.

The arbitration clause in the award, notwithstanding the reception it has met with, is the fairest after all. The arbitration we contemplated was to be conducted according to the broad English practice, the fairest play on both sides, when the whole proceedings could be reviewed in the courts of justice, and where collusion, partiality, falsehood, or fraud, would have vitiated any outrageous decision, and entailed punishment on the guilty party.

However, the Commissioners have never been called upon to defend their award; my observations are therefore unnecessary; but I do not admit the Commissioners exceeded their power; they acted within the spirit and letter of their commission.

Upon the whole, I do not think the proposed Bill will extend even-handed justice, or quiet the agitation as certainly or as quickly as the award would have done.

St. John, 11 August 1862. (signed) *J. Hamilton Gray.*

Enclosure 2, in No. 25.

Encl. 2, in No. 25. OPINION of *Joseph Howe*, Esq., on Sir *Samuel Cunard*'s Draft Bill.

I THINK the Proprietors' Draft Bill very much less equitable than our award, because good and bad lands are to be parted for at one price; but if the tenants prefer it, and the Legislature are content to make it law, we have no right to complain.

Halifax, 6 August 1862. (signed) *Joseph Howe.*

Enclosure 3, in No. 25.

Encl. 3, in No. 25. OPINION of *J. W. Ritchie*, Esq., on Sir *Samuel Cunard*'s Draft Bill.

IT appears to me that the terms offered by the proprietors in their Draft Bill are highly favourable to the lessees of such of the farms as are intrinsically worth anything like what the rent reserved would indicate, and the members of the late Commission would not have felt justified, without the consent of the proprietors, in affording to that class of tenants the privilege of purchasing so much below the actual value of their reversionary interest in the lands; and I shall be a good deal surprised if every tenant who has the means, and whose

whose land is worth the money, does not take the same view of the Bill, and show his appreciation of the right conferred by purchasing under it.

But though this will be the case with the better class of tenants, I fear the larger class will derive no benefit from it, for while the landlords will sell their best lands below their value, I cannot see that the Bill holds out any prospect of relieving the Island of the present tenure of land which is deemed so objectionable; on the contrary, it seems rather calculated to perpetuate it; for if the tenants should be unable to purchase at the lower rate within the first, there seems little hope that they will be able to do so at the higher rates, at the later periods; and anyone at all conversant with the state of the Island must know that there are large tracts of poor land, and large portions so exhausted by bad farming as to be all but valueless, and these, of course, are tenanted by indigent people, and yet the same rent is reserved on them as on the best farms. For the landlords to expect 15 years' purchase for these lands is out of the question, nor would they have any better prospect of getting such a price if they were to eject the present tenants and sell the freehold to strangers.

The main difficulty, therefore, does not seem to me to be met by the Bill, and it was only because the Commissioners could see no other way to meet it that they resorted to arbitration, the objections to which they fully appreciated; but after giving the subject the deepest consideration they could see no other course open, and since then neither the advocates of the proprietors nor of the tenants appear to have been able to suggest one.

I have, &c.

Halifax, 4 August 1862. (signed) *J. W. Ritchie.*

— No. 26. —

(No. 34.)

No. 26.

Lieut. Governor Dundas to the Duke of Newcastle, K. G. 9 April 1863.

COPY of a DESPATCH from Lieutenant Governor *Dundas* to His Grace the Duke of *Newcastle*, K.G.

Government House, Prince Edward Island, 9 April 1863.

My Lord Duke, (Answered, No. 24, 11 July 1863, page 67.)

I HAVE been requested by the Legislative Council and House of Assembly to transmit, with my "favourable recommendation," an Address which has been passed by those bodies to Her Majesty on the Land Question.

2. This Address I have accordingly the honour herewith to transmit.

3. Its prayer is that Her Majesty's assent may be given to an Act, passed during the Session of 1862, to confirm the award of the Land Commissioners, unless the proprietors to be affected by that award prove its illegality before a Judicial Tribunal.

4. The argument on which the Legislature grounds its appeal, are therein fully expressed.

I have, &c.

(signed) *George Dundas*,
Lieutenant Governor.

Enclosure in No. 26.

ADDRESS to the Queen's Most Excellent Majesty on the subject of the Land Commission. Encl. in No. 26.

House of Assembly, 16 March 1863.

Most Gracious Sovereign,

WE, your Majesty's loyal and devoted subjects, the Legislative Council and House of Assembly of Prince Edward Island, in Parliament assembled, beg leave to approach your Majesty and most humbly to submit to your Royal consideration, that in the year 1859, the House of Assembly of Prince Edward Island submitted to your Majesty an humble address, in which it was represented that—

"In certain Despatches from one of your Majesty's Ministers, the Right Honourable Sir Edward Bulwer Lytton, Baronet, Secretary of State for the Colonies, dated Downing-street, 20th October and 3d December 1858, the Right Honourable Baronet therein states that the whole question of the land tenures in this Island is engaging his most anxious attention, and that it would give him unfeigned pleasure to receive such suggestions for their amicable settlement as could be accepted by your Majesty's Government.

"Having taken these Despatches into consideration, after mature deliberation, and with an earnest design to terminate the disputes which have so long disturbed the peace and harmony of the Colony, the House have adopted the following resolutions:—

"Whereas certain questions arising out of the original grants of the lands in this Island, severally called the escheat question, the fishery reserve question, and the quit-

rent question, have for many years caused much discussion and difference of opinion amongst the people of this Island, and many delusive projects and impracticable measures have been and are from time to time enunciated respecting such questions, whereby the tenantry have been and are greatly imposed upon and induced to support the propounders of such measures, under the delusive hope that by doing so they will be relieved of the payment of rent; and the attention both of the people and Legislature being occupied with such deceptive schemes, measures intended to develope the resources of the Colony are not only neglected, but a state of society equally opposed to the moral, social, and political welfare of the people and their true interests, is produced: And whereas various Despatches have for a great number of years declared that Her Majesty's Government will not consent to any compulsory interference with the lands and rights of the proprietors, and which has been strongly reiterated in the Despatch of Sir Edward Bulwer Lytton, now Her Majesty's Principal Secretary of State for the Colonies, dated 20th October 1858, and 3d December 1858, from which it is clear that any measures for the benefit of the tenantry must result from an amicable arrangement with the proprietors: And whereas the agitation of hostile measures, such as escheat, fishery reserves, and quit-rents, must not only result, as they always have done, in leading the tenantry into costs and trouble, without in any way ameliorating their condition, but will also engender a feeling in the proprietors, rendering them disinclined to listen to proposals, which, if such agitation were at an end, they would be likely to entertain: And whereas Sir Edward Bulwer Lytton in his Despatches above referred to, while refusing to sanction measures which in England are considered inconsistent with the rights of property, has expressed the readiness of Her Majesty's Government to co-operate with the Legislature in furthering measures for the settlement of the land tenures, if conceived in a spirit of fairness and conciliation to all parties;

"Therefore *resolved*, 1st, That an humble address be presented to Her Majesty, praying that Her Majesty will be pleased to direct a Commission to some discreet and impartial person, not connected with the Island, or its affairs, to inquire into the existing relations between landlord and tenant, and to negotiate with the proprietors for such abatement of present liabilities, and for such terms for enabling the tenantry to convert their leaseholds into freeholds, as, without infringing on the rights of the landlords, may be fairly and reasonably asked for, to ameliorate the condition of the tenantry.

"2d. *Resolved*, That, in the opinion of this House, the basis of any such arrangement should be a large remission of arrears of rents now due; and secondly, the giving every tenant holding under a long lease an option of purchasing his land at a certain rate, at any time he might find it convenient to do so.

"3d. *Resolved*, That a remission of arrears of rent may be reasonably asked, inasmuch as the existence of these arrears, although it is due partly to an unwillingness of the tenants to pay rent, under the idea that escheat or some other delusive scheme would enable them to evade; yet it is also due in part to the laches and remissness of the landlords and their agents in not enforcing it, and because in many cases the arrears, however incurred, amount to so large a sum that the exacting them would prove ruinous to a large number of loyal and industrious people, and would further entirely put it out of their power to avail themselves of the plan suggested in subsequent resolutions for purchasing their farms.

"4th. *Resolved*, That, as the circumstances of the tenantry would not in general enable them to pay down any large portion of the purchase money, the best and only means for converting the tenures into freeholds lies in the adoption of the plan which would practically constitute every farm a savings bank for its owner, in which he could from time to time invest his savings at interest towards the purchase of his farm; an arrangement which could be effected by the following means, viz.: that the landlords should agree to permit the tenants to purchase their farms for such sum per acre as shall be fixed upon; and, providing further, that when any tenant (whose rent was paid up) should be desirous of paying any sum, not being less than 10 *l.*, towards the purchase of his land, he should have the option of doing so, and that the interest on the 10 *l.*, or other amount so paid, should thenceforth go in reduction of his yearly rent, and so on for every payment on account of purchase until the whole was paid, when he should receive his deed; and that similar covenants should be inserted in all future leases for terms over 40 years; such an arrangement would not only give the tenant the advantage of paying an instalment of his purchase money, and at the same time reducing his rent whenever he chose, without subjecting himself to the vexation and costs incident to cases of inability to meet instalments agreed to be paid at a particular day, but would, in the opinion of this House, gradually, but certainly, change the tenures into freeholds, without the aid of loans, and the expensive subsistence of public offices, by which heavy liabilities have already been and would, if persevered in to a much greater extent, be imposed on the public finances.

"We do therefore humbly pray, that your Majesty will be pleased to take the foregoing matters into your Royal consideration, and to appoint some fit and proper person or persons, Commissioner or Commissioners, to inquire into the relations of landlord and tenant in this Island and negotiate with the proprietors of township lands for the fixing some certain rate of price at which every tenant may at any time have the option of purchasing his land, or of paying instalments of such purchase, and thereby gradually reducing the yearly rent until the whole price thereof is paid; and also to negotiate with the proprietors for a remission of the arrears of rent in such cases, and on such townships as the

the said Commissioner or Commissioners, from the circumstance of the tenantry or otherwise, may deem reasonable and expedient; and also to make such report respecting the Fishery Reserve question, and other questions relating to the township lands of this Island, as we confidently hope will effect a final settlement thereof, and prevent all agitation regarding the same in future.

(signed) "*Donald Montgomery*,
"Speaker."

"House of Assembly, Prince Edward Island,
"9 May 1859."

That subsequently to the transmission of this address to your Majesty's Principal Secretary of State for the Colonies, the following correspondence took place, and was duly transmitted by his Grace the Duke of Newcastle to the Lieutenant Governor of this Island:—

(No. 11.)

"Sir, "Downing-street, 6 September 1859.

"I have to acknowledge Sir D. Daly's Despatch, No. 29, of the 13th May last, addressed to Sir E. B. Lytton, transmitting an address to Her Majesty from the House of Assembly, in pursuance of certain resolutions of the House, praying that Her Majesty would direct a Commission to inquire into the existing relations of landlord and tenant in the Island, with a view to the passing of remedial measures. The House of Assembly also propose that this Commission should direct its attention to the Fishery Reserve question.

"The resignation of Her Majesty's late Government has prevented an earlier answer to your Despatch.

"The Assembly, in their address, not only pray for the appointment of a Commission, but they likewise indicate, in detail, the measures which, in their opinion, should form the basis of that arrangement between landlord and tenant which the Commission should endeavour to bring about. Now, without expressing any opinion adverse to the appointment of such a Commission, I am convinced that any prospect of a beneficial result from its labours would be nullified if its action were fettered by such conditions as the Assembly would thus impose.

"I cannot advise Her Majesty to entertain the question, unless it is fully understood that the Commission are at liberty to propose any measure which they may themselves deem desirable.

"I have communicated this correspondence to Sir S. Cunard, as representing the landowners in this country, with a letter, of which I enclose a copy.

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

"Sir, "Downing-street, 6 September 1859.

"I AM directed by the Duke of Newcastle to transmit to you a copy of a correspondence between the Government of Prince Edward Island and this Department, upon the subject of the appointment of a Commission to propose measures of arrangement between landlords and tenants in Prince Edward Island.

"With reference to this communication, I am to suggest that you will call a private meeting of such landowners as may be in this country, and ascertain whether there are any concessions which they are ready to make, with a view of bringing these questions to an amicable issue.

"I am, &c.
"Sir S. Cunard." (signed) "*H. Merivale.*"

"Sir, "Downing-street, 21 March 1860.

"WITH reference to my Despatch, No. 11, of the 6th September last, in which I informed you that I had communicated to Sir Samuel Cunard the correspondence which had taken place upon the subject of the appointment of a Commission to propose measures of arrangement between landlords and tenants in Prince Edward Island, I transmit to you the copy of a letter which has been addressed to me by Sir Samuel Cunard, and several other proprietors of land in the Island.

"The proprietors, it will be seen, do not think that the appointment of a Commission in the manner proposed by the House of Assembly, in their Address of the 9th of May last, would be the most desirable mode of proceeding, as the labours of such a Commission could only terminate in a report, the conclusions of which would not be binding on any of the parties interested. They suggest, therefore, instead, that three Commissioners, or referees, should be appointed, one by Her Majesty, one by the House of Assembly, and the third by the proprietors; and that they should be invested with power to hear and determine all the questions in dispute. It is further suggested, that the expense of the Commission should be divided equally between the Crown, the tenants, and the proprietors.

"If the consent of all the parties can be obtained to this proposal, I believe that it may offer the means of bringing these long-pending disputes to a determination. But it will be necessary, before going further into the matter, to be assured that the tenants will accept,

as binding, the decision of the Commissioners, or the majority of them; and, as far as possible, that the Legislature of the Colony would concur in any measures which might be required to give validity to that decision. It would be very desirable also that any Commissioner who might be named by the House of Assembly, on behalf of the tenants, should go into the inquiry unfettered by any conditions, such as were proposed in the Assembly last year. I have, therefore, to request that you will ascertain and report to me, whether the tenants of Prince Edward Island, or the House of Assembly on their behalf, are prepared to agree to the proposed reference.

"I have, &c.

"Lieutenant Governor Dundas." (signed) "*Newcastle.*"

"Bush Hill House, Edmonton,
13 February 1860.

"My Lord Duke,

"We have been furnished with a copy of a memorial, addressed to Her Majesty by the House of Assembly of Prince Edward Island, on the subject of the questions which have arisen in connection with the original grants of land in that Island, and the rights of proprietors in respect thereof.

"We observe that the House of Assembly have suggested that Her Majesty should appoint one or more Commissioners to inquire into the relations of landlord and tenant in the Island, and to negotiate with the proprietors of township lands for fixing a certain rate of price at which every tenant might have the option of purchasing his lands; and also to negotiate with the proprietors for a remission of the arrears of rent in such cases as the Commissioners might deem reasonable, and proposing that the Commissioners should report the result to Her Majesty.

"As large proprietors of land in this Island, we beg to state that we shall readily acquiesce in any arrangement that may be practicable, for the purpose of settling the various questions alluded to in the memorial from the House of Assembly, but we do not think that the appointment of Commissioners in the manner proposed by them would be the most desirable mode of procedure, as the labours of such Commission would only terminate in a report, which would not be binding on any of the parties interested.

"We, therefore, beg to suggest, that instead of the mode proposed by the House of Assembly, three Commissioners or referees be appointed—one to be named by Her Majesty, one by the House of Assembly, and one by the proprietors of land—and that these Commissioners should have power to enter into all the inquiries that may be necessary, and to decide upon the different questions which may be brought before them, giving, of course, to the parties interested, an opportunity of being heard.

"We should propose that the expense of the Commission should be borne by the three parties to the reference, that is to say, in equal thirds; and we feel assured that there will be no difficulty in securing the adhesion of all the landed proprietors to a settlement on this footing.

"The precise mode of carrying it into execution, if adopted, would require consideration, and upon that subject we trust that your Grace would lend your valuable assistance.

"We have, &c.

(signed) "*S. Cunard.* *E. Cunard* per *S. Cunard.*
"*Graham Montgomery.* *Selkirk.*
"*James Montgomery.* *Laurence Sulivan.*"

"To his Grace the
"Duke of Newcastle, &c. &c. &c."

The foregoing correspondence having been received in the Island, on the 14th April, the following resolutions were passed by the Assembly:—

"Prince Edward Island, House of Assembly,
"Saturday, 14 April 1860.

"*Resolved*,—That this House deems it expedient to concur in the suggestions offered for the consideration of the House of Assembly, as set forth in the Despatch from his Grace the Duke of Newcastle, dated 'Downing-street, 21st March 1860,' on the subject of the proposed appointment of a Commission of Inquiry for the arrangement of the long-pending disputes between landlords and tenants of this Island.

"The House of Assembly therefore agree to the appointment of three Commissioners, one by Her Majesty, one by the House of Assembly, and the third by the proprietors, the expense of the Commission to be equally divided between the Imperial Government, the general revenue of the Colony, and the proprietors.

"The House of Assembly also agree on the part of the tenantry to abide by the decision of the Commissioners, or the majority of them, and to pledge themselves to concur in whatever measures may be required to give validity to that decision.

"*Resolved*,—That in order to carry into effect the suggestions of his Grace the Duke of Newcastle, as set forth in his Despatch to his Excellency Lieutenant Governor Dundas, of the 21st March last, for settling the long-pending questions between landlords and tenants in this Island, this House do hereby name the Honourable Joseph Howe, of Nova Scotia, as referee or arbitrator on behalf of the tenantry of this Island, to act under the

Commission

Commission to be issued by Her Majesty's Government, as set forth in the Despatch referred to, the other two referees or arbitrators under the said Commission to be named, as intimated in the said Despatch, one by Her Majesty's Imperial Government, and the other by the proprietors.

(Attest.) "*John McNeill*,
"Clerk of the Assembly."

That the receipt of the said resolutions was acknowledged by his Grace the Duke of Newcastle in the following Despatch:—

"(No. 23.)

"Sir, Downing-street, 16 June 1860.

"I HAVE had under my consideration your Despatches, No. 15, of the 16th of April, and No. 22, of the 30th April. In the former Despatch you enclose a resolution, in which the Assembly agrees to the proposed appointment of Commissioners on the subject of tenures of lands, binds itself to abide by the decision of those Commissioners, or the majority of them, and pledges itself to concur in whatever measures may be required to give validity to that decision. In the second Despatch you inform me that a short Act has since passed through both Houses, giving effect to the foregoing resolution.

"I cannot do otherwise than express my sense of the promptitude and completeness with which the House of Assembly has thus given its support to the plan devised, in the hope of putting an end to the differences which have prevailed in Prince Edward Island.

"In Mr. Howe the Assembly, acting on behalf of the tenantry, have selected a Commissioner whose known ability and prominent public position must well qualify him for the proposed inquiry.

"From Sir Samuel Cunard I have received a letter, of which a copy is enclosed, naming, as the Commissioner selected by the proprietors, Mr. John William Ritchie, of Halifax, who, I doubt not, will honourably discharge his functions.

"I have written, in exercise of the choice belonging to Her Majesty's Government, to request Mr. John Hamilton Gray, of New Brunswick, to undertake the remaining office of Commissioner. Mr. Gray has recently conducted another public inquiry, with a degree of ability, carefulness, and justice which entitles him to the confidence of all concerned in the intended investigation.

"Although the privilege of selecting each Commissioner has been conferred on a separate authority, so as the better to ensure satisfaction with the composition of the Commission, yet it is my view, and I doubt not will be that of the Commissioners themselves, that none of them ought to be regarded as the special advocate of one interest, but rather that the whole should devote their efforts to framing such recommendations as shall be demanded by the equity of the case, and be conducive to the general good of all classes of the community. Their conclusions, whatever they may be will possess double weight if happily they should be unanimous.

"The time of meeting in Prince Edward Island will be best determined by the Commissioners themselves, who will be able to communicate with you upon any points which they may wish to ascertain, as bearing on the subject of the most convenient period for the purpose.

"It will be desirable that previous arrangements should be made, as far as practicable, for having at hand all the witnesses and all documentary evidence which the Commission is likely to require, so that the time needed for the actual sitting in the Island may be reduced within the most moderate compass, consistent with the due and complete accomplishment of the inquiry.

"I shall take an early opportunity of forwarding to you a Commission, under the Royal Sign Manual, containing the appointment of the several gentlemen named to serve on the Commission.

"I have, &c.

"Lieutenant Governor Dundas." (signed) "*Newcastle.*"

That, on the 25th of June, Your Majesty was pleased to issue the following Commission:—

(L. S.) "VICTORIA R.

"Victoria, by the grace of God of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith. To all to whom these presents shall come, greeting:

"WHEREAS, We have been moved by the Assembly of Our Island of Prince Edward to appoint Commissioners to inquire into the differences now prevailing in Our said Island, relating to the rights of landowners and tenants in Our said Island, with a view to the settlement of the same on just and equitable principles: And whereas the said Assembly has further, by a resolution dated the 14th day of April last, set forth its agreement to abide by the decision of any such Commissioners, or the majority of them, and to concur in whatever measures may be requisite for giving validity to their decision: And whereas it is highly desirable that the said differences should be adjusted:

"Now know ye, that We, taking the premises into Our Royal consideration, are graciously pleased to nominate and appoint, and do by these presents nominate and appoint,

Our trusty and well-beloved John Hamilton Gray, Esq., Our trusty and well-beloved Joseph Howe, Esq., and Our trusty and well-beloved John William Ritchie, Esq., to be Our Commissioners for inquiring into the said differences, and for adjusting the same on fair and equitable principles.

"Given at Our Court at Buckingham Palace, this 25th day of June 1860, in the 24th year of Our reign.

"By Her Majesty's Command,

(signed) "*Newcastle.*"

That the said Commissioners duly executed Your Majesty's said Commission, and on the 18th day of July 1861 transmitted to his Grace the Duke of Newcastle their report and award. That therein the said Commissioners, among other matters, reported and awarded as follows:—

"1st. That tenants who tender 20 years' purchase to their landlords, in cash, shall be entitled to a discount of 10 per cent., and a deed conveying the fee-simple of their farms. Where the tenant prefers to pay by instalments he shall have the privilege, but the landlord shall not be bound to accept a less sum than 10*l.* at any one time; nor shall the tenant have a longer term than 10 years to liquidate the debt.

"2d. That tenants whose lands are not worth 20 years' purchase, and who therefore decline to pay that amount, may tender to their landlords what they consider the value of their farms. If the landlord declines to accept the amount offered, the value shall be adjusted by arbitration. If the sum tendered is increased by the award, the tenant shall pay the expenses; if it is not, they shall be paid by the landlord. If the sum awarded is tendered in cash, a discount of five per cent. to be allowed; if not, payment to be made by yearly instalments of not less than 10*l.*, the term of payment in no case to exceed 10 years.

"3dly. That the rent shall be reduced in proportion to the instalments paid, but no credit shall be allowed for any such instalments, until the three years' arrears allowed by this award have been paid, nor while any rent accruing after the adjustment of the value of the farm remains due.

"4thly. That proprietors who hold not more than 1,500 acres, or those who desire to retain particular lands to that extent, shall not be compelled to part with such under this award.

"5thly. That leases under a term of less than 40 years shall not be affected by this award.

"6thly. That all arrears of rent due by the tenants previous to the 1st of May 1858, be remitted."

The award having been thus duly transmitted to Your Majesty, his Grace the Duke of Newcastle forwarded a Despatch, bearing date, Downing-street, April 5th, 1862, to the Lieutenant Governor of this Island, covering a draft bill, from certain proprietors who were parties to the said Commission, as a substitute to be taken in lieu of the award; the said proprietors objecting to be bound by the decision of the Commissioners.

That the Legislature of this Island passed, during the session of 1862, two Acts, intituled respectively, "An Act to give effect to the Report of the Commissioners on the Land Question," and "An Act to facilitate the operation in certain particulars of the Award or Report made by certain Commissioners, to settle and adjust differences respecting some of the Township Lands in this Colony;" and a Minute of the Executive Council of this Island, dated 22 July, 1862, was forwarded to his Grace the Secretary of State, of which the following is a copy:

[Extract from Minutes of the Executive Council.]

"Council Chamber, 22 July 1862.

"At a Meeting of Council—Present:

"His Excellency the Lieutenant Governor.

"The Hon. Mr. Palmer.	The Hon. Mr. Laird.
" Mr. Gray.	" Mr. Pope.
" Mr. Yeo.	" Mr. Simpson.
" Mr. Haviland.	

"The Board having taken into consideration the proposed Bill, intituled, 'A Bill for settling differences between Landlord and Tenant, and to enable Tenants on certain Townships to purchase the Reversion of their Farms,' submitted by Sir Samuel Cunard, on behalf of himself, and certain other proprietors of lands in this Island, and transmitted to his Excellency the Lieutenant Governor, in a Despatch from his Grace the Duke of Newcastle, bearing date the 5th day of April 1862, have to report that they cannot consistently recommend his Excellency to hold out any expectations by which Sir Samuel Cunard, and his associate proprietors, or his Grace the Duke of Newcastle, might be induced to believe that the Legislature of this Colony would sanction any measure respecting the land question reported upon by the Land Commissioners, which might differ essentially from the principles embodied in their report.

"The

"The House of Assembly at its last session, deeming the faith of Her Majesty's Government pledged to this Colony to maintain and carry out the award of the Commissioners in its true meaning and spirit, have, by an overwhelming majority, passed a Bill for its confirmation. The Legislature, at the same time, passed a Bill to facilitate the execution of the award in that part which provides for ascertaining, by the medium of an arbitration, the price of land, in cases where the proprietor and tenant cannot mutually agree between themselves; a provision of this nature appearing indispensable to give full effect to the method of valuation, in this respect, awarded by the Commissioners.

"In the Bill proposed by Sir Samuel Cunard, above referred to, it is recited that the said Commissioners 'exceeded the authority intended to be given them by the Assembly and the said proprietors.' This assumption on the part of the proprietors appears to be founded upon rules of construction merely applicable to instruments of a certain and well-defined legal character, but which rules would appear to be totally inapplicable to a report or adjudication proceeding from a Commission acting under the extraordinary powers conferred upon the Land Commissioners. These powers were never intended to be restrained or limited by any formal or arbitrary legal rules. By reference to the words of the Commission it will appear that the Commissioners were empowered to inquire into the existing differences between landowners and tenants, and to adjust 'the same on fair and equitable principles.' From the language here employed, the powers conferred upon the Commissioners were of an unlimited description; and, in the opinion of the Board, amply sufficient to enable them to define any mode of settlement, even one of a purely equitable character. The Board know of no more equitable principle than that of an impartial valuation of each tenant's farm.

"For the Commissioners to have attempted this, by their own personal labours, would have been a work of almost endless duration, and incalculable expense. Having, then, established clearly the principle of valuation, they found that the object could be accomplished in shorter time, and at much less expense, by the intervention of valuators, in whose judgment, also, more confidence would likely be reposed, from the circumstance of their being judges chosen by the parties themselves. In order that this, the principal element in the award, might not in any instance be rendered ineffective by the obstinacy of either party in the issue, refusing to nominate his arbitrator, the Legislature provided a means as simple and just as could be devised, by which the intentions of the Commissioners might be carried out.

"These enactments on the part of the local Legislature, it will be observed, do not in any manner vary or trench upon the principles of the award; and they have been passed, not only for the purpose of carrying out the provisions of the award in fuller detail, but as being essentially necessary, in view of the Despatch of his Grace the Duke of Newcastle to his Excellency the Lieutenant Governor, of the date of the 21st March 1860.

"By a passage contained in the Despatch of the Duke of Newcastle to his Excellency the Lieutenant Governor, dated the 7th of February 1862, his Grace appears to apprehend that the arbitration system prescribed by the Commissioners would necessitate a multiplicity of separate local arbitrations, which, in the estimation of his Grace, would constitute insuperable objections against this mode of adjustment. The Board, however, see no reason to apprehend that in the practical working of the measure many of these arbitrations would be called for. On the contrary, they are of opinion that should arbitrations be resorted to, two or three cases on a township would have the effect of establishing a price or prices that would become the respective standards of value on that township.

"The Board feel impelled to express their hope that his Grace the Duke of Newcastle, in considering the Bills which have been passed by the Legislature of this Colony, for the purpose of giving effect to the award of the Commissioners, will bear in mind, that the differences which the Commissioners were appointed to finally determine have for upwards of half a century exercised a most baneful influence upon this Colony, and that the people generally hailed with much satisfaction the prospect of having these differences adjusted by a mode to be pointed out by the very talented Commissioners to whom they were referred, and that should anything occur to prevent such adjustment, and the confirmation of their unanimous, able, and impartial report, to which the Legislature, by these Bills, seeks to give effect, the consequences will be of a very serious nature, and result in causing much anxiety to Her Majesty's Ministers, and also to those to whom may be intrusted the government of the Colony."

"A true extract, which I certify,

"*Charles Desbrisay*, C.E.C."

That the said Bills were not submitted by Your Majesty's Secretary of State for the Colonies for your Royal allowance, for the reasons set forth in the following Despatch:—

"Sir, "Downing-street, 9 August 1862.

"I HAVE received your Despatch. No. 45, of the 25th of June, enclosing two Bills, passed with suspending clauses, by the Legislature of Prince Edward Island, intituled, 'Cap. IV., An Act to give effect to the Report of the Commissioners on the Land Question,' and 'Cap. XII. An Act to facilitate the operation in certain particulars of the Award or Report made by certain Commissioners to settle and adjust differences respecting some of the Township Lands in this Colony.'

"In forwarding these Acts you informed me, that you would shortly communicate to me a Minute of your Responsible Advisers, explaining the reason for framing these measures;

and this you have since done in your Despatch, No. 52, of the 23d of July; I am, therefore, now in a position to communicate to you the conclusion to which I have been led.

"It appears from the Minute of your Ministers, that they consider the so-called award of the Land Commissioners to be binding on the proprietors and the Legislature, and on this ground they state that they are unable to entertain Sir Samuel Cunard's proposal for enabling the tenants in Prince Edward Island to acquire freehold interest in their holdings, which was transmitted to you in my Despatch of the 5th of April last, No. 103.

"I very much regret that it is not in my power to concur in the views by which your Government have been led to prepare those Bills; or to advise Her Majesty to bring them into operation by giving Her assent to them.

"Your Advisers appear to consider that Her Majesty's Government had proposed to the proprietors of land, and that those proprietors had consented to place themselves and their interests absolutely in the hands of the Commissioners. This, however, was far from being the case.

"The proprietors consented that Commissioners should be appointed 'to enter into all the inquiries that might be necessary, and to decide upon the different questions which might be brought before them, giving, of course, to the parties interested an opportunity of being heard.'

"The main questions thus to be decided upon were, first, at what rate tenants ought to be allowed to acquire freehold interests in their property; and next, what amount of arrears of rent should be remitted by the landlords.

"On the first and most important of these questions, the Commissioners professed themselves unable to come to any conclusion, and instead of deciding it, they recommended, virtually, that it should be decided by other arbitrators, to be hereafter nominated. This, however, is not what they were charged to do; they were authorised by the proprietors to make an award themselves, but they were not authorised to transfer the duty of making that award to others. The trust confided to them was evidently a personal one. The proprietors relied on the skill, knowledge, and fairness of the three gentlemen appointed in 1860; but they could not, therefore, be called upon, in deference to these gentlemen's opinion, to confide their interests even to arbitrators specially designated in the award, much less to persons whose very mode of appointment is undetermined by it.

"This objection might, of course, be waived by the proprietors, but it is not waived, and being insisted upon, I am obliged to admit that it is conclusive; and I am bound further to say, that it is, in my opinion, an objection founded not on any technical rule of law, but on a sound and indisputable principle of justice,—the principle, namely, that a person who has voluntarily submitted his case to the decision of one man cannot, therefore, be compelled, without his consent, to transfer it to the decision of another.

"It is, therefore, impossible for me to advise Her Majesty to sanction the two Acts which you have forwarded, and which, of course, are intended to render the award obligatory on all who consented to the reference.

"I must instruct you, therefore, however unwillingly, to treat the Commissioners' award only as an expression of opinion, which, however valuable as such, cannot be made legally binding on the parties concerned; and which, therefore, ought not to be allowed to stand in the way of any other proposal which promises an amicable settlement of the question.

"It was under these circumstances, and with these impressions, that I forwarded to you the proposal made by Sir Samuel Cunard, in hopes that it might be found to furnish a basis of agreement in lieu of the recommendations of the Commissioners.

"Your Government refuse to consider this proposal, not, as I understand, because they think it in itself inadmissible, but because they consider themselves as bound to give effect to the Commissioners' award.

"This award being now out of the way, I have to request that you will bring Sir Samuel Cunard's proposal under their re-consideration. I do not think it desirable that I should myself express any opinion upon its merits. I will only observe, that it is in some respects more favourable to the tenants than the Commissioners' award; and that it will give me great pleasure to learn that it is likely to furnish a solution of these difficulties, which, so long as they are unsolved, must continue to obstruct the progress of the Colony.

"This conclusion which I have adopted respecting these Acts renders it unnecessary that I should do more than acknowledge your Despatch, No. 46, of the 25th of June, enclosing a memorial from Mr. Haythorne against the Act (cap. 12) to facilitate the operation of the award.

"I have, &c.

"Lieutenant Governor Dundas, &c. &c." (signed) "*Newcastle.*"

That from the foregoing Despatch of his Grace the Duke of Newcastle we conclude that the inability of his Grace to submit for Your Majesty's Royal allowance the Act of the Legislature passed to give effect to the award of the Commissioners on the land question, is grounded solely upon the objection set forth in his Grace's Despatch, as being urged against the said award by the proprietors who had agreed to be bound thereby; and also, that the said objection is one which, in the opinion of his Grace, might be waived by the said proprietors.

Under these circumstances, the Legislative Council and the House of Assembly beg respectfully to submit to Your Majesty, that in the negotiations conducted by Your Majesty's

Majesty's Secretary of State for the Colonies, and the Lieutenant Governor of this Island, respecting the Land Commission, it was expressly stipulated by his Grace the Duke of Newcastle, in his Despatch of the 6th September 1859, already referred to, that it should be "fully understood that the Commissioners are at liberty to propose any measure which they may themselves deem desirable." And that in the letter of Sir Samuel Cunard and other proprietors, addressed on the 13th February 1860 to his Grace the Duke of Newcastle, it was expressly agreed to by the said proprietors, that they would "readily acquiesce in any arrangement that may be practicable for the purpose of settling the various questions alluded to in the memorial of the House of Assembly. That, viewing these declarations in connection with the authority conferred by Your Majesty's Commission, wherein the Commissioners were empowered to inquire into the said differences, and to adjust the same on fair and equitable principles, the Legislative Council and House of Assembly most humbly conceive that no competent legal tribunal would decide that the equitable principles agreed to and determined upon by the Commissioners, as above recited, were not within the fair scope of the authority conferred upon them.

That Your Majesty's loyal subjects, the Legislative Council and House of Assembly of Prince Edward Island, most humbly submit to Your Majesty, that the award of the said Commissioners, who were appointed by warrant under the Royal sign manual and signet, was made under a reference solemnly agreed to by Your Majesty, by the proprietors, and by the House of Assembly of this Island, and that, therefore, according to the well-known legal maxim, "*Omnia præsumuntur rite et solenniter esse acta donec probetur in contrarium*," the said award should be considered to be good and valid in law.

That we do not seek by the passing of the law to compel compliance on the part of the proprietors to an award which is in itself liable to an objection founded on any principle of justice or equity; but we most humbly submit, that the question as to whether the award of the Commissioners can or cannot be made legally binding on the parties concerned, is one proper for the consideration of Your Majesty's judicial tribunals.

We therefore humbly pray, that Your Majesty will cause it to be notified to the proprietors to be affected by the said award, that unless cause to the contrary be shown before a judicial tribunal, to be provided by Your Majesty, Your Majesty's allowance will be given to a Bill to give effect to the said award of Your Majesty's Royal Commissioners.

— No. 27. —

(No. 68.)

COPY of a DESPATCH from Lieutenant Governor *Dundas* to His Grace the Duke of *Newcastle*, K.G.

No. 27.
Lieutenant Governor Dundas to the Duke of Newcastle, K.G.
5 August 1863.

Government House, Prince Edward Island,
My Lord Duke, 5 August 1863.

1. I HAVE the honour to acknowledge your Grace's Despatch, No. 24,* of 11 July 1863, in which your Grace suggests a plan for the final settlement of the land question.

2. I have laid your Grace's Despatch before my Council, and I have been requested by the Members to convey to your Grace their grateful acknowledgments for the deep interest evinced by your Grace for the people of this Colony.

3. I am disposed to think that your Grace's plan will be gladly adopted by the Government.

* Page 67.

I have, &c.
(signed) *George Dundas*,
Lieutenant Governor.

— No. 28. —

(No. 73.)

COPY of a DESPATCH from Lieutenant Governor *Dundas* to His Grace the Duke of *Newcastle*, K.G.

No. 28.
Lieutenant Governor Dundas to the Duke of Newcastle, K.G.
19 August 1863.

Government House, Prince Edward Island,
My Lord Duke, 19 August 1863.

1. IN acknowledging, in my Despatch, No. 68, of the 5th instant, your Grace's Despatch containing a plan for the settlement of the land question, I took occasion to remark that I had laid that Despatch before my Council, and that

that I was disposed to think that your Grace's plan would be gladly adopted by the Local Government.

2. This supposition is, I find, likely to be erroneous, as the feeling against your Grace's suggestions is undoubtedly increasing. As, however, I am unable at present to give your Grace any definite information, I shall not in the present Despatch enter into the question, merely availing myself of the earliest opportunity to withdraw an opinion which the first reception of the plan induced me to convey to your Grace, and which will probably prove incorrect.

* Not printed.

3. I enclose, for your Grace's information, extracts* from the "Islander" and "Examiner," two of the local newspapers.

I have, &c.
(signed) *George Dundas*,
Lieutenant Governor.

— No. 29. —

(No. 76.)

No. 29. Lieutenant Governor Dundas to the Duke of Newcastle, K.G. 2 September 1863.

COPY of a DESPATCH from Lieutenant Governor *Dundas* to His Grace the Duke of *Newcastle*, K.G.

Government House, Prince Edward Island,
My Lord Duke, 2 September 1863.

1. I HAVE the honour to report that Mr. Edward Palmer, Attorney General, and Mr. William H. Pope, Colonial Secretary of this Island, leave for England by the present mail as a Delegation from the Government of this Province to Her Majesty's Government on the land question.

2. A meeting of the supporters in the Legislature of the Local Government has recently been held; at this meeting I understand that the land question was fully discussed, and more particularly your Grace's recent suggestions respecting it. The Delegates, are, therefore, in possession of the views of the majority in the Council and in the Assembly, and with the grounds on which the party in power object to your Grace's suggestions.

3. The Delegates are prepared, with your Grace's permission, to discuss the whole question, and to endeavour on the part of the Local Government to arrive at some solution of its difficulties.

4. The Delegates will deliver to your Grace, as their credentials, a letter, copy of which I have the honour to enclose.

I have, &c.
(signed) *George Dundas*,
Lieutenant Governor.

Enclosure in No. 29.

Encl. in No. 29.

Government House, Prince Edward Island,
My Lord Duke, 2 September 1863.

THE bearers of this letter, the Hon. Edward Palmer, Attorney General, and the Hon. William Henry Pope, Colonial Secretary of this Island, have been nominated by the Executive Council to proceed to London as a delegation from the Government of this Province to Her Majesty's Government on the land question.

The Delegates are in possession of the views of the party in power on the subject, and are prepared, with your Grace's permission, to enter into the whole question.

I have, &c.
His Grace the Duke of Newcastle, K.G. (signed) *George Dundas*,
Lieutenant Governor.

— No. 30. —

(No. 43.)

No. 30.
Lieutenant Governor Dundas to the Right Hon. E. Cardwell, M.P.
6 May 1864.

COPY of a DESPATCH from Lieutenant Governor *Dundas* to the Right Honourable *Edward Cardwell*, M.P.

Government House, Prince Edward Island,
Sir, 6 May 1864.

IN accordance with the wish of his Grace the Duke of Newcastle, I laid before the Legislature, during the late Session, Despatch, No. 24*, of 11th July 1863, in which his Grace suggested a plan for the settlement of the land question.

* Page 67.

I enclose an extract from the Journals of the House of Assembly, containing a Resolution on the subject.

I have, &c.
(signed) *George Dundas*,
Lieutenant Governor.

Enclosure in No. 30.

EXTRACT from Journals of the House of Assembly of Prince Edward Island, 6th April 1864.

Encl. in No. 30.

THE Resolution reported from the Committee was then read by the clerk, and is as followeth:—

WHEREAS the scheme proposed by the Duke of Newcastle in his Despatch of the 11th July 1863, even if assented to by the proprietors, and confirmed by an Act of the Legislature of this Island, would not to any extent effect the enfranchisement of the leaseholders of the Island, inasmuch as it did not anticipate the remission of arrears of rent accrued and due prior to the 1st of May 1858, except in cases in which the tenants should purchase the freeholds of their farms; and as it would not render it compulsory upon the landlords to sell at any rate of price; but, on the contrary, would have left it optional with them to sell or not, as they might see fit; therefore, Resolved, that the said scheme is one such as this House cannot entertain; and further, that the course pursued by the Executive Government as expressed by the Minute of Council of the 27th August last, appointing a delegation for the purposes therein named, which was laid before this House on the 31st ultimo, meets with the unqualified approval of this House.

And the said Report being again read,—

The Honourable G. Coles moved, seconded by the Honourable J. Warburton, to amend the same, by striking out all after the word "Whereas," to the end of the Report, and substituting the following:—

"The Despatch of his Grace the Duke of Newcastle, dated the 11th July last, on the land question, although open to some objections—but which might have been pointed out and their removal suggested—is, on the whole, one far more calculated to relieve the large majority of the tenantry of this Island from their embarrassments, than the proposals made by the Delegates, by order of the Executive Government, as laid before this House in a Minute of Council, dated the 27th August last: therefore, Resolved, that in the opinion of this House, the delegation offer has proved detrimental to the best interests of the tenantry, and ought not to have been ordered by the Executive Council until the Despatch of the 11th July 1863 had been submitted to the Legislature."

The House divided on the motion of amendment.

Yeas:

Hon. G. Coles,	Hon. J. Warburton,	Mr. Howlan,
Hon. E. Whelan,	Hon. J. Hensley,	Mr. Walker,
Hon. F. Kelly,	Mr. Sinclair,	Mr. Conroy,
Hon. D. Beaton,	Mr. Sutherland,	—11.

Nays:

Hon. J. H. Gray,	Hon. D. Davies,	Mr. Howat,
Hon. Col. Secretary,	Hon. R. Macaulay,	Mr. Montgomery,
Hon. J. Longworth.	Mr. Maclennan,	Mr. Ramsay,
Hon. J. C. Pope,	Mr. Haslam,	Mr. Duncan,
Hon. D. Kaye,	Mr. Brecken,	—14.

So it passed in the negative.

And

And the question being then put, "Shall the report of the committee be agreed to"?

The House again divided:

Yeas:

Hon. J. H. Gray,	Hon. D. Davies,	Mr. Howat,
Hon. Col. Secretary,	Hon. R. Macaulay,	Mr. Montgomery,
Hon. J. Longworth,	Mr. Maclennan,	Mr. Ramsay,
Hon. J. C. Pope,	Mr. Haslam,	Mr. Duncan
Hon. D. Kaye,	Mr. Brecken,	—14.

Nays:

Hon. G. Coles,	Hon. J. Warburton,	Mr. Howlan,
Hon. E. Whelan,	Hon. J. Hensley,	Mr. Walker,
Hon. F. Kelly,	Mr. Sinclair,	Mr. Conroy,
Hon D. Beaton,	Mr. Sutherland,	—11.

So it was carried in the affirmative.

— No. 31. —

No. 31.
Lieut. Governor Dundas to the Right Hon. E. Cardwell, M.P.
7 May 1864.

(No. 44.)

COPY of a DESPATCH from Lieutenant Governor *Dundas* to the Right Hon. *Edward Cardwell*, M.P.

Government House, Prince Edward Island,
7 May 1864.

Sir,

I HAVE the honour to transmit herewith three authenticated copies of an Act passed during the late session of the Legislature "for Settling Differences between Landlord and Tenant, and to enable Tenants on certain Townships to purchase the Fee-simple of their Farms;" and also the Attorney General's Report thereon.

1.

2.

2. This Act, reserved by a suspending clause for the signification of Her Majesty's pleasure, received my assent on the 2d instant.

3. The voluminous correspondence on the land question of this Island, and more particularly that which has taken place since the appointment of the Royal Commission, renders it unnecessary for me to enter into the subject. It is sufficient for me to remark, that the enclosed Act is intended to settle this embarrassing question, in so far as the proprietors who consented to the commission are concerned.

4. The terms of the enclosed Act are, shortly, a follows:—

All tenants (on the estates of these proprietors) who have unexpired leases of not less than 40 years, are to have the right to purchase the fee-simple of their farms at 15 years' purchase of the annual rent, for a period of 10 years from the time when this Act shall come into operation.

All arrears of rent which accrued previous to 1st May 1858 are to be *bonâ fide* remitted by these proprietors, as recommended by the Commissioners, except only in the case of tenants who have not complied with the recommendation of the Commissioners to pay the annual accruing rent, and against whom judgments have been entered up in the Supreme Court.

The decision of the Commissioners, as regards fishery reserves and quit-rents, is to be declared binding in law and equity, in respect of these proprietors.

5. Such is the substance of the enclosed Act, to which I venture to ask your early attention.

6. I heartily trust that the proprietors will consent to these terms, and that you will be able to advise Her Majesty specially to confirm this Act.

I have, &c.
(signed) *George Dundas*,
Lieutenant Governor.

Enclosure 1, in No. 31.

AN ACT for Settling Differences between Landlord and Tenant, and to enable Tenants on certain Townships to purchase the Fee-simple of their Farms. Encl. 1, in No. 31.

[Passed 2 May 1864.

WHEREAS by a certain address of the House of Assembly, pursuant to certain resolutions, passed by the said House, it was prayed that Her Majesty's Government would be pleased to direct a commission to inquire into the existing relations between landlord and tenant, and to negotiate with the proprietors for abatement of arrears of rent, and also for terms to enable the tenants to purchase the fee-simple of their farms:

And whereas Sir Samuel Cunard, Baronet, Edward Cunard, Sir Graham Montgomery, Baronet, James Montgomery, the Right Honourable Lawrence Sulivan, Daniel Hodgson, William Cundall, John Roach Bourke, the Honourable Thomas Heath Haviland, John A. Macdonald, and the Honourable Edward Palmer, and Henry Palmer, proprietors of the several township lands, mentioned in the schedule to this Act, marked (A), did agree to the issuing of such commission; and whereas a Royal Commission was thereupon issued, and whereas the Commissioners thereby appointed, by their report, did find and declare that no arrears of quit-rents, by the original grants reserved, are now due or recoverable from the proprietors, tenants or occupiers of such lands; and also that the proprietors, their tenants or occupiers, should be quieted in their possession of certain parts of the said lands, called or known as the "Fishery Reserves;" and did also declare and award that all arrears of rent, which accrued due to the said proprietors, in respect of any of the said lands, previous to the 1st day of May 1858, should be remitted to the tenants; and did also give certain rates at which they should have a right to purchase the fee-simple of their farms; and whereas the said Commissioners did also, by their report, direct and provide that in certain cases the value of the land should be ascertained by arbitrators or valuators, to be chosen by the landlords and their tenants respectively:

And whereas the validity of such last-mentioned direction or provision of the said Commissioners hath been questioned, and it hath been made to appear that such direction or provision exceeded the authority of the said Commissioners, and rendered the said award ineffective; and whereas it is nevertheless expedient that the questions concerning the land tenures of this Island, and which have been publicly agitated for so many years, should be set at rest by such legal provisions as will enable the tenantry to convert their leasehold tenures into fee-simple estates, upon such terms and conditions as Her Majesty may deem just and reasonable:

And whereas the said proprietors have intimated to Her Majesty's Government their willingness to remit to their tenants, on their respective estates, certain arrears of rent hereinafter mentioned; and also that the tenants on the said estates shall have the right to purchase the fee-simple of their farms at the rate hereinafter expressed:

1. Be it therefore enacted by the Lieutenant Governor, Council and Assembly,—That, first, every tenant now holding under lease, or demise, from any of the proprietors in the said schedule named, or their ancestors, or any other person or persons from or through whom they derive title, their, or any of their heirs or assigns, having, at the time of his desiring to exercise the right of purchaser hereinafter given, an unexpired term of not less than 40 years, under written demise, in any of the township lands of such proprietors therein mentioned, shall have a right or option to purchase the fee-simple of the lands so held by him under lease or demise at the rates hereinafter mentioned, that is to say, during the period of 10 years from the day when this Act shall come into force, every such tenant shall have a right or option to purchase such fee-simple at 15 years' purchase, of the yearly rent reserved and made payable by and under such demise: Provided always that in any case where the said yearly rent, during the first portion or years of the term, shall be less than the yearly rent reserved during the residue of such term, the amount of the purchase-money shall be computed by multiplying the maximum or full rent reserved, during the residue of such term, by the number of years purchase at which such tenant may, under the provision aforesaid, be entitled to purchase.

2. That the hereinbefore recited declarations or award of the said Commissioners, respecting the arrears of quit-rents, and also concerning the lands known as the "Fishery Reserves," be, and the same are hereby declared to be, binding in law and equity, in respect of the estates of the proprietors of township lands, whose names are set forth in the schedule hereunto annexed.

3. All arrears of rent which have accrued due to any of the said proprietors from any tenant of such township lands, previous and up to the 1st day of May 1858, and unpaid at the passing of this Act, whether secured by bond, judgment, cognovit, promissory note, or other species of security, are hereby remitted, released and given up, whether such tenant shall purchase his farm under the provisions of this Act or otherwise, save as hereinafter excepted; and no action, execution, or other proceeding in law or equity, shall be had or taken for any such arrears of rent: Provided always, that where any such arrears of rent shall have been secured by judgment at law recovered and entered up in the Supreme Court of Judicature in this Island, against any tenant or tenants of the said proprietors respectively, who have refused or neglected to pay their yearly accruing rents in

accordance with the recommendation of the aforesaid Royal Commissioners, such judgments having been entered up, upon, or at any time previously to the 1st day of October 1863, shall stand good and may be enforced as well for such arrears as for rent which may have accrued since the 1st day of May 1858, if any such shall be included in such judgments; and provided further, and it is hereby declared, that nothing in this Act shall be construed to entitle any tenant, who, subsequent to the 1st day of May 1858, shall have paid a sum larger than was sufficient to cover or liquidate the rent accruing due between the said 1st day of May 1858 and the time of the passing of this Act, to have the overplus or amount remaining, after deducting the rent so accruing, between the said 1st day of May 1858, and the time of the passing of this Act, applied in or towards the liquidation or payment of any rent accruing after the date of the passing of this Act; but such overplus shall be taken and held to have been appropriated by the landlord in payment of arrears that accrued due previous to the said 1st day of May 1858.

4. In any action, hereafter to be brought by any of the said proprietors, their heirs, or assigns, against any such tenant for the recovery of rent, which may have accrued due, previous to the 1st day of May 1858, under any such demise as aforesaid, this Act (as to so much of the demand as relates to rent accrued due previous to such last-mentioned date), shall be a good defence, under the general issue, without the same being specially pleaded in bar thereto.

5. That no tenant shall be entitled to claim the right or option to purchase under this Act, unless all arrears of rent, and which might have been recovered before the passing of this Act, and are not released or barred by the provisions hereof, shall be fully paid and satisfied.

6. That nothing in this Act shall extend to any lease made after the passing of this Act.

7. That no landlord shall be compelled to sell under the provisions of this Act, unless the whole of the purchase-money be tendered or offered to be paid.

8. That in case the tenant shall desire to purchase between the periods or days on which the rent falls due, the same shall be apportioned, and the portion there found to be due, added to the purchase-money payable by such tenant under the provisions of this Act.

9. In all cases where leases have been granted subsequent to the period when the Act passed in the 17th year of the reign of Her present Majesty, chap. 6, intituled, "An Act relating to certain Leases and Monetary Obligations entered into before the passing of the Currency Act," came into force and operation, such leases having the rent therein reserved in sterling; and the tenant shall have been accustomed to pay his rent reserved by such his lease, with the addition of one-ninth part thereof, every such tenant shall be entitled to have the purchase-money computed, in the same manner as the rent has been accustomed to be computed when paid.

10. Nothing in this Act shall have any force or effect until Her Majesty's pleasure therein shall be known.

SCHEDULE (A.)

Sir SAMUEL CUNARD, proprietor of townships numbers Two (2), Fourteen (14), Twenty-one (21), Thirty-two (32), Forty-four (44), Sixty-three (63), Sixty-four (64), and of halves of townships numbers Twenty (20), Forty-five (45), Forty-six (46), Forty-nine (49), and parts of townships Eight (8), Forty-eight (48), Fifty-four (54), and Sixty-five (65); also, one-third part of township Twenty-seven (27).

Mr. Edward Cunard, proprietor of townships numbers Four (4), Five (5), Six (6), and half of township number One (1).

Right honourable Lawrence Sulivan, proprietor of townships numbers Nine (9), Sixteen (16), Twenty-two (22), and Sixty-one (61).

Sir Graham Montgomery, of one-third ($\frac{1}{3}$) part of township Thirty-four (34).

Honourable Thomas Heath Haviland, proprietor of townships numbers Fifty-six (56), and parts of townships numbers Forty-three (43), Forty (40), and Eight (8).

Henry and Edward Palmer, proprietors of one-half of townships number One (1).

Mr. Daniel Hodgson, proprietor of part of townships number Twenty-three (23).

Mr. William Cundall, proprietor of part of township number Twenty (20).

Mr. John A. Macdonald, proprietor of parts of townships numbers Thirty-five (35), and Thirty-six (36).

Mr. John R. Bourke, proprietor of half of township number Thirty-seven (37).

James Montgomery, Esq., proprietor of one-third part of townships numbers Fifty-one (51), Fifty-nine (59), and Thirty-four (34).

(A true copy, which I certify.)

(signed) *Edward Palmer*, Attorney General.

Enclosure 2, in No. 31.

ATTORNEY GENERAL'S REPORT on "An Act for settling Differences between Landlord and Tenant, and to enable Tenants on certain Townships to purchase the Fee Simple of their Farms." Encl. 2, in No. 31.

THIS Act has been passed as a substitute for the award of the Commissioners appointed by Her Majesty's Commission to settle differences between certain proprietors of land in Prince Edward Island and their tenants; which award having been declared void by Her Majesty's Law Officers, the present Act is intended and expected to operate as a compromise between the said parties touching all matters relative to the right of the tenant to purchase, and the conditions of purchase.

(signed) *Edward Palmer*,
Attorney General.

Prince Edward Island,
7 May 1864.

— No. 32. —

(No. 50.)

No. 32.
Lieut. Governor Dundas to the Right Hon. E. Cardwell, M.P.
6 June 1864.

COPY of a DESPATCH from Lieutenant Governor *Dundas* to the Right Honourable *Edward Cardwell*, M. P.

Government House, Prince Edward Island,
6 June 1864.

Sir,

I HAVE the honour herewith to enclose a Petition to Her Majesty, which has been placed in my hands for transmission to you.

2. This Petition prays that Her Majesty will withhold Her consent from the Act of the Local Legislature passed last Session, intituled, "An Act for settling Differences between Landlord and Tenant, and to enable Tenants on certain Townships to purchase the Fee Simple of their Farms."

3. I observe that the last paragraph of this Petition states, "that another petition on this subject is in course of preparation for the signatures of the people generally." I shall therefore reserve any observations which I may have to offer on this subject to a future period.

I have, &c.
(signed) *George Dundas*,
Lieutenant Governor.

Enclosure in No. 32.

To The Queen's most Excellent and Gracious Majesty. Encl. in No 32.

THE humble and dutiful petition of the undersigned, Her Majesty's loyal subjects, inhabitants of Prince Edward Island, met together in Charlotte Town, as Delegates, chosen at various public meetings throughout the Island, to consult on the present state of the tenantry, and the measures lately passed through the Legislature affecting their interests, and through them the interests of the Island generally.

That in the last session of the General Assembly of this Island an Act was introduced by the Government, and passed, professing to be an Act for the settlement of differences existing between landlords and tenants in this Island, but such Act cannot go into force and operation until Your gracious Majesty's assent shall be given thereunto.

That the title of such Act is, "An Act for settling Differences between Landlord and Tenant, and to enable Tenants on certain Townships to purchase the Fee Simple of their Farms."—Passed 2d May 1864.

That such Act has been passed without the sense of the tenants and other electors of this Island being taken upon its provisions, and contrary, as petitioners believe, to their wishes, as expressed and embodied in resolutions passed at various public meetings recently held on the subject.

That petitioners do not accept the said Bill as any just settlement of the differences so existing, nor do they conceive that the tenantry at large will derive any benefit from it, as very few indeed would be able, or, if able, would it be, in petitioners' opinion, of any advantage to them to purchase at so high a rate as that of 15 years' purchase, named in the said Bill.

 That

That the above measure is not at all calculated to remove the grievances under which this Island generally, and the tenant portion thereof particularly, have suffered, and do suffer, on account of the original improvident granting away of the land, and the evils entailed upon it and them under the pernicious system of landlordism.

That no settlement of the land question will be just or beneficial unless on a much more liberal and extensive footing than the measure above alluded to; and the petitioners, Your Majesty's loyal subjects, approaching Your Majesty with every feeling of devotion and loyalty, therefore humbly petition Your Majesty not to give Your Majesty's assent thereunto.

And Your Majesty's petitioners humbly submit that another petition on this subject is in course of preparation for the signatures of the people generally, and will be forwarded, to be laid at the foot of the throne with as little delay as possible.

And your petitioners, as in duty bound, will ever pray, being Your Majesty's most loyal subjects.

(signed) *James B. Gaz*, Chairman,
19 May 1864. (And 51 other signatures.)

— No. 33. —

No. 33.
Lieut. Governor Dundas to the Right Hon. E. Cardwell, M.P. 3 August 1864.

(No. 59.)

COPY of a DESPATCH from Lieutenant Governor *Dundas* to the Right Honourable *Edward Cardwell*, M. P.

Government House, Prince Edward Island,
Sir, 3 August 1864.

1. I HAVE the honour to acknowledge your Despatch, No. 13,* of date 8th July 1864, in which you acquaint me that, in a letter which you have received from Lady Georgina Fane, her Ladyship informs you, that Mr. Henry Palmer, of this Island, assures her that he never gave his assent to the provisions of the recent Act of the Provincial Legislature for settling the differences between landlords and tenants, and that his name had been inserted in the Schedule to the Act without his knowledge, and against his consent.

* Page 74.

2. You request that I will furnish you with a full explanation upon this point at as early a period as possible, and you inform me that, in the meantime, the final confirmation of the Act will be suspended.

3. I regret that the absence, in England, of Mr. Henry Palmer prevents my giving you as much information regarding this matter as I desire.

4. I have the honour, however, to enclose a letter, addressed to me by Mr. Attorney General Palmer, on the subject. He has entered so fully into it, that little necessity exists for amplification on my part.

5. After the failure of the various modes that from time to time had been proposed of adjusting the land differences, the present measure was introduced by my Ministers as a settlement, which, although open to objection, was deemed by them to be a reasonable compromise between the conflicting interests of landowner and tenant.

6. The proprietors named in the Schedule were not consulted by the local Government previous to the introduction of the Act in question. They are those who consented to the Commission of 1860, and who were subsequently named in the Schedule of Sir Samuel Cunard's draft Bill, transmitted to me by the Duke of Newcastle, in his Despatch No. 103, of 5th April 1862.

7. Mr. Henry Palmer, one of these proprietors, was resident in Charlottetown during the whole of last session, when the Act in question was introduced, carried through the Legislature, and received my assent. He must have been acquainted with all the provisions of this Act, which his brother, the Attorney General, had drawn up, and aware that his name, with that of his brother, was in the Schedule.

8. The Act received my assent on the 2d May, and, with the Schedule annexed, was published in the "Royal Gazette" of 11th May 1864. Mr. Henry Palmer did not leave this Island for England until the 4th June; up to

to that period he did not make any protest against his name having been inserted in the Schedule to the Bill; and I gather from your Despatch that, since his arrival in England, he has not made any direct appeal against it.

9. I am therefore led to conclude that Lady Georgina Fane has misunderstood Mr. Palmer's sentiments on the subject, and that Mr. Palmer does not wish to throw any obstacle in the way of the confirmation of this Act.

10. I have therefore directed that a communication be addressed to Mr. Palmer, who is still in England, requesting that he will, in order to avoid loss of time, correspond directly with the Colonial Office.

11. I may add, that I understand that Mr. Henry Palmer's interest in Lot 1 of this Island is of the value of about 25 *l.* sterling per annum.

I have, &c.
(signed) *George Dundas*,
Lieutenant Governor.

Enclosure in No. 33.

Prince Edward Island, Charlotte-town, Encl. in No. 33.
Sir, 2 August 1864.

I HAVE had the honour to receive from your Excellency the copy of a Despatch dated 8th July 1864, from the Colonial Minister, respecting Mr. Henry Palmer's reported dissent from the Bill recently passed here for settling differences between landlord and tenant.

In compliance with your Excellency's wish to be furnished with my observations on this subject, I beg leave to state that I was not previously apprised that Mr. Henry Palmer had not given his sanction to this Bill, as much, at least, as any other of the proprietors whose names appear in the Schedule attached to it.

In preparing the draft of the Bill for the purpose of being introduced into the Legislature last session, I, in compliance with the instructions of the Colonial Government, adopted the Schedule which contained the names of those proprietors who were originally parties to the Commission in 1860.

This list was altered only as regarded those proprietors who had sold estates to the local Government between the periods of the Commission being issued and the framing of the Bill last spring.

As the Draft Bill prepared by me was liable to amendment in its passage through the Legislature, where indeed it underwent considerable alteration, no advantage would have resulted in previously obtaining the formal consent of the proprietors to a draft liable to important changes.

The views of those proprietors resident in England, and named in the Schedule, have not yet been officially made known, and with their opinions I am consequently unacquainted.

As to the other proprietors named in the Schedule resident in this Island, I can speak with greater confidence; they were on the spot when the Bill was introduced into the House of Assembly, and must have been fully aware of their names being in the Schedule. It was open to them at any time to protest against a measure, the provisions of which were well known and freely canvassed in this community; but no remonstrance to the local authorities was made, nor, as far as I am aware of, was any petition against the final confirmation of the Act forwarded by them to the Colonial Minister.

All those gentlemen named in the Schedule, and resident in the Island, may therefore have been reasonably supposed to acquiesce in the Bill, and, as it was published in the "Royal Gazette" within 10 days from the time when your Excellency gave your assent to it, none can plead ignorance of its provisions, or of his name appearing in the Schedule.

With regard to Mr. Henry Palmer, all I have stated as applying to the other resident proprietors applies with equal force to him. I never heard him express any objection to the Bill, nor from any other person that he had done or intended to do so, and I fully believed that the Bill met his approbation as it had my own.

Mr. Henry Palmer is at present in England, as your Excellency is aware; I am unable therefore to obtain from him at once his sanction personally given to the Bill.

I shall transmit to him, however, by this mail a duplicate of the certified copy of the Act, which I annex to this letter. To prevent the possibility of any further misunderstanding, these two certified copies of the Act bear the signature, as assenting parties, of every resident proprietor named in the Schedule, and at present in the Island.

I feel confident that Mr. Henry Palmer will not hesitate to subscribe his name formally to the document I have enclosed him, and that he will, by forwarding it without delay to Downing-street, obviate the objection which Lady Georgina Fane has apparently raised to the passing of an Act which is looked forward to with the deepest anxiety by such a large number of the tenantry of the landed estates in this Colony.

I have, &c.
(signed) *Edward Palmer*,
Attorney General.

His Excellency Lieut. Governor Dundas,
&c. &c. &c.

Sub-Enclosure.

Sub-Enclosure.

"An Act for settling Differences between Landlord and Tenant, and to enable Tenants on certain Townships to purchase the Fee Simple of their Farms." *

* *Note.*—This Act will be found printed as an enclosure in Governor Dundas' Despatch, No. 44, 7th May 1864, page 50.

The following sentence and signatures were appended to it:

"We, the undersigned proprietors in Prince Edward Island, agree to the provisions of this Act.

(signed) "*J. R. Bourke.*
T. H. Haviland.
Wm. Cundall.
D. Hodgson.
John A. M'Donald.
Edward Palmer."

— No. 34. —

No. 34.
Lieut. Governor Dundas to the Right Hon. E. Cardwell, M. P.
15 August 1864.

(No. 61.)

Copy of a DESPATCH from Lieutenant Governor *Dundas* to the Right Honourable *Edward Cardwell*, M. P.

Government House, Prince Edward Island,
15 August 1864.

Sir,

Referring to my Despatch, No. 50,* of 6th June 1864, I have the honour to enclose two Petitions against the Act 27 Vict. c. 2, "for settling Differences between Landlord and Tenant, and to enable Tenants on certain Townships to purchase the Fee Simple of their Farms."

* Page 53.

Encl. 1.
Encl. 2.

A Minute of Council on the subject is being prepared by my Ministers; I therefore reserve any remarks I may have to make until I am able to forward that Minute.

I have, &c.
(signed) *George Dundas*,
Lieutenant Governor.

Enclosure 1, in No. 34.

Encl. 1, in No. 34.

To The Queen's most Excellent and Gracious Majesty.

We, Your Majesty's loyal and dutiful subjects, the fishermen of Prince Edward Island, beg leave to approach Your Majesty with feelings of affection and devotion, to unite with the tenants and others on said Island, in praying Your Majesty to withhold Your Royal assent to a Bill, passed May 2d, 1864, intituled "An Act for settling Differences between Landlord and Tenant."

The reason for petitioning Your Majesty against the above-mentioned Bill is twofold, namely:

First. As inhabitants of Prince Edward Island, we think the said Bill unjust, as it resigns the fishery reserves to the proprietors, on those (32) thirty-two townships in which the reserves remained in the Crown, and by the Crown were transferred to the local Government of this Island, without any concessions on the part of said proprietors in return for the same.

Second. As fishermen we wish the fishery reserves on the above-named townships to remain in the Government of this Island, to be disposed of by them according to the spirit and meaning of the original grants.

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

Enclosure 2, in No. 34.

To The Queen's most Excellent and Gracious Majesty. Encl. 2, in No. 34.

THE humble and dutiful petition of the undersigned, Her Majesty's loyal subjects, inhabitants of Prince Edward Island, showeth:

That, in the last session of the General Assembly of this Island, an Act was introduced by the Government, and passed, professing to be an Act for the settlement of differences existing between landlords and tenants in this Island, but such Act cannot go into force or operation until your Gracious Majesty's assent shall be given thereunto.

That the title of such Act is, "An Act for settling Differences between Landlord and Tenant, and to enable Tenants on certain Townships to purchase the Fee Simple of their Farms," passed 2d May 1864.

That such Act has been passed without the sense of the tenants, and other electors of this Island, being taken upon its provisions, and contrary, as petitioners believe, to their wishes.

That petitioners do not accept that portion of said Bill which relates to the purchase of the said lands at so high a rate as the 15 years' purchase, named in said Bill, nor do they conceive that the tenantry at large will derive any benefit from it, as very few indeed would be able, or if able, would it be, in petitioners' opinion, any advantage to them to do so.

Although they believe that that portion of said Act which grants them a remission of arrears of rent up to 1st May 1858, might be an advantage to a very few of your petitioners, yet your humble petitioners do not accept said Bill (as a whole) as any just settlement of the said differences so existing.

And your petitioners believe that the above measure is not at all calculated to remove the grievances under which this Island generally, and the tenant portion thereof particularly, have suffered and do suffer, on account of the original improvident granting away of the lands, and the evils entailed upon it, and upon them, under the pernicious system of landlordism.

That no settlement of the land question will be just, or of any benefit, unless on a much more liberal and extensive footing than the measure above alluded to; and the petitioners, your Majesty's loyal subjects, approaching your Majesty with every feeling of devotion and loyalty, therefore humbly petition your Majesty not to give your Majesty's assent thereunto.

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

— No. 35. —

(No. 65.)

No. 35.
Lieut. Governor Dundas to the Right Hon. E. Cardwell, M.P.
7 September 1864.
* Page 56.

COPY of a DESPATCH from Lieutenant Governor *Dundas* to the Right Honourable *Edward Cardwell*, M.P.

Enclosure.

Government House, Prince Edward Island,
7 September 1864.

Sir,

1. WITH reference to my Despatch, No. 61,* of 15th ultimo, I have the honour to enclose the Minute of my Advisers, which I informed you was being prepared.

2. I also enclose a printed copy of the Petitions (transmitted with that Despatch) praying Her Majesty to disallow the Act passed last Session "for settling Differences between Landlord and Tenant."

3. With regard to the Petition of the fishermen, praying that the Act be disallowed, because by it the Fishery Reserves are conceded to the proprietors, I cannot do better than refer you to the remarks made on the subject of these reserves by the Land Commissioners in their report, transmitted to me with the Duke of Newcastle's Despatch, No. 94, of 7th February 1862.

4. On the objections generally, I may remark, that my Ministers never expected that the measure which they introduced last Session, and which was approved by the Legislature, was one which would meet with the entire approval of either tenants or proprietors. It was intended as a compromise between the conflicting interests of the two parties, and not as a measure which would be proposed by either, if possessed of unlimited powers to legislate for their own advantage.

5. From these Petitions it appears that some tenants object to this Act. I have reason to believe that its terms are not such as satisfy all the proprietors.

I have, &c.
(signed) *George Dundas*,
Lieutenant Governor.

Enclosure in No. 35.

Encl. in No. 35.

(Extract.)

Council Office, 7 September 1864.

His Excellency having laid before the Board a petition from divers inhabitants of this Island, praying Her Majesty the Queen may not give her assent to the Act of the Colonial Legislature of this Island, passed on the 2d day of May 1864, intituled "An Act for settling Differences between Landlord and Tenant, and to enable Tenants in certain Townships to purchase the Fee Simple of their Farms."

The Board thereupon expressed its regret that any number of the tenantry of the landed estates in this Colony should be so misguided as to raise any opposition to a measure which has been passed by a large majority of both branches of the Legislature, and by those bodies considered of especial advantage to a vast number of the tenantry of the Colony.

The petition states "that such Act has been passed without the sense of the tenants and other electors of this Island being taken upon its provisions, and contrary, as petitioners believe, to their wishes."

The Board feel it impossible to determine what number or proportion of the petitioners are tenants, inasmuch as there is nothing in the petition to distinguish which of the petitioners are tenants, and which are not; nor does it, in fact, appear what number of the petitioners of any class have actually signed or subscribed the petition, as many parts of the list of signatures exhibit numerous names signed in succession by the one hand.

The Board is of opinion that in proceeding to legislate upon any principle or measure, with a view of settling the long-agitated land question of this Colony, the Legislature, of whatsoever party composed, must be guided and restrained by that regard for the rights of property, which are secured to all classes by the long-established principles of our constitution. Were it to depart from this, and to be guided merely by the suggestions of the tenantry in their own case, emanating directly from them as a class, and to yield entirely "to their wishes," it would be in vain to expect that a law embodying and framed substantially upon their own opinions and wishes, would ever receive the sanction of the Sovereign.

The Act of Assembly, to which the the petitioners object, secures to all the tenants of the estates which come within its operation, the freehold of their farms at 15 years' purchase, keeping that right open to them for 10 years, and it provides for a remission of all back rents up to the year 1858.

The petitioners allege this to be a high rate, and that they conceive the tenantry at large will derive no benefit from it. From the public newspapers it appears that the same committee who have waited on his Excellency with the petition, have lately negotiated a purchase from Robert P. Haythorne, Esq., of his estate on Township No. 49, on the behalf of the tenants thereof, the terms of which purchase are 12 *s.* 6 *d.* per acre, payable by equal yearly instalments in five years, each bearing interest at six per cent., and in addition thereto, payment of the back rent as a sixth instalment, with interest on the same until paid; and if the tenant fails to fulfil these conditions, by nine days default, in payment of any one instalment, or the interest thereon, he forfeits his right to purchase, and the payments he has made are placed to the account of past and future rent. Thus, a tenant of 100 acres of land, who owes 30 *l.* of back rent, will have to pay on this estate 92 *l.* 10 *s.* for the freehold of his farm, besides five years' interest on his back rent, making the sum 101 *l.* 10 *s.*, exclusive of what interest he may have to pay on his instalments. Under the Land Purchase Bill complained of, a tenant of 100 acres, who pays one shilling sterling yearly per acre (and the exceptions of those who pay a higher rent are comparatively very few), who owes 30 *l.* arrears of rent, or who might owe 50 *l.* of arrears prior to 1858, instances of which latter case are very common, will be enabled to purchase his farm at any time within 10 years, for the sum of 83 *l.* 6 *s.* 8 *d.* currency. Thus, there appears to the Board a most singular inconsistency in their opinions on the merits of the Bill, of those persons who, as representing the body of petitioners, have accepted terms for such of them as are Mr. Haythorne's tenants, in the purchase of the freehold of their farms.

A true extract from the Minutes of the Executive Council, which I certify.

Charles Desbrisay,
Clerk to the Executive Council.

Despatches from the Secretary of State.

— No. 1. —

(No. 11.)

No. 1.
Duke of Newcastle to Lieut. Governor Dundas.
6 September 1859.
* Page 1.

COPY of a DESPATCH from His Grace the Duke of *Newcastle* to Lieutenant Governor *Dundas.*

Sir, Downing-street, 6 September 1859.

I HAVE to acknowledge Sir D. Daly's Despatch, No. 29,* of the 13th May last, addressed to Sir E. B. Lytton, transmitting an address to Her Majesty from the House of Assembly, in pursuance of certain resolutions of the House, praying that Her Majesty would direct a Commission to inquire into the existing relations of landlord and tenant in the Island, with a view to the passing of remedial measures.

The House of Assembly also propose that this Commission should direct its attention to the Fishery Reserves question.

The resignation of Her Majesty's late Government has prevented an earlier answer to your despatch.

The Assembly in their address, not only pray for the appointment of a Commission, but they likewise indicate in detail the measures which, in their opinion, should form the basis of that arrangement between landlords and tenants which the Commission should endeavour to bring about. Now, without expressing any opinion adverse to the appointment of such a Commission, I am convinced that any prospect of a beneficial result from its labours would be nullified if its action were fettered by such conditions as the Assembly would thus impose.

I cannot advise Her Majesty to entertain the question, unless it is fully understood that the Commission are at liberty to propose any measures which they may themselves judge desirable.

I have communicated the correspondence to Sir S. Cunard, as representing the landowners in this country, with a letter, of which I enclose a copy.

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

— No. 2. —

(No. 13.)

No. 2.
Duke of Newcastle to Lieut. Governor Dundas.
17 September 1859.
† Page 3.

COPY of a DESPATCH from His Grace the Duke of *Newcastle* to Lieutenant Governor *Dundas.*

Sir, Downing-street, 17 September 1859.

I HAVE to acknowledge the receipt of your Despatch, No. 21,† of the 8th August, containing your views on the subject of the appointment of a Commission to inquire into the relations of landlord and tenant in Prince Edward Island.

I have to refer you to my recent Despatch on this subject, No. 11, of the 6th of September, and to express my willingness to assent to the appointment of a Commission, if both the parties interested can be brought to agree to it, and if the House of Assembly consent to forego the conditions proposed in their address to the Queen, transmitted in Sir D. Daly's Despatch, No. 29,‡ of the 13th May last.

‡ Page 1.

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

— No. 3. —

No. 3.

Duke of Newcastle to Lieut. Governor Dundas, 21 March 1860.

(No. 12.)

COPY of a DESPATCH from His Grace the Duke of *Newcastle* to Lieutenant Governor *Dundas*.

Sir, Downing-street, 21 March 1860.

WITH reference to my Despatch, No. 11,* of the 6th of September last, in which I informed you that I had communicated to Sir Samuel Cunard the correspondence which had taken place upon the subject of the appointment of a Commission to propose measures of arrangement between landlords and tenants in Prince Edward Island, I transmit to you the copy of a letter which has been addressed to me by Sir S. Cunard and several other proprietors of land in the Island.

*Page 59.

13 February 1860, page 75.

The proprietors, it will be seen, do not think that the appointment of a Commission in the manner proposed by the House of Assembly in their address, of the 9th May last, would be the most desirable mode of proceeding; as the labours of such a Commission could only terminate in a Report, the conclusions of which would not be binding on any of the parties interested. They suggest therefore, instead, that three Commissioners or referees should be appointed, one by Her Majesty, one by the House of Assembly, and the third by the proprietors, and that they should be invested with power to hear and determine all the questions in dispute. It is further suggested that the expense of the Commission should be divided equally between the Crown, the tenants, and the proprietors.

If the consent of all the parties can be obtained to this proposal, I believe that it may offer the means of bringing these long-pending disputes to a termination. But it will be necessary, before going further in the matter, to be assured that the tenants will accept as binding the decision of the Commissioners or the majority of them, and as far as possible that the Legislature of the Colony would concur in any measures which might be required to give validity to that decision. It would be very desirable also that any Commissioner who might be named by the House of Assembly on behalf of the tenants should go into the inquiry unfettered by any conditions such as were proposed in the Assembly last year.

I have therefore to request that you will ascertain and report to me whether the tenants of Prince Edward Island, or the House of Assembly on their behalf, are prepared to agree to the proposed reference.

I have, &c.

(signed) *Newcastle*.

— No. 4. —

No. 4.

Duke of Newcastle to Lieut. Governor Dundas, 16 June 1860.

(No. 23.)

COPY of a DESPATCH from His Grace the Duke of *Newcastle* to Lieutenant Governor *Dundas*.

Sir, Downing-street, 16 June 1860.

I HAVE had under my consideration your Despatches, No. 15 of the 16th April, and No. 22 of the 30th April.* In the former despatch you enclose a resolution, in which the Assembly agrees to the proposed appointment of commissioners on the subject of the tenures of land, binds itself to abide by the decision of those commissioners, or the majority of them, and pledges itself to concur in whatever measures may be required to give validity to that decision. In the second despatch you inform me that a short Act has since passed through both Houses, given effect to the foregoing resolution.

* Pages 5, 6.

I cannot do otherwise than express my sense of the promptitude and completeness into which the House of Assembly has thus given its support to the plan devised in the hope of putting an end to the differences which have prevailed in Prince Edward Island.

In Mr. Howe, the Assembly, acting on behalf of the tenantry, have selected a commissioner whose known ability and prominent public position must well qualify him for the proposed inquiry.

From

From Sir Samuel Cunard I have received a letter, of which a copy is enclosed* naming as the commissioner selected by the proprietors, Mr. John William Ritchie, of Halifax, who I doubt not will honourably discharge his function.

* 14 May 1860, page 76.

I have written, in exercise of the choice belonging to Her Majesty's Government, to request Mr. John Hamilton Gray, of New Brunswick, to undertake the remaining office of commissioner. Mr. Gray has recently conducted another public inquiry with a degree of ability, carefulness, and justice, which fully entitles him to the confidence of all concerned in the intended investigation.

Although the privilege of selecting each commissioner has been conferred on a separate authority, so as the better to ensure satisfaction with the composition of the Commission, yet it is my view, and I doubt not will be that of the commissioners themselves, that none of them ought to be regarded as the special advocate of one interest, but rather that the whole should devote their efforts to framing such recommendations as shall be demanded by the equity of the case, and be conducive to the general good of all classes of the community. Their conclusions, whatever they may be, will possess double weight if, happily, they should be unanimous.

The time of meeting in Prince Edward Island will be best determined by the commissioners themselves, who will be able to communicate with you on any points which they may wish to ascertain, as bearing on the question of the most convenient period for the purpose. It will be desirable that previous arrangements should be made, as far as practicable, for having at hand all witnesses, and all documentary evidence, which the Commission is likely to require, so that the time needed for their actual sittings in the Island may be reduced within the most moderate compass consistent with a due and complete accomplishment of their inquiry.

I shall take an early opportunity of forwarding to you a Commission under the Royal Sign Manual, containing the appointment of the several gentlemen named to serve on the Commission.

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

— No. 5. —

(No. 28.)

No. 5.

Duke of Newcastle to Lieut. Governor Dundas.
3 July 1860.

COPY of a DESPATCH from His Grace the Duke of *Newcastle* to Lieutenant Governor *Dundas*.

Sir, Downing-street, 3 July 1860.

WITH reference to my Despatch, No. 23*, of the 16th of June, I have the honour to transmit to you a Commission, under the Royal sign manual, appointing the gentlemen, named in my former Despatch, to inquire into and adjust the differences which have prevailed in Prince Edward Island relative to the tenure of land.

* Page 60.

You will have the goodness to deliver this instrument to the Commissioners upon their arrival in the Colony.

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

Enclosure in No. 5.

Encl. in No. 5.

(L. S.) "VICTORIA R.

"VICTORIA, by the grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith. To all to whom these Presents shall come, greeting.

"Whereas We have been moved by the Assembly of Our Island of Prince Edward, to appoint Commissioners to inquire into the differences now prevailing in Our said Island, relating to the rights of landowners and tenants in Our said Island, with a view to the

settlement of the same on just and equitable principles: And whereas the said Assembly has further, by a resolution, dated the 14th day of April last, set forth its agreement to abide by the decision of any such Commissioners, or the majority of them, and to concur in whatever measures may be requisite for giving validity to their decision: And whereas it is highly desirable that the said differences should be adjusted:

"Now know ye, that We, taking the premises into Our Royal consideration, are graciously pleased to nominate and appoint, and do by these presents nominate and appoint, Our trusty and well-beloved John Hamilton Gray, Esquire, Our trusty and well beloved Joseph Howe, Esquire, and Our trusty and well-beloved John William Ritchie, Esquire, to be Our Commissioners for inquiring into the said differences, and for adjusting the same on fair and equitable principles.

"Given at Our Court at Buckingham Palace, this 25th day of June 1860, in the 24th year of Our reign.

"By Her Majesty's command,
(signed) "*Newcastle.*"

— No. 6. —

No. 6.
Right Hon. G. C. Lewis, M.P., to Lieut. Governor Dundas.
28 July 1860.

(No. 33.)

COPY of a DESPATCH from the Right Honourable Sir *George Cornewall Lewis*, M.P., to Lieutenant Governor *Dundas*.

Sir, Downing-street, 28 July 1860.

WITH reference to the Despatches which were addressed to you on the 16th ultimo and 3d instant Nos. 23 and 28 *), I have to acquaint you that Mr. John Hamilton Gray, of St. John, New Brunswick, has accepted, as was anticipated, the offer which was made to him to act as one of the three Commissioners appointed to inquire into the tenures of land in Prince Edward Island.

I have, &c.
(signed) *G. C. Lewis.*

* Pages 60, 61.

— No. 7. —

No. 7.
Secretary of State to Lieut. Governor Dundas.
19 October 1860.

(No. 39.)

EXTRACT from a DESPATCH from the Secretary of State to Lieutenant Governor *Dundas*.

Sir, Downing-street, 19 October 1860.

I HAVE received from Mr. Robert Bruce Stewart and other proprietors of land in Prince Edward Island, a memorial, of which copy is annexed, protesting against the confirmation of the Act transmitted with your Despatch No. 56,† of the 1st instant, entitled (No. 1026) "An Act to give effect to the Report of the Commissioners to be appointed on the Land Question."

Printed at p. 138.

† Page 9.

The Secretary of State would be glad to receive a report from you on the subject of this remonstrance.

* * * * *

* * * Mr. Stewart has been informed that if he wishes the matter to be considered by the Secretary of State, he must forward a fresh communication through you, in accordance with the prescribed regulations, which will enable the Secretary of State to receive at the same time those explanations and remarks from the Lieutenant Governor, without which no conclusion can be adopted.

I have, &c.
(signed) *Frederic Rogers.*
(In the absence, and by the authority of, the Duke of Newcastle.)

— No. 8. —

(No. 40.)

No. 8.
Secretary of State to Lieut. Governor Dundas.
22 October 1860.

COPY of a DESPATCH from the Secretary of State to Lieutenant Governor *Dundas*.

Sir, Downing-street, 22 October 1860.

I AM directed by the Secretary of State to acknowledge the receipt of your Despatch, No. 55,* of the 1st instant, enclosing the report of the proceedings of the Commissioners appointed to investigate the land question in Prince Edward Island.

* Page 7.

I have, &c.
(signed) *C. Fortescue*,
(In the absence, and by the authority of, the Duke of Newcastle.)

— No. 9. —

(No. 45.)

No. 9.
Duke of Newcastle, K.G., to Lieut. Governor Dundas.
2 January 1861.

COPY of a DESPATCH from His Grace the Duke of *Newcastle*, K.G., to Lieutenant Governor *Dundas*.

Sir, Downing-street, 2 January 1861.

I HAVE had under my consideration the two Acts passed by the Legislature of Prince Edward Island, and enclosed in your Despatch, No. 56,† of the 1st October last, intituled (No. 1025) "An Act to authorise Grants of the Shores of this Island;" and (No. 1026) "An Act to give effect to the Report of the Commissioners to be appointed on the Land Question."

† Page 9.

I feel some doubt as to the object with which the first of these Acts was passed. I do not see what lands it will affect, at least above high-water mark, unless it was intended to operate on the fishery reserves.

At the same time, as the treatment of those reserves is a question on which Her Majesty's Government have expressed a decided opinion, and which, at the instance of the Prince Edward Island Legislature, is now under reference to the recently appointed Commission, I can hardly imagine that the Legislature would have passed an Act calculated to anticipate the judgment of their own referees, or that you would have submitted it for Her Majesty's confirmation, without any notice of its intended effect.

I have therefore to request, that you will furnish me with information on the following points:—

1. Whether there is in the Island any land above high-water mark upon which the Act will operate, except the fishery reserves; and, if so, what, in general terms, may be supposed to be its extent?

2. Whether it is intended or supposed that the operation of the Act would be confined to those lands, if any, and to the land below high-water mark, or whether the Act was intended to apply to some or all of the fishery reserves?

3. What are understood to be the present powers of the Crown respecting shore lands not comprised in those reserves, and what the additional powers which it is intended to confer, in respect to those lands, by the proposed law?

4. What effect, if any, the Act is intended to have upon the fishery reserves?

5. And lastly, whether there is in the present circumstances of the Island any ground for expecting that "commercial enterprise" will be much encouraged (as stated in the preamble of the Act) by making such grants on the sea shore as would be authorised by the proposed Act, and would not be authorised without it?

I must add, however, that whatever answer may be furnished to these questions, I cannot advise the Queen to assent to the Act while the subject on which it legislates is under the consideration of the Commissioners.

With regard to the Act for giving effect to the award of the Commissioners,

I gladly acknowledge the promptitude with which the Provincial Legislature has hastened to give effect to what they have supposed to be the desire of Her Majesty's Government, conveyed in my Despatch of the 21st of March last, and I very much regret that an apparent misconception of my meaning has led the Legislature to pass a law which appears to me premature.

My object was not to require immediate legislation for the purpose of giving prospective effect to the award of the Commissioners, but only to obtain from the House of Assembly, as representing the whole body of the tenants, an unequivocal acceptance of the proposed reference, and from the Legislature a pledge that the laws necessary to give effect to the Commissioners' award should be passed when it appeared what legislation would be necessary for that purpose.

But the present Act, or any other Act which could be passed at the present moment, might, in the event, prove either too sweeping, or too limited, for that object. It would be too sweeping, if it were found that the referees promulgated decisions respecting lands belonging to persons who have not consented to the reference, or if they made awards respecting questions (like that of escheat) which did not fall within the scope of their inquiry.

It would be too limited, or, at least, inadequate for its purpose, if it failed to make such provisions of detail as were necessary to give practical effect to the general principles laid down by the Commissioners.

For these reasons it appears to me impossible to advise Her Majesty to assent, at the present moment, to any such general law as that which has now been forwarded. Nor do I see that any present legislation could be valuable, except such as may be based upon suggestions to be made by the Commission with the view of defining the persons and questions to which their inquiry was to extend, or of conferring on them the powers (like those of compelling the attendance of witnesses, and of examining on oath) which are requisite to enable them to carry on their inquiries to the satisfaction of all concerned.

I trust you will impress upon the Commissioners (if requisite) the necessity of avoiding, as far as possible, any steps calculated to excite unreasonable expectations, or to stimulate agitation.

On the other hand, while assuring the proprietors that the award of the Commissioners will not be enforced by Her Majesty's Government against any persons who have not either personally, or by their representatives, consented to refer their claims to arbitration, I should wish you also to observe to them, that their refusal to concur frankly in a measure which was intended to compose existing differences, and which, so far as it has yet proceeded, has been assented to by a large portion of their body, may materially influence the conduct of Her Majesty's Government, if called upon hereafter to support them in any future disputes with their tenants.

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

— No. 10. —

No. 10.
Duke of Newcastle, K.G., to Lieut. Governor Dundas.
13 February 1861.
Page 13.

(No. 52.)

COPY of a DESPATCH from His Grace the Duke of *Newcastle*, K.G., to Lieutenant Governor *Dundas*.

Sir, Downing-street, 13 February 1861.

I HAVE had under my consideration your Despatch, No. 65* of the 12th of November, informing me of a correspondence which had taken place with you on the question whether the Lieutenant Governor may at his option communicate to his Council any letter or memorial furnished to him by a resident in the Colony for transmission to the Secretary of State.

I agree with you that the Lieutenant Governor must claim and exercise a discretionary power on the subject. In many cases he could not, without consulting one or more members of his Council, obtain the information necessary to enable him to report to the Secretary of State. And, again, if private ndividuals could place him under an absolute interdict from communicating with

with his advisers on their letters sent through his hands, it is obvious that this might afford an opportunity to endeavour to create distrust between him and his ministers. On the other hand, the Lieutenant Governor should be ready to receive and weigh any reasons which the writer of a letter to the Secretary of State might have to urge for wishing it not to be disclosed, and should then decide to the best of his judgment whether or not these reasons were valid. This, indeed, is merely to say in other words, what I stated at the outset that, without laying down any absolute rule, he should retain and exercise a discretion on the subject.

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

— No. 11. —

(No. 94.)

No. 11.
Duke of Newcastle, K.G., to Lieut. Governor Dundas.
7 February 1862.

COPY of a DESPATCH from His Grace the Duke of *Newcastle*, K.G., to Lieutenant Governor *Dundas*.

Sir, Downing-street, 7 February 1862.

I HAVE the honour to acknowledge the receipt of your Despatch, No. 3,* of the 10th of January, requesting that you may be furnished with a copy of the Report of the Commissioners appointed to inquire into the Land Tenures of Prince Edward Island.

I have much pleasure in being able to comply with your request, and I forward to you a copy of the report with this Despatch.* I am desirous at the same time to express my appreciation of the painstaking, able, and impartial report which the Commissioners have furnished; a report which must derive additional weight from its unanimity, and which is the result of an investigation so complete that it has exhausted the materials for inquiry into the facts of the case. The difficulties that remain are those which are inherent in the subject, and which have for a long course of years baffled every attempt at solution.

I fear that I cannot hold out to you the prospect of an Imperial guarantee to a loan of 100,000 *l.*, in order to buy up the estates of Prince Edward Island from their present owners; and, on the other hand, there appear to me to be insuperable objections to that multiplicity of separate local arbitrations, which would be the effect of the alternative measure alluded to in the Commissioners' Report. I shall be very glad if I shall find it possible at a future opportunity to offer any fresh suggestions for meeting the difficulties of the case; but, in the meanwhile, I forward the report, accompanied by the few foregoing general remarks, which are all that it is at present in my power to make, in order that you may be able to say the document before the Legislature as soon as possible after its meeting.

* This Report has been deposited in the Library of the House of Commons.

I am &c.
(signed) *Newcastle.*

— No. 12. —

(No. 97.)

No. 12.
Duke of Newcastle, K.G., to Lieut. Governor Dundas.
21 March 1862.

COPY of a LETTER from His Grace the Duke of *Newcastle*, K.G., to Lieutenant Governor *Dundas*.

Sir, Downing-street, 21 March 1862.

I HAVE the honour to acknowledge the receipt of your Despatch, No. 15 *, of the 3d of March, requesting that you may be furnished with the Appendix referred to in the Report of the Commission of Inquiry into the Land Tenures of Prince Edward Island.

I have to acquaint you that this Appendix, in consequence of its bulk, has not been printed, and there is, therefore, only one copy of it in this country which is necessarily retained here for the use of Her Majesty's Government in deliberating on this subject. I regret, therefore, that it is not at present in my power to comply with your wishes.

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

— No. 13. —

No. 13.
Duke of Newcastle, K.G., to Lieut. Governor Dundas.
5 April 1862.

(No. 103.)

COPY of a DESPATCH from His Grace the Duke of *Newcastle*, K.G., to Lieutenant Governor *Dundas*.

Sir, Downing-street, 5 April 1862.

I HAVE been requested by Sir Samuel Cunard to forward to you the enclosed draft Bill * embodying a plan for giving the tenants in Prince Edward Island the power of purchasing their holdings on certain terms there laid down. Sir S. Cunard expresses to me a confident hope that these terms will be found to satisfy the expectations of the tenants and will be well received by the Legislature.

* Page 83.

I have not had time since receiving this document to examine the full bearings of the proposal, nor in any case should I pronounce a confident opinion on a matter depending so much on questions of local detail. But I need hardly say that it will give me great pleasure to find that Sir S. Cunard's anticipations are well founded.

The letter in which the draft Bill was first communicated to me was signed by Sir Samuel Cunard, Mr. E. Cunard, Mr. L. Sulivan, and Mr. Graham Montgomery for himself and Mr. James Montgomery, who, therefore, may be taken as having unquestionably concurred in it. But the Schedule to the Bill (I do not know on what authority) contains various other names. I think that if the Bill were to be passed by the Legislature, the only proprietors on whom it could be made at once compulsory are the gentlemen whose names I have above given. I should have little doubt, however, that the other gentlemen named in the Schedule to the Bill are, in fact, consenting parties, though it has not been practicable to forward their actual signatures to the Colonial Office.

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

— No. 14. —

No. 14.
Duke of Newcastle, K.G., to Lieut. Governor Dundas.
9 August 1862.

(No. 129.)

COPY of a DESPATCH from His Grace the Duke of *Newcastle*, K.G., to Lieutenant Governor *Dundas*.

Sir, Downing-street, 9 August 1862.

I HAVE received your Despatch, No. 45,* of the 25th of June enclosing two Bills passed with suspending clauses by the Legislature of Prince Edward Island, intituled, cap, IV., "An Act to give effect to the Report of the Commissioners on the Land Question."

* Page 24.

And cap. XII., "An Act to facilitate the Operation in certain Particulars of the Award or Report made by certain Commissioners to settle and adjust Differences respecting some of the Township Lands in this Colony."

In forwarding these Acts, you informed me, that you would shortly communicate to me a Minute by your Responsible Advisers, explaining the reasons for framing these measures ; and this you have since done in your Despatch, No. 52,* of the 23d of July. I am, therefore, now in a position to communicate to you the conclusion to which I have been led.

* Page 35.

It appears from the Minute of your ministers, that they consider the so-called award of the Land Commissioners to be binding on the proprietors and the Legislature, and on this ground they state that they are unable to entertain Sir S. Cunard's proposal for enabling the tenants in Prince Edward Island to acquire freehold interests in their holdings, which was transmitted to you in my Despatch of the 5th April last, No. 103.†

† *See* above.

I very much regret that it is not in my power to concur in the views by which your Government have been led to prepare these Bills, or to advise Her Majesty to bring them into operation by giving Her assent to them.

Your advisers appear to consider that Her Majesty's Government had proposed to the proprietors of land, and that those proprietors had consented to place themselves and their interests absolutely in the hands of the Commissioners ; this however was far from being the case.

The proprietors consented that Commissioners should be appointed "to enter

enter into all the inquiries that might be necessary, and to decide upon the different questions which might be brought before them, giving of course to the parties interested an opportunity of being heard."

The main questions thus to be decided upon were, first, at what rate tenants ought to be allowed to acquire freehold interests, in their property, and next what amount of arrears of rent should be remitted by the landlords.

On the first and most important of these questions the Commissioners professed themselves unable to come to any conclusion; and instead of deciding it, they recommended virtually that it should be decided by other arbitrators to be hereafter nominated; this however is not what they were charged to do. They were authorised by the proprietors to make an award themselves, but they were not authorised to transfer the duty of making that award to others. The trust confided to them was evidently a personal one. The proprietors relied on the skill, knowledge and fairness of the three gentlemen appointed in 1860.

But they could not therefore be called upon in deference to these gentlemen's opinion to confide their interests even to arbitrators, specifically designated in the award, much less to persons whose very mode of appointment is undetermined by it.

The objection might of course be waived by the proprietors, but it is not waived; and being insisted upon, I am obliged to admit that it is conclusive; and I am bound further to say, that it is, in my opinion, an objection founded not on any technical rule of law, but on a sound and indisputable principle of justice, the principle, namely, that a person who has voluntarily submitted his case to the decision of one man, cannot therefore be compelled without his consent to transfer it to the decision of another.

It is therefore impossible for me to advise Her Majesty to sanction the two Acts which you have forwarded, and which of course are intended to render the award obligatory on all who consented to the reference.

I must instruct you, therefore, however unwillingly, to treat the Commissioners' award only as an expression of opinion, which, however valuable as such, cannot be made legally binding on the parties concerned, and which therefore ought not to be allowed to stand in the way of any other proposal which promises an amicable settlement of the question.

It was under these circumstances and with these impressions that I forwarded to you the proposal made by Sir S. Cunard, in hopes that it might be found to furnish a basis of agreement in lieu of the recommendations of the Commission.

Your Government refuse to consider this proposal not, as I understand, because they think it in itself inadmissible, but because they consider themselves as bound to give effect to the Commissioners' award. This award being now out of the way, I have to request that you will bring Sir S. Cunard's proposal under their reconsideration. I do not think it desirable that I should myself express any opinion upon its merits. I will only observe that it is in some respects more favourable to the tenants than the Commissioners' award, and that it will give me great pleasure to learn that it is likely to furnish a solution of these difficulties which, so long as they are unsolved, must continue to obstruct the progress of the Colony.

This conclusion which I have adopted respecting these Acts, renders it unnecessary that I should do more than acknowledge your Despatch, No. 46,* of the 25th of June, enclosing a memorial from Mr. Haythorne against the Act (cap. XII.) to facilitate the operation of the award.

* Page 33.

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

— No. 15. —

(No. 24.)

No. 15.

Duke of Newcastle, K.G., to Lieut. Governor Dundas.

11 July 1863.

COPY of a DESPATCH from His Grace the Duke of *Newcastle*, K.G., to Lieutenant Governor *Dundas*.

Sir, Downing-street, 11 July 1863.

I HAVE received your Despatch, No. 34,* of the 9th of April, transmitting an address to Her Majesty from the Legislative Council and Assembly of Prince Edward Island, on the subject of the recent Land Commission.

* Page 39.

The Council and Assembly, after stating at length the appointment of a Commission to examine into the land question, the nature of the recommendation or

award submitted by them to Her Majesty, and the circumstances under which certain Bills based upon that recommendation failed to receive Her Majesty's allowance, proceed to observe that the question whether this award can or cannot be made legally binding on the parties concerned is one proper for the consideration of Her Majesty's legal tribunals; and they conclude by praying Her Majesty to inform the proprietors of land in Prince Edward Island that unless cause to the contrary be shown before a legal tribunal to be provided by Her Majesty, a Bill giving effect to the Commissioners' award will receive the Royal sanction.

As I am not aware of any method by which this question could be submitted to any court of justice, and as the Council and Assembly have not suggested any such method, I considered that the course most satisfactory to them would be that of ascertaining from the law officers of the Crown, first, whether the so-called award were in itself liable to any objection founded upon any principle of law or equity: and next, whether it were possible by any proceeding in law or equity to give effect to the wish of the Prince Edward Island Legislature, by enabling the proprietors or tenants to show cause why Her Majesty's assent should or should not be given to the proposed Bill.

I transmit a copy of the answer which I have received to my question.

9 June 1863.

You will observe that, in the opinion of Sir W. Atherton and Sir R. Palmer, the report of the Commissioners is not properly to be called an award at all; and in particular, "that a recommendation that the price to be paid by a tenant for the purchase of his land should be settled in each particular instance in which the landlord and tenant may differ about the same, by arbitration, is not either literally or substantially within the scope of" [the Commissioners] "authority."

They further state that any Act for the settlement of this question must be judged of upon its own merits, and "not upon any supposition of an award, legally or morally binding, having been made in this case."

I trust that this opinion, embracing the legal and moral aspects of the question, and founded on the plainest principle of law and common sense—the principle that a man who has agreed to refer his case to one tribunal cannot therefore be forced to submit it to another—will satisfy the Legislature of Prince Edward Island that the course which they have suggested must be dismissed as impracticable, and will lead them to consider, with patience and moderation, some other means of settling a question which is at present productive of so much public inconvenience.

The Government of the Colony, acting in the interests of the tenants, have already rejected a proposal made by the proprietors that their lessees should be allowed to purchase a fee-simple in their holdings, at 15 years' purchase, of the reserved rent, the purchase-money being paid at once in cash. I can imagine that they may have had good reasons for that refusal; but I cannot help observing that as the Commissioners had suggested a maximum rate of 20 years' purchase, the proprietors' proposal must, in some instances, have involved a considerable sacrifice on their part, and that its rejection by the tenantry transfers to them the obligation of suggesting some reasonable basis of compromise.

The ground being thus cleared for a fresh proposal, I think myself bound to bring before the Colonial Government the views which I have been led to form on the subject.

As to the general principles on which this matter ought to be settled, I feel little difficulty.

In the first place, I dismiss the idea of imposing on the proprietors by law any general rate of commutation. The inquiries of the Commissioners were pointedly directed to this object, and they have pronounced it unattainable.

I think that the objections to a compulsory arbitration are equally insuperable. The expense would probably be so large, and the practical difficulty of securing a fair adjudication, and compelling a tenant to perform the terms of an unfavourable award, would, in the present state of public opinion, be so great, that the proprietors could not with any justice be required to submit to them.

I also dismiss the notion of any Imperial guarantee or advance of money. The Legislature of Prince Edward Island must take it as certain that Her Majesty's Government cannot propose any such measure to Parliament.

As however the project of a loan under an Imperial guarantee has met with universal favour, I assume that means might be found in the Colony to pay interest on a loan of less amount without such a guarantee.

I also infer from the tone of the Commissioners that any general rate of commutation

mutation which is adopted or indicated by authority should hinge more or less upon the reserved rent.

From the eagerness with which I have been pressed to confirm the award of the Commissioners, I infer that the award is acceptable to the tenants; that is to say that the tenants are ready to pay the fair price of their lands (as settled by impartial arbitrators) in instalments spread over ten years, and to continue the payment of rent (or rather of interest on the unpaid instalments) until the land is thus enfranchised.

From the scheme of the proprietors I infer that they on their side are in all cases ready to sell their rights for 15 years' purchase of the reserved rent, paid at once in cash; but I conceive that basis of commutation to have been defective, for two reasons: first, that it required an immediate cash payment in full, which the tenants cannot make; and secondly, that it based the price of an estate solely on the rate of reserved rent without reference to the question whether that rent had been or could be collected. It could not be expected that tenants who had never paid their rents would buy off their obligation to do so at the rate of 15 years' purchase.

With these preliminary observations, I desire to consider the present condition of the question with a view to determine, not what is just or legal, on which of course no agreement can be expected, nor yet what would be most advantageous to the tenants or landlords if either of them were possessed of unlimited power to effect what they wished (which is an easy but unpractical question); but to the more useful and difficult inquiry, can these tenures be extinguished on terms which under present circumstances are mutually advantageous to tenant and proprietor?

It must steadily be borne in mind, that in calling upon the proprietor to relinquish his present claims, the Colony is calling upon him to sacrifice admitted legal rights. By what inducement can he be reconciled to that sacrifice? Plainly by giving increased security to those rights which he retains. Payment in cash would dispose of all question of security, but this the tenant cannot effect; payment by instalments gives the landlord no fresh security, it is merely the substitution of one promise to pay for another, the parties remaining the same.

It appears to me, however, that in many cases, at least, the position of the landlord would be materially bettered if he received the security of the Colony instead of the security of the tenant for his annual income, or, in other words, if the purchase-money were paid down at once, but were paid either wholly or partially in debentures.

I will assume, in order to facilitate the explanation of my meaning, that the purchase-money is paid one-third in cash and two-thirds in debentures.

I should then in the first place propose that the Government should be authorised to issue annually a certain amount of debentures bearing six per cent. interest (say not exceeding 15,000 *l.* a year for five years), and to apply those debentures in buying up or in assisting to buy the landlords' rights with their consent at a fixed rate of purchase, which I will call the Government price. When a tenant is prepared to pay down in cash one-third of this Government price, I would propose that the Government should issue debentures to the amount of the remaining two-thirds, and that the purchase being thus completed, the tenant should receive a conveyance in fee of the land, subject to the liability to pay the interest on the debentures, and ultimately, by contribution to a sinking fund or otherwise, to discharge the principal.

If the tenant could not advance this proportion of the purchase-money, the Government might buy the property on its own account (as has been done with the Selkirk and Worrall Estates), and recover its advances as it could, either by re-sale of the land or by the recovery of rent from the tenant, in which the Government, with full power of legislation at its command, ought not to find any difficulty. In this case, however, it might be necessary for the Government to raise, by sale of debentures, perhaps at a loss, the proportion of the purchase-money which was to be paid in cash.

This being the machinery of redemption, it follows to inquire what shall be the Government price; the assessed rate of purchase which will regulate the amount of assistance to be given in each case from public funds, and which may be viewed as receiving a certain moral support from Government; although this rate is not compulsory, and may therefore be increased or diminished in particular cases by private arrangements between landlord and tenant, it is

highly desirable that it should be so fixed as to be tolerably applicable to the majority of sales, and to inform landlords with some precision what they have to expect, and what terms of escape (for so I will call it) from their very invidious position are practically open to them.

In this inquiry I shall assume the rate of interest in Prince Edward Island to be that at which the debentures are issued, namely 6 per cent. A rent reserved on land would at this rate be worth about 16 years' purchase. And considering that two-thirds of the purchase-money is to be paid in Government debentures, I do not think that a landlord who has looked after his property, and is in the receipt of the full reserved rent, could be expected to part with his interest (including a more or less valuable reversion at the expiration of the lease) for a less amount. Nor do I see why the tenant should be disinclined to redeem at that rate.

But in many cases landlords have not looked after their interests and have not received their full rents. In proportion as this has been the case the tenant will be unwilling to redeem at a high rate a rent which he has never paid; while the landlord will be ready to sell at a low rate a rent which he has never received. In all these cases therefore a proportionate reduction must be made in order to satisfy the tenant, and may be made without dissatisfying the landlord. In all these cases I would propose (to use an ordinary phrase) to "split the difference" between the strict rights of the landlord and his actual receipts.

It would be easy to ascertain in any case of intended commutation the average payment of the tenant for the eight years preceding the 1st of May 1858, being the date up to which the Commissioners propose to remit arrears. Having done this I would propose to take as the Government price a sum equal to eight years' purchase of the reserved rent, plus eight years' purchase of the average actual receipts.

I will illustrate the proposal by three cases of farms rented at 50 *l.* a year each. In one I will suppose that the full rent has been regularly paid, in the second that it has been half paid, in the third that it has not been paid at all.

	£.
I.—Eight years' purchase of reserved rent (50 *l.*) - - -	400
Eight years' purchase of average receipts (50 *l.*) - - -	400
Government Price - - -	£. 800
II.—Eight years' purchase of reserved rent (50 *l.*) - - -	400
Eight years' purchase of average receipts (25 *l.*) - - -	200
Government Price - - -	£. 600
III.—Eight years' purchase of reserved rent (50 *l.*) - - -	400
Eight years' purchase of average receipts - - - -	0
Government Price - - -	£. 400

Of this sum I have already said one-third would be paid in cash by the tenant. The remaining two-thirds would be advanced by Government in debentures. A payment for 25 years of 8 per cent. on the amount borrowed, would probably suffice to meet the annual interests of the debentures and to pay off the principal, if the terms of the loan rendered it possible to invest the annual payment, towards the sinking fund in the redemption of the debentures, *i. e.* at 6 per cent. interest. If not, the slight loss might possibly be borne by the Public Treasury, in consideration of the public benefit which this commutation might be expected to effect.

If this were so, the result to the tenant in each of the three preceding cases will be as follows:—

When a rent of 50 *l.* had been paid in full,* the landlord would receive 800 *l.* the tenant would pay 266 *l.* 13 *s.* 4 *d.* down, and an annuity, say for 25 years, of 42 *l.* 13 *s.* 4 *d.*

When the reserved rent was 50 *l.* and 25 *l.* had been actually paid,* the landlord would receive 600 *l.* and the tenant would pay 200 *l.* down, and an annuity of 32 *l.*

When nothing had been paid,* the landlord would receive 400 *l.* and the tenant would pay 133 *l.* 6 *s.* 8 *d.* down, and an annuity of 21 *l.* 6 *s.* 8 *d.*

I suggest

	Government Price.	Paid down.	Remaining due.	Annual Payment for 25 years, 8 per Cent.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.
* I. £. 50 rent paid in full - - - -	800 - -	266 13 4	533 6 8	42 13 4
II. £. 50 reserved rent, £. 25 actually paid	600 - -	200 - -	400 - -	32 - -
III. £. 50 reserved rent, nothing actually paid	400 - -	133 6 8	266 13 4	21 6 8

I suggest the payment by way of annuity because I suppose this to be the most convenient to the tenant. But of course arrangements might easily be made to enable those who preferred it, to pay their money more promptly.

In any case, however, it must be distinctly understood (as this is the basis of the whole arrangement) that the obligation to pay the principal and interest of the debentures as between the Government and the debenture holder, rests exclusively on the Public Treasury, and is in no degree whatever affected by the failure or neglect of the Government to recover the money from the tenant.

As these sales will not be compulsory, it is not necessary to enter upon any question as to the nature and duration of the leases to which the right of purchase should apply. But with regard to arrears, I assume that in any case of commutation the tenant and landlord will be alike satisfied to abide by the commissioners' recommendation, that arrears which accrued prior to May 1, 1858, should be remitted, but that all subsequent arrears should be paid up.

I have heard two objections raised to that part of the scheme which relates to tenants who have not hitherto paid their rents. The one is, that, so large a remission professedly depending on the fact that rent has been witheld, is in fact an encouragement to dishonesty. The other is that those who have hitherto succesfully resisted the payment of any rent whatever, will not be willing to pay the proposed commutation in order to get rid of an obligation which they have never performed.

The one objection is that the indulgence to non-paying tenants is immorally large, the other that it is suicidally small.

These objections to a certain extent answer each other. But the truth is, that any practicable arrangement must be open to both of them. The state of things is this: the landlords cannot seriously hope to recover their strict legal rights in full, while the tenants who have not paid rent cannot without extravagance expect to be supported in their present refusal to do so. It is assumed (for without that assumption all hope of a pacification is impossible) that the landlords will find it their interest to waive their right to much that they are entitled to, if the Legislature of Prince Edward Island will honestly assist them to obtain more than they at present receive. This is the only possible basis of compromise. The real question is not whether the proposed arrangement is free from objection, but whether it will not in a large number of cases be for the advantage alike of landlord and tenant to secure their own interests by closing with such terms as I have indicated. My own hope and impression is that it will be so, and I therefore cannot but hope that the terms would be largely accepted if put forward with the support of Government, though I am bound to add that some at least of the landlords are not satisfied with them. There would of course remain a few special cases to be dealt with separately. But the experience of this country has shown that when a reasonable principle of voluntary commutation is once put forward, it is before long freely accepted by the majority of those concerned, while the minority either establish a fair ground of exception or are eventually compelled to follow the stream.

I am under the necessity of requesting you to inform the Legislature that Her Majesty has not been able to comply with the prayer conveyed in their address. But I wish you in so doing to lay the present Despatch before them, and invite their attention to the suggestions which it contains, being I can assure you, the result of much anxious consideration, and of an earnest desire to promote the interests of Prince Edward Island and its inhabitants.

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

Enclosure in No. 15.

My Lord Duke, Temple, 9 June 1863. Encl. in No. 15.

We are honoured with your Grace's commands, signified in Sir Frederic Rogers' letter of the 9th May ultimo, stating that he was directed by your Grace to request that we would take into consideration the enclosed copy of an address to the Queen, from the Council and Assembly of Prince Edward Island.

Sir Frederic Rogers was also pleased to state, that that Island was granted during the last century to certain persons, by whom a large portion of it was let to the present occupiers. The tenants are very desirous to obtain a fee-simple interest in their lands, and to escape payment of rent, and this desire has produced a series of disputes of various kinds.

That in 1860 a proposal was made to appoint a Commission to investigate the matter, and the proprietors suggested, as a preferable method, that " three commissioners or referees be appointed, one to be named by Her Majesty, one by the House of Assembly, and one by the proprietors of land, and that these commissioners should have power to enter into all the inquiries that may be necessary, and to decide upon the different questions which may be brought before them, giving, of course, to the parties interested an opportunity of being heard." This proposal was accepted by the Assembly of Prince Edward Island, who agreed " on the part of the tenantry, to abide by the decision of the commissioners, or the majority of them, and to pledge themselves to concur in whatever measures may be required to give validity to that decision."

That three commissioners were appointed " for inquiring into the said differences, and for adjusting the same on fair and equitable principles;" and in a report (of which a copy was enclosed) " awarded " *inter alia*, that the tenants should receive a certain remission of arrears, that they should be entitled to purchase their holdings at 20 years' purchase of the reserved rent, and that any tenant who thought this rate of commutation too high, might tender what he choose, and that on the refusal of the landlord to accept that tender the value should be adjusted by arbitration.

That to this the landlords objected, through Sir S. Cunard in a letter (of which a copy was annexed), that they were ready to be bound by the decision of the three commissioners, that they were not prepared to hand over their interests to the proposed arbitrators, and to embark in the expense and dispute consequent on a multitude of petty arbitrations. On this ground they refused to accept the award, and your Grace on the same ground refused to advise that Her Majesty should concur in the legislation which was necessary for enforcing it.

That the landlords, however, offered terms not including an arbitration, but giving to the tenants the remission of rent proposed by the commissioners, and the right to purchase the fee-simple of their land at 15 years' purchase of the reserved rent.

That the Council and Assembly of Prince Edward Island state that they do not seek, by the passing of a law, to compel compliance with an award liable to an objection founded on any principle of justice or equity; but submit that the question as to whether that award can or cannot be made legally binding on the parties concerned, is one proper for the consideration of Her Majesty's judicial tribunals.

That they, therefore, pray that, unless cause to the contrary be shown before a judicial tribunal, Her Majesty's allowance may be given to a Bill to give effect to the said award of Her Majesty's Royal Commissioners.

Sir Frederic Rogers was further pleased to state that there is, in Prince Edward Island, a supreme court invested with the usual powers appertaining to the English supreme courts of equity and common law; and that under these circumstances, he was directed to request our opinion on the following questions:—

1. Whether the award is, in itself, liable to any objection founded on any principle of law or equity.

2. Whether there is any proceeding in law or equity by which it would be possible that the proprietors or tenants in Prince Edward Island could show cause why Her Majesty's assent should or should not be given to a Bill to be passed by the Prince Edward Island Legislature, for giving effect to the award of the commissioners.

3. Whether there is any proceeding at law or equity by which that award can be enforced upon the recusant proprietors.

4. Whether in case there is no such proceeding the Legislature of Prince Edward Island could, with justice and propriety, pass a law giving effect to that award.

In obedience to your Grace's commands, we have taken this matter into consideration, and have the honour to report,—

1. That we do not think the term " Award " applicable, with any propriety, to the Report of the Commissioners of Inquiry, appointed by Her Majesty's Commission of the 25th June 1860; for there was no reference or submission, properly so called; the gentlemen who signed the letter to your Grace, dated the 13th February 1860, having been incompetent to bind the general body of proprietors of land in Prince Edward Island, and not having professed or attempted to do so; while, on the other hand, it is clear that they did not propose or intend, by that letter, to bind themselves individually, unless the general body of proprietors would be also bound.

Passing, however, by this point (which is, nevertheless of the greatest importance, with reference to the two following questions), we are of opinion, upon the substance of the case, that the commissioners have not executed the authority, which alone was proposed to be conferred upon them, on the part of the landowners who signed the letter of the 13th February 1860, so far as the proprietary interests of those or other landowners are concerned, viz., " to negociate with the proprietors of township lands, for fixing a certain rate of price, at which every tenant might have the option of purchasing his lands; and also to negociate with the proprietors for a remission of the arrears of rent in such cases as the commissioners might deem reasonable;" and we think, that a recommendation that the price to be paid by a tenant for the purchase of his land, should be settled, in each particular instance in which the landlord and tenant might differ about the

the same, by arbitration, is not, either literally or substantially, within the scope of that authority.

We are confirmed in this view by the perusal of the Act of Assembly, passed on the 2d of May 1860, which, although not assented to by Her Majesty (for the reasons stated in your Grace's Despatch of the 2d January 1861), appears to us to show, both by its preamble and by its second and third enacting clauses, that an award by the commissioners, which, without any delegation to other arbitrators, should itself settle all matters in difference between each particular landlord and tenant, and should thenceforth determine and govern the title to the land in each township, was what the Assembly, as well as the landowners, really had in contemplation.

2 and 3. Our answer, to both these questions, is in the negative.

4. This is a question of public policy. Such an Act if passed by the Colonial Legislature and assented to by Her Majesty, must be founded and justified, not upon any supposition of an "award," legally or morally binding, having been made in this case, but solely for reasons of public advantage, such as those which have at various times induced the Imperial Legislature to pass statutes for the enfranchisement of copyholds at the option of the tenant, for the enfranchisement of perpetually renewable leaseholds in Ireland, for the commutation of tithes, for the compulsory acquisition of lands for railway and other public works, at prices to be fixed by a jury or by arbitration, and for other similar purposes, involving, for the general good, more or less interference with the tenure of private property.

We have, &c.
(signed) *W. Atherton,*
Roundell Palmer.

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

— No. 16. —

(No. 1.)

No. 16.
Duke of Newcastle, K.G., to Lieut. Governor Dundas.
9 January 1864.

COPY of a DESPATCH from his Grace the Duke of *Newcastle*, K.G., to Lieutenant Governor *Dundas*.

Colonial Office to Sir S. Cunard, 1 January 1864, page 93.

Sir, Downing-street, 9 January 1864.

I HAVE the honour to transmit to you for your information the enclosed copy of a correspondence which has passed between this Department and Sir Samuel Cunard, respecting a proposal made by the Prince Edward Island delegates on the land question, that such tenants, holding under leases of 40 years and upwards, as shall be indebted to the extent of more than one year's rent shall, at any time within 20 years from the 1st instant, be entitled to acquire the fee-simple of their respective holdings at 16 years' purchase, on the basis of the reserved rent.

Sir S. Cunard to Colonial Office, 4 January 1864, page 94.

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

— No. 17. —

(No. 3.)

No. 17.
Duke of Newcastle, K.G., to Lieut. Governor Dundas, 27 January 1864.

COPY of a LETTER from his Grace the Duke of *Newcastle*, K.G., to Lieutenant Governor *Dundas*.

Sir, Downing-street, 27 January 1864.

WITH reference to my Despatch, No. 1, of the 9th of January, I have the honour to transmit to you a copy of a letter from Mr. Pope, in reply to Sir Samuel Cunard's letter of the 4th of January, already in your possession. I have to request that you will acquaint Mr. Pope that I have received this communication, but that it does not appear to be one which calls for any comment on my part.

13 January, p. 134.

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

— No. 18. —

No. 18.
Right Hon. Edward Cardwell, Esq., M.P., to Lieut. Governor Dundas.
8 April 1864.

(No. 2.)

COPY of a DESPATCH from the Right Honourable *Edward Cardwell*, M.P., to Lieutenant Governor *Dundas*.

Sir, Downing-street, 8 April 1864.

WITH reference to your Despatch, No. 6, of the 27th February, enclosing printed copies of the correspondence between this Department and the Delegates from the Government of Prince Edward Island on the subject of the Landed Tenure question, I have the honour to transmit to you a copy of a letter from Sir S. Cunard, and a copy of the reply which has been returned to it.

Sir S. Cunard, 26 March, p. 94. Colonial Office, 6 April, p. 98.

From this reply you will learn that, as the previous correspondence has been printed by authority of Government, a similar course should be taken with these further communications. But I am desirous that it should be distinctly understood that I cannot permit this Department to be any further made, by either party, the medium of this kind of controversy.

I have, &c.
(signed) *Edward Cardwell.*

— No. 19. —

No. 19.
Right Hon. Edward Cardwell, M.P., to Lieut. Governor Dundas.
8 July 1864.

(No. 13.)

COPY of a DESPATCH from the Right Honourable *Edward Cardwell*, M.P., to Lieutenant Governor *Dundas*.

Sir, Downing-street, 8 July 1864.

I HAVE the honour to acquaint you that in a letter which I have received from Lady Georgina Fane, her Ladyship informs me that Mr. Henry Palmer, of Prince Edward Island, assures her that he never gave his assent to the provisions of the recent Act of the Provincial Legislature for settling the differences between landlords and tenants, and that his name had been inserted in the schedule to the Act without his knowledge and against his consent.

I have to request that you will furnish me with a full explanation upon this point at as early a period as possible, and in the meantime the final confirmation of the Act will be suspended.

I have, &c.
(signed) *Edward Cardwell.*

— No. 20. —

No. 20.
Right Hon. Edward Cardwell, M.P., to Lieut. Governor Dundas.
15 Nov. 1864.

(No. 28.)

COPY of a DESPATCH from the Right Honourable *Edward Cardwell*, M. P., to Lieutenant Governor *Dundas*.

Sir, Downing-street, 15 November 1864.

I HAVE had under my consideration the petitions against the "Act for settling Differences between Landlord and Tenant, &c.," of which copies were transmitted to me with your Despatch, No. 65,* of the 17th of September, together with a Minute of your Executive Council upon them.

* Page 36.

I have to request that you will inform the petitioners that I have been unable to advise a compliance with their petition.

I have, &c.
(signed) *Edward Cardwell.*

Correspondence with Landowners and others.

— No. 1. —

No. 1.
Sir S. Cunard, Bart., and others, to the Duke of Newcastle, K.G.
13 February 1860.

COPY of a LETTER from Sir *S. Cunard*, Bart., and others, to His Grace the Duke of *Newcastle*, K.G.

Bush-hill House, Edmonton,
13 February 1860.

My Lord Duke,

WE have been furnished with a copy of a memorial, addressed to Her Majesty by the House of Assembly of Prince Edward Island, on the subject of the questions which have arisen in connection with the original grants of land in that Island, and the rights of proprietors in respect thereof.

We observe that the House of Assembly have suggested that Her Majesty should appoint one or more Commissioners to inquire into the relations of landlord and tenant in the Island, and to negotiate with the proprietors of township lands for fixing a certain rate of price at which every tenant might have the option of purchasing his lands, and also to negotiate with the proprietors for a remission of the arrears of rent in such cases as the Commissioners might deem reasonable, and proposing that the Commissioners should report the result to Her Majesty.

As large proprietors of land in this Island, we beg to state that we shall readily acquiesce in any arrangement that may be practicable, for the purpose of settling the various questions alluded to in the memorial from the House of Assembly, but we do not think that the appointment of Commissioners in the manner proposed by them would be the most desirable mode of procedure, as the labours of such Commission would only terminate in a report which would not be binding on any of the parties interested.

We, therefore, beg to suggest, that instead of the mode proposed by the House of Assembly, three Commissioners or referees be appointed,—one to be named by Her Majesty, one by the House of Assembly, and one by the proprietors of land,—and that these Commissioners should have power to enter into all the inquiries that may be necessary, and to decide upon the different questions which may be brought before them, giving, of course, to the parties interested, an opportunity of being heard.

We should propose that the expense of the Commission should be borne by the three parties to the reference, that is to say, in equal thirds; and we feel assured that there will be no difficulty in securing the adhesion of all the landed proprietors to a settlement on this footing.

The precise mode of carrying it into execution, if adopted, would require consideration, and upon that subject we trust that your Grace would lend your valuable assistance.

We have, &c.
(signed) *S. Cunard.*
E. Cunard, per *S. Cunard.*
Graham Montgomery.
Selkirk.
James Montgomery.
Laurence Sulivan.

— No. 2. —

No. 2.
C. Fortescue, Esq., M.P., to Sir S. Cunard, Bart.
11 May 1860.

COPY of a LETTER from *C. Fortescue*, Esq., M.P., to Sir *S. Cunard*, Bart.

Sir, Downing-street, 11 May 1860.

WITH reference to the correspondence which has passed on the subject of the appointment of a Commission to inquire into the relations of landlord and tenant in Prince Edward Island, I am directed by the Duke of Newcastle to forward to you the copy of a Despatch from the Lieutenant Governor, enclosing the copy of a Resolution of the House of Assembly, signifying the assent of that House to the suggestions contained in the Duke of Newcastle's Despatch of the 21st March* last (of which I am to send you a copy) for the settlement of the questions that have been so long in dispute between the proprietors and tenants in Prince Edward Island.

Printed at p. 1.

* Page 60.

I am directed to request you to communicate these documents to the proprietors who are in this country, and ascertain from them the name of the gentleman whom they may think proper to associate, on their behalf, with the two other Commissioners.

I am, &c.
(signed) *C. Fortescue.*

— No. 3. —

No. 3.
Sir S. Cunard, Bart., to C. Fortescue, Esq., M.P.
14 May 1860.

COPY of a LETTER from Sir *S. Cunard*, Bart., to *C. Fortescue*, Esq., M.P.

Bush-hill House, Edmonton,
Sir, 14 May 1860.

I HAVE to acknowledge the receipt of your letter of the 11th instant, on the subject of the proposed Commission for Prince Edward Island, and in reply, I beg to state, that I have consulted with the principal proprietors in this country, and I am duly authorised by them to name John William Ritchie, of Halifax, Nova Scotia, Barrister, as the Commissioner on the part of the proprietors.

I have, &c.
(signed) *S. Cunard.*

— No. 4. —

No. 4.
C. Fortescue, Esq., M.P., to Sir S. Cunard, Bart.
30 June 1860.

COPY of a LETTER from *C. Fortescue*, Esq., M.P., to Sir *S. Cunard*, Bart.

Sir, Downing-street, 30 June 1860.

No. 23.
16 June, p. 60.

I AM directed by the Duke of Newcastle to transmit to you, for your information, the enclosed copies of two Despatches which have been addressed to the Governor of Prince Edward Island, on the subject of the forthcoming inquiry into the tenures of land in that colony.

The Earl of Mulgrave has been furnished with copies of these Despatches, and has been requested to communicate them both to Mr. Ritchie and to Mr. Howe; and a letter has been addressed in similar terms to Mr. Hamilton Gray, who has been selected, in virtue of the choice belonging to Her Majesty's Government, to complete the members of the Commission of Inquiry.

I am, &c.
(signed) *C. Fortescue.*

— No. 5. —

No. 5.
Sir S. Cunard, Bart., to the Duke of Newcastle, K.G.
8 October 1860.

COPY of a LETTER from Sir *S. Cunard*, Bart. to His Grace the Duke of *Newcastle*, K.G.

Bush-hill House, Edmonton,
8 October 1860.

My Lord Duke,

I HAVE just received the enclosed copy of an Act passed by the Legislature of Prince Edward Island, entitled, "An Act to give Effect to the Report of the Commissioners to be appointed on the Land Question."* * Page 25.

I have no wish to withdraw from the reference agreed to, or in any way to limit the matters to be discussed before the Commissioners, but this Act appears to me to give powers to the Commissioners far greater than it was the intention either of the proprietors or Her Majesty's Government to confer.

Your Grace will observe, that by the Resolutions of the Assembly, as well as in the Despatch of Sir E. Bulwer, the liability of the lands to escheat is ignored.

In the answer to the communication of Mr. Merivale to me of the 6th September 1859, myself, and the other proprietors object to the mode proposed by the House of Assembly, as it seemed to contemplate only a report which would not be binding on any one, and we suggest that the Commissioners should be named, one by the Imperial Government, one by the Assembly, and one by the proprietors, and that they should have power to decide on the questions which should be brought before them. These questions being, as stated in the resolutions to which we refer, for the amelioration of the condition of the tenantry; whether the grants were liable to forfeiture, could only be a question between the proprietors and Her Majesty's Government, which the Despatches from the different Colonial Secretaries, conveying the decision of the Government have shown not to be the case. In agreeing to this reference, therefore, we did not contemplate that we were agreeing to abrogate the decision of Her Majesty's Government contained in the Despatches on this question.

The present Act, though very vague and uncertain in its powers, appears to give the Commissioners absolute authority to declare the lands forfeited. It must be obvious to your Grace, that had it been so understood, we never would have consented to a reference, which would place it in the power of persons who might not be lawyers, to decide on the purely legal objections which might be urged against the validity of the grants.

If under the reference contained in resolutions and communications to which we have referred, the Commissioners entered into this question, all they could have done would have been to recommend in their reports, that the validity of the grants should be tried by action in the ordinary courts, from which an appeal would of course lie to the Privy Council; but under this Act, the report of the Commissioners would have the effect of a legal decision, against the validity of the grants founded on evidence not under oath, and the correctness of which could not be tried before the highest court of appeal.

Another objection to the Act is, that any legislation before the report is premature. Many different subjects will be dealt with by the Commissioners to give effect to which the passage of statutes will be required. In legislating under our constitution, the great safeguard against mistakes and inaccuracies is, that when a Bill is introduced into the Lower House, its provisions are discussed, and the same thing takes place in the Upper House, and after this it can be criticised and examined by the law officers of the Crown before it is assented to, by which means clauses, uncertain in their provisions or omissions, which may defeat the legislator's intention, are less likely to occur.

Should the Commissioners attempt to deal with this matter, as contemplated by the Act, by making a general report, it is almost impossible but that their intentions will, in some instances, be defeated, simply from the difficulty of moulding a law embracing such complex questions free from errors, or which will not give rise to doubts, opening a wide field for litigation. This objection becomes the more grave when it is recollected that under this Act the moment the report is delivered to the Governor, it becomes law, no opportunity for

canvassing its provisions being allowed, and no power to the Commissioners to amend mistakes being given.

I trust, therefore, your Grace will see the propriety (where such large interests are involved) of withholding the Royal Assent to this Act, and leaving the authority of the Commissioners to rest on the safe and more constitutional power conveyed to them by the Royal Commission.

I have, &c.
(signed) *S. Cunard.*

— No. 6. —

No. 6.
Sir F. Rogers, Bart., to Sir S. Cunard, Bart.
13 October 1860.

COPY of a LETTER from Sir *F. Rogers*, Bart. to Sir *S. Cunard*, Bart.

Sir, Downing-street, 13 October 1860.

I AM directed by the Secretary of State to acknowledge the receipt of your letter of the 8th instant,* on the subject of an Act which has been lately passed by the Legislature of Prince Edward Island, with a suspending clause, "to give Effect to the Report of the Commissioners to be appointed on the 'Land Question.'"

I am to acquaint you, that the Act in question has not yet been transmitted by the Lieutenant Governor to this office, but that as soon as it arrives, it will, together with your representation respecting it, receive the careful consideration of the Secretary of State.

I am, &c.
(signed) *F. Rogers.*

* Page 77.

— No. 7. —

No. 7.
Sir F. Rogers, Bart., to Sir S. Cunard, Bart.
23 January 1861,

No. 45 of 2 January 1861, page 63.

COPY of a LETTER from Sir *F. Rogers*, Bart. to Sir *S. Cunard*, Bart.

Sir, Downing-street, 23 January 1861.

WITH reference to my letter of the 13th of October last, I am directed by the Duke of Newcastle to transmit to you a copy of a Despatch which his Grace has addressed to the Lieutenant Governor of Prince Edward Island, on the subject of the Acts passed by the Provincial Legislature, entitled, "An Act to authorize Grants of the Shores of this Island," and "An Act to give Effect to the Report of the Commissioners to be appointed on the same Question."

I am to request that you will communicate this Despatch to the proprietors of lands in Prince Edward Island, resident in this country, who are interested with yourself in this matter.

I am, &c.
(signed) *F. Rogers.*

— No. 8. —

No. 8.
Sir S. Cunard, Bart., to the Duke of Newcastle, K.G.
2 October 1861.

COPY of a LETTER from Sir *S. Cunard*, Bart., to His Grace the Duke of *Newcastle*, K.G.

Bush-hill House, Edmonton,
My Lord Duke, 2 October 1861.

THE Commissioners appointed by Her Majesty to investigate certain questions at issue between the proprietors and tenants in Prince Edward Island, having submitted their report to your Grace, the substance of it has been published in the Island newspapers. Assuming that the publication, which is stated to be semi-official, is correct, I have to request that your Grace will permit me, as one of the largest proprietors in the Island, to submit a few remarks for your information.

I should

I should state that a township of land consists of 20,000 acres; that any person wishing to take a lease has the right of selecting such land as he chooses; that by this means the best land is taken, and the swamps and marshes are left to the proprietor; that having made his selection, the applicant receives from my agent a lease for 999 years, rent-free for a certain number of years, then at a very low rate until the full rent of 1 *s.* per acre is reached; and, by a clause in the lease, the tenant has the right to the fee-simple at 20 years' purchase; that the leases are generally for 50 or 100 acres, so that the full rent is from 2 *l.* 10 *s.* to 5 *l.*

It is reported that, by the award of the Commissioners, the tenant, although he has taken a lease from my agent on the terms set forth, may compel me to have his farm valued by arbitrators, and then take it at the price they fix. I will endeavour to show your Grace that this clause is illegal, and would be ruinous to the proprietor. It is, I think, illegal, because, though the Commissioners were authorised to fix a rate of commutation, they were not authorised to delegate their authority to others, much less to compel the proprietors to appoint others to do what was referred to the Commissioners to decide. It is illegal, because it is contrary to the principles of the Resolution of the House of Assembly on which the reference was based, viz. that the persons selected should be unconnected with the Island, the award leaving the most important subject of the reference still to be decided, and by persons objectionable as being residents of the Island.

It would be ruinous to the proprietor, because it holds out an inducement to every tenant to demand an arbitration, for while he cannot have a maximum of more than 20 years' purchase to pay, he may, by the decision of an arbitration, have only two or three. It would subject the proprietor to enormous costs, amounting in many instances to one-half of the value of the farm. As the proprietor could hardly be expected to agree to arbitrators selected from among the tenants, two persons would have to be selected in Charlotte Town to proceed to the farm: supposing the distance to be 70 miles, the travelling expenses, at 4 *d.* per mile going and returning for two persons, would be 4 *l.* 13 *s.* 4 *d.*; they could not go and return in less than five days, and you would have to pay any competent person 20 *s.* per diem, which would be 10 *l.*, making 14 *l.* 13 *s.* 4 *d.*; to this would have to be added the expenses of the agent of the proprietor, who must attend to uphold his interest (an expense which the tenant, being on the spot, would be spared), say 7 *l.* 6 *s.* 8 *d.*, or 22 *l.* in all. Should the arbitrators not agree, the additional expense of an umpire, or 7 *l.* 6 *s.* 8 *d.*, would have to be added. These costs would have to be paid by either the proprietor or the tenant, and the number of tenant farmers in the Island being about 7,300, you would have at least 7,000 arbitrations, and if the taxable costs amounted to only 10 *l.*, which would, I think, be far within the average, there would be 70,000 *l.* of costs to be paid by proprietor or tenant. If, after the arbitrators had decided upon the rate of purchase, the tenant should decline to take the farm at the price named, by what means are the costs incurred to be collected except by lawsuits and fresh expenses. The tenant might insist upon having one of his neighbours, a tenant, as an arbitrator; this would diminish the travelling expenses stated, but would lead to a system of annoyance and wrong to the proprietor which would render the land valueless.

I have no knowledge of the mode by which the Commissioners have decided that the various questions submitted to them should be settled, but the clause respecting arbitration, which it is reported that the Commissioners have suggested, appears to me not only to be illegal, and fatal to the interests of the proprietors, but so certain to produce litigation between landlord and tenant, that I trust your Grace will excuse my having submitted my view to your notice. I have not been able to see any of the other proprietors, or I should have requested them to join me in this remonstrance to your Grace.

I have, &c.
(signed) *S. Cunard.*

— No. 9. —

No. 9.
Sir S. Cunard, Bart., to Duke of Newcastle, K.G.
14 November 1861.

COPY of a LETTER from Sir *S. Cunard*, Bart, to his Grace the Duke of *Newcastle*, K.G.

Bush Hill House, Edmonton,
14 November 1861.

My Lord Duke,

* Page 78.

IN the letter I had the honour to address to your Grace on the 2d October* relative to Prince Edward Island affairs, I made a mis-statement, which I wish to correct: I said, that "by a clause in the lease the tenant has the right to the fee-simple at 20 years' purchase." My agent informs me that the clause is not inserted in the lease, but that each tenant was informed, at the time of taking the lease, that such were the terms, and many of them have availed themselves of these conditions, upwards of 30 of my tenants having, within the last few years, come forward and paid the 20 years' purchase, and have received deeds conveying to them their farms in fee-simple. No one has been refused; the tenants are therefore quite in as good a position as if the clause were inserted in the lease, and I am confident that they do not entertain any doubt about it.

I have, &c.
(signed) *S. Cunard.*

— No. 10. —

No. 10.
C. Fortescue, Esq., M.P., to Sir S. Cunard, Bart.
28 November 1861.

COPY of a LETTER from *C. Fortescue*, Esq., M.P., to Sir *S. Cunard*, Bart.

Sir,

Downing-street, 28 November 1861.

I AM directed by the Duke of Newcastle to acknowledge the receipt of your letters of the 2d of October and 14th of November last, and to acquaint you that the important subject of the Commissioners' Report on the land tenures of Prince Edward Island, will not fail to receive in all its bearings the careful consideration of Her Majesty's Government.

I am, &c.
(signed) *C. Fortescue.*

— No. 11. —

No. 11.
T. F. Elliot, Esq., to Sir S. Cunard, Bart.
22 March 1862.

COPY of a LETTER from *T. Frederick Elliot*, Esq., to Sir *S. Cunard*, Bart.

Sir,

Downing-street, 22 March 1862.

† Page 75.

I AM directed by the Duke of Newcastle to refer you to a letter dated the 13th of February 1860,† signed by yourself and by Mr. Edward Cunard, Sir Graham Montgomery, Lord Selkirk, Mr. James Montgomery, and Mr. Laurence Sulivan, expressing the concurrence of yourself and the other gentlemen, as proprietors of land in Prince Edward Island, in the contemplated commission of inquiry into the land question in that colony, and proposing that the expense should be borne in three equal shares by Her Majesty's Government, by the Assembly, and by the proprietors. I am further desired to refer to a letter to you from this department, dated the 30th of June 1860, which enclosed a Despatch to the Governor of Prince Edward Island, naming the sum of 200 *l.* as the indemnity to be paid to each of the Commissioners for his labours. The inquiry afterwards proved so much longer and more laborious than was expected, that Her Majesty's Government have doubled the amount of this remuneration, besides which a variety of miscellaneous expenses occurred in the investigation. Her Majesty's Government do not propose, however, to call on the other parties to the inquiry for any of the unforeseen and surplus expenditure; this will be undertaken by the Imperial Treasury, which will also issue the required amounts to all the Commissioners and other persons having claims in respect of this service. But I am to request that you, and the other gentlemen associated with you, will pay into the hands of the Paymaster General, Whitehall, the sum of 200 *l.*,

which

which was originally named as the remuneration to the Commissioners, named on their behalf, in order to reimburse Her Majesty's Government to that extent for the issues made by them to liquidate the accounts of the Commission.

I am, &c.
(signed) *T. Frederick Elliot.*

— No. 12. —

No. 12.
Sir S. Cunard, Bart., to C. Fortescue, Esq., M.P.
24 March 1862.

COPY of a LETTER from Sir *S. Cunard*, Bart., to *C. Fortescue*, Esq., M.P.

Sir, Bush Hill House, Edmonton, 24 March 1862.

I BEG to acknowledge the receipt of your letter of the 22d instant, requesting the proprietors of Prince Edward Island who signed a letter addressed to his Grace the Duke of Newcastle, dated the 13th February 1860, with reference to the contemplated commission of inquiry into the land question in that Island, to pay the sum of 200 *l.* for their portion of the expense of the Commission, Her Majesty's Government having most liberally agreed to pay the remainder of the expense incurred by the Commissioners.

I beg to enclose a cheque for 200 *l.* in favour of the Paymaster General. I have not seen any of the proprietors, but I feel satisfied that they will approve of what I have done.

I have, &c.
(signed) *S. Cunard.*

— No. 13. —

No. 13.
C. Fortescue, Esq., M.P., to Sir S. Cunard, Bart.
31 March 1862.

COPY of a LETTER from *C. Fortescue*, Esq., M.P., to Sir *S. Cunard*, Bart.

Sir, Downing-street, 31 March 1862.

I AM directed by the Duke of Newcastle to acknowledge the receipt of your letter of the 24th instant, and of the cheque therein enclosed for the sum of 200 *l.*, in payment of the charge allotted to the proprietors of land in Prince Edward Island, in respect of the Commission of Inquiry into the Land question in that Colony. The cheque has been forwarded to the Paymaster General to be carried to the public credit.

I am, &c.
(signed) *C. Fortescue.*

— No. 14. —

No. 14.
Sir S. Cunard, Bart., and others, to Duke of Newcastle, K.G.
28 March 1862.

COPY of a LETTER from Sir *S. Cunard*, Bart., and others, to His Grace the Duke of *Newcastle*, K.G.

Bush Hill House, Edmonton,
My Lord Duke, 28 March 1862.

THE suggestion that we should adopt the rates of commutation offered by Her Majesty's Government in 1833 for the redemption of the quit rents, has received our consideration.

In agreeing to the Commission asked by the Assembly, we were influenced by a sincere desire for the termination of all disputes, and the removal of all causes of discontent as far as it could be accomplished without the entire surrender of rights in all parts of Her Majesty's dominions secured to Her subjects.

We heard without apprehension of the extraordinary arbitration clause stated by Mr. Howe to be contained in the report of the Commissioners, because we felt convinced that in making it the Commissioners had exceeded their authority, and that, even had its legality been doubtful, its consequences would have been so mischievous, and its operation so injurious to both landlord and tenant, that neither could sincerely desire its confirmation. Its being now pronounced illegal renders further comment respecting it on our part unnecessary.

We refrain from expressing any opinion on that part of the award which sweeps away thousands of pounds of arrears of rent as justly due to us as any

debt due from a customer of a banker or tradesman is due to them, because being a matter within the submission, we know that whether just or not it would be binding; nor do we now stop to consider how far we might avail ourselves of the illegality of the arbitration clause, to resist the confirmation of an award containing provisions so detrimental to our interests, because we feel, that after the trouble your Grace has taken to bring the matter to a satisfactory conclusion, a resort to objections of that kind on our part would be unbecoming.

Great as is the sacrifice, we have determined to acquiesce in the suggestion of your Grace by the following offer:--

"We will permit our tenants during the period of five years from the 1st of May 1862, to buy at 15 years' purchase, during the next period of five years at 18 years' purchase, and at all subsequent periods at 20 years' purchase; the right to extend to unexpired terms of 21 years."

We do not oblige ourselves to receive the purchase-money by instalments, an arrangement which (besides being otherwise objectionable) would, we think, in practice give rise to difficulties, outweighing any benefits that would accrue to the tenants from its adoption; indeed, your Grace will observe, that as the two periods during which the tenants under the proposed arrangement will have the right to purchase at 15 and 18 years respectively, covers the whole of the 10 years during which by the award they would be entitled to purchase at all; and as the rate during the last of such two periods is the same as that fixed in the award when all is paid down, and the first much less, it will evidently be more advantageous to the tenants than the award itself. The right to purchase not to extend to lands comprising mill sites, and of course not to farms which may have been let with the houses and buildings of the landlord on them.

We think the power to select 1,500 acres over which the right to purchase shall not extend, might render many uncertain whether the privilege would be allowed them; we feel that in any arrangement certainty of the right to purchase as well as of the amount to be paid should be secured to the tenants, and we therefore waive any advantage which the adherence to this provision might confer on us.

During the pendency of this matter, we have observed with regret that the Island papers have endeavoured to impress the people with the most incorrect notions of the effect of the different provisions in the award; by the one they have been told that no rent was to be paid till its publication or confirmation; by another that as all arrears previous to 1858 were remitted, those who were not in arrear would be entitled to an allowance for rent paid previous to that period; and the same paper generally understood to be the organ of the Island Government, has industriously laboured to persuade them that the arbitration clause would be so modified in the Legislature as to enable them to purchase in most cases for sums so small as would amount to a confiscation of our property. Absurd as such misrepresentations may appear, they have had the effect of proving seriously injurious to us, compelling our agents in many instances to resort to actions to enforce payment of the current rent, and seriously curtailing the aggregate amount of the ordinary income.

We fear that should any general proposition be submitted, and the framing of the Act necessary to give effect to it left to the Island Government, it would be so distorted for election or political purposes, that it would in the end prove abortive, while a course similar to that already pursued would inflict on us a continuance of the evils we now experience.

Under these circumstances we must request your Grace to consider our offer subject to this condition, viz., that a Bill containing the provisions necessary for carrying it into effect shall be prepared, under the direction of your Grace, and sent out to the Governor to be laid before the Island Legislature, it being understood that no further concession on our part will be made.

We have, &c.

(signed) *S. Cunard.*
E. Cunard.
Laurence Sulivan.
G. Graham Montgomery,
for Self and *James Montgomery.*

Enclosure in No. 14.

A BILL for settling Differences between Landlord and Tenant, and to enable Tenants on certain Townships to purchase the Reversion of their Farms. Encl. in No. 14.

WHEREAS by a certain address of the House of Assembly of this Island, pursuant to certain Resolutions passed by the said House, it was prayed that Her Majesty's Government would be pleased to direct a Commission to inquire into the existing relations between Landlord and Tenant, and to negotiate with the proprietors for abatement of arrears of rent, and also for terms to enable the tenants to purchase the reversion of their farms: And whereas Sir Samuel Cunard, Baronet, Edward Cunard, Sir Graham Montgomery, James Montgomery, the Right Honourable Laurence Sulivan, Daniel Hodgson, William Cundall, John Roach Bourke, the Honourable Thomas Heath Haviland, John A. M'Donald, and the Honourable Edward Palmer, and Henry Palmer, proprietors of the several township lands mentioned in the Schedule to this Act marked (A.), did agree to the issuing of such Commission: And whereas a Royal Commission was thereupon issued, which is as follows:

"VICTORIA R.

"Victoria, by the Grace of God of the United Kingdom of Great Britain and Ireland, Queen Defender of the Faith:—To all to whom these Presents shall come, greeting. Whereas We have been moved by the Assembly of Our Island of Prince Edward to appoint Commissioners to inquire into the differences now prevailing in Our said Island relative to the rights of landowners and tenants in Our said Island, with a view to the settlement of the same on just and equitable principles: And whereas the said Assembly has further by a Resolution, dated the 14th day of April last, set forth its agreement to abide by the decision of any such Commissioners or the majority of them, and to concur in whatever measures may be requisite for giving validity to their decision: And whereas it is highly desirable that the said differences should be adjusted: Now know ye that We, taking the premises into Our Royal consideration, are graciously pleased to nominate and appoint Our trusty and well-beloved John Hamilton Gray, Esquire, our trusty and well-beloved Joseph Howe, Esquire, and Our trusty and well-beloved John William Ritchie, Esquire, to be Our Commissioners for inquiring into the said differences, and for adjusting the same on fair and equitable principles.

"Given at Our Court at Buckingham Palace, this twenty-fifth day of June 1860, in the twenty-fourth year of Our reign."

"By Her Majesty's Command,

"*Newcastle.*"

And whereas the said Commissioners, by their report, did find and declare that the said township lands were not liable to forfeiture in consequence of any omission to perform, or any non-performance of any of the conditions in the original grants thereof; and also that no arrears of the quit-rents by the said grants reserved are now due or recoverable from the proprietors, tenants or occupiers of such lands; and also, that the proprietors, their tenants or occupiers, should be quieted in their possession of certain parts of the said lands called or known as "The Fishery Reserves," and did also declare and award that all arrears of rent which accrued due to the said proprietors in respect of any of the said lands previous to the 1858 should be remitted to the tenants, and did also fix certain rates at which they should have a right to purchase the reversion of their farms: And whereas the said Commissioners did also, by their report, direct and provide that in certain cases the value of the lands should be ascertained by arbitrators to be appointed by the landlords and their tenants, in making which last direction or provision the said Commission exceeded the authority intended to be given them by the Assembly and the said proprietors; and the same, if confirmed by Act, might give rise to many disputes and much litigation between landlords and tenants, and such a direction or provision cannot be allowed or confirmed: And whereas it is nevertheless expedient, for preventing the tenants being deluded by the agitation of impracticable projects based on certain questions called in the said resolutions "The Escheat Question," "The Fishery Reserve Question," and the "Quit-rent Question," as well as for securing to them the benefit arising from the remission of arrears of rent and the right to purchase the reversion of their farms; that the declarations, provisos or directions relative thereto should be confirmed in the manner and under the provisos hereinafter mentioned: And whereas the said proprietors have agreed, during the several periods hereinafter mentioned, to adopt the rates of commutation fixed by Her Majesty's Government for the commutation of the quit-rents as the rates at which they will permit their tenants to purchase the reversion of their respective farms, and which rates are more advantageous to the tenants than the rates fixed in the said award.

1. Be it therefore enacted, by the Lieutenant Governor in Council and Assembly, that from and after the passing of this Act, every tenant of any of the proprietors in the said schedule named, having, at the time of his desiring to exercise the right of purchase hereinafter given, an unexpired term of not less than 21 years' under written demise in any of the township lands of such proprietors therein mentioned, shall have a right or option to purchase the reversionary interest of such proprietor, his heirs or assigns therein, at the rates hereinafter mentioned (that is to say): during the first period of five

years from the 1st day of May 1862, every such tenant shall have a right or option to purchase such reversionary interest at 15 years' purchase of the yearly reserved rent; during the next period of five years every such tenant shall have a right or option to purchase such reversionary interest at 18 years' purchase of the said yearly reserved rent; and during all subsequent periods every such tenant shall have a right or option to purchase such reversionary interest at 20 years' purchase of the said yearly reserved rent: Provided always, that in any case where the reserved yearly rent during the first portion or years of the term shall be less than the yearly rent reserved during the residue of such term, the amount of the purchase-money shall be computed by multiplying the maximum or full rent reserved during such residue of such term by the number of years' purchase at which such tenant may, under the provisions aforesaid, be entitled to purchase.

2. Be it further enacted, that the hereinbefore recited declarations or award of the said Commissioners respecting the escheat or forfeiture of the lands and the arrears of quit-rents, and the lands called or known as the Fishery Reserve, and also concerning the remission to tenants of arrears of rent which have accrued due previous to the day of 1858, and which are now unpaid, be and the same is hereby declared to be valid and binding at law and in equity.

3. Be it further enacted, that in any action hereafter to be brought by any of the said proprietors, their heirs or assigns against any such tenant, for the recovery of rent which may have accrued due previous to the day of 1858, under any such demise as aforesaid, this Act (as to so much of the demand as relates to rent accrued due previous to such last-mentioned date) shall be a good defence under the general issue, without the same being specially pleaded in bar thereto.

4. That nothing in this Act shall be construed to entitle the tenant of any farm or lands comprising any mill site or water power capable of being used for the driving of any saw or grist mill, to claim any such remission of arrears of rent, or a right to purchase the reversion thereof as aforesaid.

5. That this Act shall not extend to any lease or demise, where the unexpired term shall be less than 21 years; nor to any lease or demise of any farm or lands having at the time of the granting thereof, any houses, buildings or other improvements of that description thereon, unless such houses, buildings or other improvements shall have been erected or placed thereon by such lessee, or some person from whom he may have received possession thereof before the granting of such lease.

6. That no tenant shall be entitled to claim the right or option to purchase under this Act, unless all arrears of rent, and which may be recoverable by action, shall be first fully paid and satisfied.

7. That in case the tenant shall desire to purchase between the periods or days on which the rent falls due, the same shall be apportioned and the portion there found to be due added to the purchase-money payable by such tenant under the provisions of this Act.

8. That nothing in this Act shall extend to any lease made after the passing of this Act.

9. That no landlord shall be compelled to sell under the provisions of this Act unless the whole of the purchase-money be tendered or offered to be paid.

Schedule (A.)

Sir *Samuel Cunard*—Proprietor of townships, numbers Two (2), Fourteen (14), Twenty-one (21), Thirty-two (32), Forty-four (44), Sixty-three (63), Sixty-four (64), and of halves of townships numbers Twenty (20), Forty-five (45), Forty-six (46), Forty-nine (49), and parts of townships, Eight (8), Forty-eight (48), Fifty-five (55), and Sixty-five (65), also one-third part of township Twenty-seven (27).

Mr. *Edward Cunard*—Proprietor of townships numbers Four (4), Five (5), Six (6), and half of township number One (1).

Right Honourable *Laurence Sulivan*—Proprietor of townships numbers Nine (9), Sixteen (16), Twenty-two (22) and Sixty-one (61).

Sir *Graham Montgomery*—Proprietor of the one-third ($\frac{1}{3}$), parts of townships numbers Fifty-one (51), Fifty-nine (59), and Thirty-four (34).

Honourable *Thomas H. Haviland*—Proprietor of township number Fifty-six (56), and parts of townships numbers Forty-three (43), Forty (40) and Eight (8).

Henry and *Edward Palmer*—Proprietors of half of township number One (1).

Mr. *Daniel Hodgson*—Proprietor of part of township number Twenty-three (23).

Mr. *William Cundall*—Proprietor of part of township number Twenty (20).

Mr. *John A. M'Donald*—Proprietor of parts of townships numbers Thirty-five (35) and Thirty-six (36).

Mr. *John R. Bourke*—Proprietor of half of township number Thirty-seven (37).

James Montgomery, Esq.—One-third part of townships numbers Fifty-one (51), Fifty-nine (59) and Thirty four (34).

— No. 14* —

No. 14*.
C. Fortescue, Esq., M.P., to Sir S. Cunard, Bart.
28 March 1862.

COPY of a LETTER from *C. Fortescue*, Esq., M.P., to Sir *Samuel Cunard*, Bart.

Sir, Downing-street, 28 March 1862.

I AM directed by the Duke of Newcastle to inform you, that he has had under his most serious consideration the report made by the Commissioners appointed to inquire into the differences prevailing in Prince Edward Island relative to the rights of landowners and tenants. In considering that report, his Grace has also given careful attention to the representation made by you as one of the principal landowners in your letter of *2d October last.

* Page 78.

Your knowledge of the Report of the Commissioners was derived from a statement made by Mr. Howe at a public meeting, which was published in the local papers. The Duke of Newcastle considers that the landowners of Prince Edward Island should now be put fully and formally in possession of the Report; I am therefore directed to enclose a printed copy of it for your and their information.

The suggestions of the Commissioners for the settlement of the landowner and tenant question are two. First, that the operation of the Land Purchase Act should be extended to the whole island, the British Treasury assisting the Local Treasury by a guarantee to the extent of 100,000 *l.* Second, if that cannot be done, that a system of compulsory sale under arbitration should be organised.

To the first suggestion, the Duke of Newcastle is unable to accede. He does not consider that the condition of Prince Edward Island is such as to justify an application to Parliament for the guarantee of a loan on its behalf; and even if such a guarantee were given, and a loan raised, it does not appear certain that it would be effectual for the purpose.

To the second suggestion, you have as a landowner stated certain grave objections. You object that the arrangement proposed is not an award by the Commissioners, but the suggestion of a mode of obtaining an award through others; that consequently it is not in conformity with the agreement between Her Majesty's Government and the proprietors, nor with the address of the Assembly to the Crown, and that it would place the landowners at the mercy of the opposite party, and would probably involve an extravagant expense, which would fall exclusively on them. His Grace cannot deny the weight of these objections, nor assuming that they would be adopted by other landowners, could he feel entitled in the face of them to claim the landowners' acceptance of the Commissioners' recommendation, by virtue of the assent which they gave to the appointment of the Commission.

But his Grace would regret extremely if the difficulty of adopting either course suggested by the Commissioners should involve the necessity of abandoning all hope of compromising the differences which have so long distracted the Colony, and he has accordingly directed his attention to the possibility of devising some other scheme by which those differences might be reconciled without injustice, or too great a sacrifice on either side. The project to which his Grace has been led, I am now to convey to you, and to request that it may receive the careful consideration of yourself and the other owners of estates in Prince Edward Island. His Grace would be glad to be informed as soon as convenient of the result of your deliberations. It would be evidently desirable that he should have the opportunity of weighing any suggestions which you may offer before communicating the scheme to the Governor of Prince Edward Island for the consideration of the Local Legislature.

The object to be aimed at is to secure to the landowner, if not all to which he is legally entitled, yet all that he has hitherto received, on a safer footing than before, and to place the tenant in a more definite and encouraging position, in which he may know exactly, once for all, the terms on which he may acquire his land. It occurs to the Duke of Newcastle that this might be accomplished by enabling the Local Government to treat for the purchase of the landowners' rights, and their subsequent sale to the tenant, thus interposing the Government between the two parties, making it debtor to the one for the price of his land, and creditor to the other for the amount of his rent. The mode in which the Duke of Newcastle would propose to work out the arrangement, is as follows:—

He would propose that a tribunal should be constituted to which the owners and tenants on an estate should be at liberty to apply whenever they should

agree to desire the commutation of their tenure; that on such application the tribunal should ascertain the amount of rent reserved in the lease of the land in question, and the amount actually paid for a period of (say) 14 years; that the mean between the two should be taken as the actual rent, and that the price of the fee-simple should be 16 years' purchase of the rent so ascertained. If the tenant could pay that price at once the transaction might be at once completed; if he could not, the Government should issue to the landowner debentures for the amount, bearing interest at 6 per cent., secured, as I shall hereafter explain, on the colonial revenues, and a mortgage for the amount at the same interest should be taken by the Government over the land so enfranchised. The effect would be, where rents had been regularly paid, to give the landlord 16 years' purchase of the amount reserved in his lease; where they had been irregularly paid, 16 years' purchase of more than he had received, but less than he was legally entitled to claim; and where they had not been paid at all, 8 years' purchase of his legal rent. The number of years purchase has been fixed with reference tothe interest of money in Prince Edward Island, which is assumed to be 6 per cent.

To provide the interest of the debentures so to be issued would not, judging from the Commissioners' Report, involve any difficulty; but to ensure perfect security his Grace would propose to the Legislature that the amount of debentures to be issued in any one year should not exceed 30,000 *l.*; that some special tax should be exclusively appropriated by Act to the liquidation of the interest upon them, and that they should moreover form a first charge on the colonial revenues generally. The interest on the mortgages to be taken by the Government over enfranchised land would form a further security, and would provide the means of gradually paying off the principal. The selection of properties to be enfranchised, if they should in any year exceed the value of the debentures to be issued, should as far as possible, by priority of application, and the decision as to the debentures to be from time to time paid off should be made by lot; these minor points, however, the Duke of Newcastle would be disposed to leave generally to the decision of the local legislature. The debentures or money to be received in payment for land, must of course be made subject to whatever liabilities or obligations the land itself was subject to, and provision must be made for ascertaining the title of the reputed owner of land to be dealt with, and for verifying the returns of rents said to have been paid; it would be for the local legislature to decide whether these duties should be delegated to one of the existing courts of the island, or whether an officer should be specially appointed for the purpose; whichever were adopted would evidently be the tribunal to which applications for the benefit of the scheme should be addressed in the first instance.

This is a general outline of the scheme which the Duke of Newcastle would propose. You will observe that, for the present at least, his Grace desires to leave its operation voluntary; he trusts, however, that it would not for that reason, be less widely resorted to; the benefit to the landowners would be that it would relieve them from the delay and expense involved in any arbitration scheme; that it would enable them to ascertain exactly the price for which they might be required to sell their land, and that if this price were not paid down it would substitute a Government annuity receivable without delay or difficulty for a precarious and uncertain rent; to the tenant it would bring certainty and confidence, and, by putting an end to the irritation which has so long distracted the Colony, would enable him to devote himself undisturbed to his appropriate occupations.

It will be a source of sincere satisfaction to the Duke of Newcastle, if through his intervention the agitation of past years may be put an end to in Prince Edward Island, and the Colony be enabled to pursue the career of prosperity for which its position and capabilities eminently adapt it.

I am, &c.
(signed) *C. Fortescue.*

— No. 15. —

No. 15.
Sir S. Cunard, Bart., to the Duke of Newcastle, K.G.
2 April 1862.

COPY of a LETTER from Sir *S. Cunard*, Bart., to His Grace the Duke of *Newcastle*, K.G.

My Lord Duke, London, 2 April 1862.

I HAVE just received a letter from the Governor of Prince Edward Island, in which he says that a Bill "allowing the tenants permission to purchase at 15 years' rent would settle the long-vexed question in a week."

The Bill that I submitted to your Grace, not only allows that permission, but gives five years to the tenants to enable them to provide the money.

If your Grace could therefore send out the Bill by the packet on Saturday next, it would be in time to be passed by the Legislature now in Session, but if it is deferred until the next packet, it will be too late, and another year of agitation will take place, during which no rent will be paid.

I therefore entreat your Grace to be so good as to send out the Bill by this packet; it will be of great service to the proprietors, and to the tenants also.

I have, &c.
(signed) *S. Cunard.*

— No. 16. —

No. 16.
Sir F. Rogers, Bart., to Sir S. Cunard, Bart.
5 April 1862.

COPY of a LETTER from Sir *F. Rogers*, Bart., to Sir *S. Cunard*, Bart.

Sir, Downing-street, 5 April 1862.

I AM directed by the Duke of Newcastle to acknowledge your letter of the 2d instant, in which you request that he will forward to Prince Edward Island by to-morrow's mail a draft Bill, enclosed in a letter of the 28th ultimo*, signed by yourself and other proprietors of land in that Colony.

* Page 81.

This request is not exactly the same as that which concludes your letter of the 28th, which was to the effect that he would cause a Bill to be framed and sent out to the Governor.

His Grace readily acquiesces in the request contained in your letter of the 2d. He will therefore forward the draft Bill by the mail of to-day. And it will become unnecessary that the Prince Edward Island proprietors should take into consideration the proposals contained in my letter to you of the 28th* ultimo, until it appears how the draft Bill is received by the Prince Edward Island Legislature.

* Page 83*

I am to observe that the schedule to the Bill contains the names of several proprietors who have not signed the letter of the 28th. It would be very desirable that the Governor should be authoritatively informed who are the consenting parties to the Bill besides yourself, Sir Graham Montgomery, and Messrs. E. Cunard, James Montgomery, and L. Sulivan.

I have, &c.
(signed) *Frederic Rogers.*

— No. 17. —

No. 17.
Sir F. Rogers, Bart., to Sir S. Cunard, Bart.
3 December 1862.

COPY of a LETTER from Sir *F. Rogers*, Bart, to Sir *S. Cunard*, Bart.

Sir, Downing-street, 3 December 1862.

I AM directed by the Duke of Newcastle to transmit to you the enclosed copy of a Despatch from the Lieutenant Governor of Prince Edward Island, containing the decision of his Government on the draft Bill, embodying a plan for enabling the tenants to purchase their holdings, which was forwarded to the Colony at the request of yourself and other principal proprietors in the Island.

No. 65. 17 Sept. p. 36.

The decision of the local Government in this matter has been delayed to the present time because the Council declined to entertain the measure so long as the Acts of the Legislature for giving effect to the award of the Commissioners were under consideration. Those Acts having been disallowed by Her Majesty, your

proposals were, by his Grace's desire, again submitted to the Council. It will be seen, however, that they decline to recommend their adoption.

No. 66. 17 Sept. p. 37.

A second Despatch from the Lieutenant Governor is also enclosed, which contains the opinions of Messrs. Gray, Howe, and Ritchie on the Bill.

I am desired to request that you will inform the Duke of Newcastle whether under these circumstances the proprietors intend to press their proposal any further. Should that not be their intention it would rest with his Grace to make some suggestion to the Legislature, which he would desire if possible to be made with their concurrence, and with regard to which he would be ready to enter into communication with them, remembering, of course, that nothing can be worse for all parties than the continuance of the present state of uncertainty on the subject.

I am, &c.
(signed) *Frederic Rogers.*

— No. 18.—

No. 18.
Sir S. Cunard, Bart., to Sir F. Rogers, Bart.
30 January 1863.
* Page 85.

COPY of a LETTER from Sir *S. Cunard*, Bart., to Sir *Frederic Rogers*, Bart.

Sir, 26 Prince's Gardens, 30 January 1863.

I HAVE to acknowledge your communication of the 3d December,* enclosing copy of a Despatch from the Governor of Prince Edward Island with the decision of the Government, refusing to entertain the Bill for enabling tenants to purchase their farms; also opinions of Messrs. Howe, Gray, and Ritchie on the Bill, and requesting me to inform his Grace the Duke of Newcastle, whether the proprietors intend to press their proposal any further.

In reply I beg to say, that in making that proposal, myself, and the other proprietors who acted with me, conceived ourselves making very great sacrifices in favour of our tenants; as they, through their Government, have thought fit to reject the boon we offered, it is neither our interest nor desire to press the matter on them. I conceive we now stand as we were before we agreed to the Commission. The very imprudent and unjust conduct of the Commissioners in sweeping away almost all the arrears of rent, will, I find, involve a much greater pecuniary loss than I ever contemplated; but had not the absurd arbitration clause rendered the whole proceedings void, having given the Commissioners power over the arrears, we should have submitted to the loss without remonstrance.

Aware of the disappointment that would be felt on the award being found to be illegal, we offered the Bill, without altering any portion of the decision, except substituting for the illegal arbitration clause, a rate of commutation lower than otherwise we should have thought of granting.

The rejection of our offer has absolved us from all conventional arrangements; it would require consideration, before agreeing to renew our offer, even if it were desired. I need hardly say that any suggestions which his Grace may see fit to make to us, will receive our most respectful attention, and while, I trust, the manner in which myself, and the other proprietors, have acted from the first, will be viewed as a pledge of our readiness to acquiesce in any reasonable proposal, I must observe, that being now free from all conventional obligations, I must disclaim all right on the part of the Island Legislature, or the Imperial Government (without our concurrence) to interfere with our property, in any manner different from that in which private estates in England could be dealt with. With respect to the opinions of the Commissioners, I may remark that they only confirm what appears on the face of the report, namely, that they have acted on principles utterly opposed to right and justice. In their report, page 25, they say, "that industry or idleness, good health or sickness, a sick family, or a barren bed, or many children, may affect the value of farms." Now, though these circumstances might render one person less able to purchase than another, I cannot see that the marketable value of productive land can be depreciated by the sterility of the tenant's wife, or the industry or idleness, health or sickness, of himself or his family.

The Commissioners remark, that it would be unfair to demand as much for a farm worn out by cropping as for one skilfully managed.

If

If farms are given to two individuals, and one by proper management grows rich, while the other by his management runs his out and remains poor, it is not the landlord's fault, nor should he on that account receive less for his reversionary interest, because, if the tenant pays his rent, the landlord is not injured, and if he does not, he can enter and sell, and let the farm to one who will.

The assertion of these gentlemen, that if the landlord re-entered, he could not, in many cases, sell the farm for 15 years' purchase of the rent, is entirely contrary to the fact.

I believe there is not an improved farm on my estate, which, if surrendered to-morrow, would not sell for 15 years' purchase, and I believe very few indeed which would not realise double that amount.

They have evidently acted on the monstrous principle that the amount of commutation should be proportioned to the circumstances of the tenant, and not to the beneficial interest of the landlord.

My tenants hold under duly executed leases, and can compel me to fulfil my engagements to them, and I hope and trust that his Grace the Duke of Newcastle will not give his sanction to an act of the Island Legislature calculated to deprive me, and the other proprietors, of our property.

I remain, &c.
(signed) *S. Cunard.*

— No. 19. —

No. 19.
T. F. Elliot, Esq., to Sir S. Cunard, Bart.
14 February 1863.

COPY of a LETTER from *T. Frederick Elliot*, Esq., to Sir *S. Cunard*, Bart.

Sir, Downing-street, 14 February 1863.

I AM directed by the Duke of Newcastle to acknowledge the receipt of your letter of the 30th ultimo.

As it appears from the contents of that letter that the proprietors who are co-operating with you consider "their offer of the 28th of March last to be now finally disposed of," his Grace desires me to inquire if you have any observations to make on the letter addressed to you from this Department on the 28th March 1862, which has hitherto received no answer.

I am, &c.
(signed) *T. Frederick Elliot.*

— No. 20. —

No. 20.
Sir S. Cunard, Bart., to T. F. Elliot, Esq.
24 February 1863.

COPY of a LETTER from Sir *S. Cunard*, Bart., to *T. Frederick Elliot*, Esq.

Sir, 26, Prince's Gardens, 24 February 1863.

I HAVE to acknowledge the receipt of your letter of the 14th instant, requesting to be informed if I have any observations to make on the letter addressed to me on the 28th March 1862, which has hitherto remained unanswered.

I beg to say, that I thought the letter from the proprietors, dated the 28th March,* which would be received at the Colonial Office the same day on which the letter referred to was sent to me, would be considered as embracing a reply to that letter, as it contained the sentiments of the proprietors on the subject.

* Page 81.

I have not seen any of the proprietors lately, but I am sure they could not agree to the proposals contained in the letter of the 28th March; it suggests the constitution of a tribunal to deal between owners and tenants, which could not be entertained. It proposes that a tenant who has paid his rent regularly for 14 years, should be entitled to the fee-simple at 16 years' purchase, to which there would be no objection, but it further proposes, that the tenant who does not pay his rent shall be entitled to purchase at eight years, which would operate as a premium against paying rent at all.

There is no tenant on the Island who cannot pay his rent, if he is industrious and sober, and he can also lay past in a few years, as much money as will enable

him to purchase his farm; many of my tenants have done so, paying me in terms of their leases, being 20 years' purchase, and they are now thriving men.

But while the agitation is kept up by designing people, rent will not be paid, nor money laid up to purchase farms; time is wasted and money spent in attending political meetings.

The tenants are told that if they continue to agitate, the Colonial Office will support them, and that they will, in the end, obtain their object; but I feel confident that his Grace will not give his sanction to such unjust proceedings.

The Bill proposed by the proprietors last year contained a most liberal offer to the tenants, and I think the Colonial Government did not study the interest of the tenants in rejecting it.

I have, &c.
(signed) *S. Cunard.*

— No. 21. —

No. 21.
Sir F. Rogers, Bart., to Sir S. Cunard, Bart.
11 July 1863.

COPY of a LETTER from Sir *Frederic Rogers*, Bart., to Sir *S. Cunard*, Bart.

Sir, Downing-street, 11 July 1863.

I AM directed by the Duke of Newcastle to send you the copy of a Despatch, with an enclosure, which his Grace has this day addressed to the Lieutenant Governor of Prince Edward Island, on the subject of the land tenures in that Island, and I am to request you to be so good as to communicate the same to the proprietors in this country, who are interested in the question.

No. 24. 11 July 1863, p. 67.

I have, &c.
(signed) *Frederic Rogers.*

— No. 22. —

No. 22.
Sir F. Rogers, Bart., to Sir S. Cunard, Bart.
28 October 1863.

COPY of a LETTER from Sir *Frederic Rogers*, Bart., to Sir *S. Cunard*, Bart.

Sir, Downing-street, 28 October 1863.

I AM directed by the Duke of Newcastle to transmit to you for any observations which the landed proprietors of Prince Edward Island may have to offer, the copy of a proposal* for the settlement of the land question, which has been submitted to his Grace by the Delegates who have come over to this country for that purpose.

* Printed at p. 120.

I am, &c.
(signed) *Frederic Rogers.*

— No. 23. —

No. 23.
Sir S. Cunard, Bart., to Sir F. Rogers, Bart.
31 October 1863.

COPY of a LETTER from Sir *S. Cunard*, Bart., to Sir *F. Rogers*, Bart.

Sir, 26, Prince's Gardens, 31 October 1863.

I HAVE to acknowledge the receipt of your letter of the 28th instant (it was incorrectly addressed to Edmonton, and the delivery thereby delayed) enclosing copy of proposals submitted by the Delegates from Prince Edward Island.

I will endeavour to see some of the proprietors, and ascertain their views on the subject.

I am, &c.
(signed) *S. Cunard.*

— No. 24. —

No. 24.
Sir S. Cunard, Bart., to Duke of Newcastle, K.G.
14 November 1863.

COPY of a LETTER from Sir *S. Cunard*, Bart., to his Grace the Duke of *Newcastle*, K.G.

My Lord Duke, 26, Prince's-gardens, 14 November 1863.

IN replying to the proposals made by the Delegates from Prince Edward Island, as set forth in their letter of the 13th ultimo,* it may not be out of place to advert to the original granting of the Island, about 90 years ago, in large lots, which has been so much and so severely commented upon. It was an act of necessity, the Island at that time being derelict, and it was absolutely necessary to make arrangements for taking possession of it. The grantees have all lost very heavily by accepting the grants; but no individual on the Island at present has been injured by that proceeding; on the contrary, these grants have been made a fruitful source of profit to the present generation, for when money is required, for any purpose, a law is passed to raise the amount by a tax on the proprietors' land.

* Printed at p. 120.

I can recollect the following taxes; viz., one for making the great roads in the Island, another for the encouragement of education, and another for erecting in Charlotte Town a large building for the Parliament to assemble in, and for all other Government purposes. This was a most costly edifice, being constructed of cut stone, imported into the Island; and I believe the tax was continued after a sufficient sum had been raised to cover the cost.

In the adjacent colonies all these services are defrayed out of the general revenues of the country; but in Prince Edward Island they have been raised by taxes, levied chiefly upon unproductive property, the cultivated paying only half the rate of the uncultivated land. There are many tracts of poor land which have been taxed in this way to four times the amount that the land would sell for, and in very many instances, where the agent had not sufficient money from the produce of the land to pay such tax, parcels of the best land have been sold under execution to satisfy the claim, with the addition of heavy costs.

I have paid for land taxes on my own and my son's wilderness lands, between the years 1841 and 1862, the sum of 8,641 *l.* It may be said that there has not been land for new settlers, but that is not correct; the proprietors have always been willing to supply any quantity upon most easy terms, and the Island Government have now also large quantities of land which cost only 2 *s.* 2 *d.* per acre; and as the Government are too liberal to make money by the poor settlers they will of course sell the land to them at cost price, so that persons wishing to procure land are not dependent on the proprietors. I therefore repeat that the grants so much complained of have not been an injury to the present inhabitants, but a profit to them.

In my leases the rent and purchase money are made payable in British sterling money, and were so paid for many years, until an Act was passed reducing the 1 *l.* sterling to 16 shillings; for instance, if a tenant owes me 5 *l.* sterling for rent under his lease, and I owe him five sovereigns for any article purchased of him, he would pay me 3 *l.* 15 *s.*, and I should have to pay him 5 *l.*; thus the Act reduced the value of my rent and sales 25 per cent.

A landlord is not allowed to proceed in the Small Debts Court for the recovery of rent, while all debts under 5 *l.* are recoverable in that court; and he cannot sue in the Supreme Court for a debt under 10 *l.*, and, as the rent is frequently from 2 *l.* to 2 *l.* 10 *s.*, four or five years must elapse before he can proceed in the Supreme Court; and there are also difficulties placed in the way of recovering rent in the Supreme Court.

I mention these circumstances to show the vexatious Acts that have been passed to injure the proprietors; they have been most unjustly deprived of one-fourth of their property, and difficulties placed in the way of the collection of the remainder.

Some of the propositions of the Delegates appear to be complicated and difficult to be understood, but all of them interfere with the written agreements between landlord and tenant, and go to deprive the landlord of his just rights. One proposal is for remission of arrears of rent prior to May 1858; another to reduce the term of purchase from 20 to 15 years; this would not appear to be a very just proposition when it is considered that an Act has already been passed reducing the sterling money, in which the rents and purchases are payable, to the extent of 25 per cent., so that this further demand is a further additional reduction of 25 per cent. Another proposal is that land leased originally at 1 *s.* per acre, and now paying a higher rate, should be reduced to 1 *s.* Some of my tenants are in that position. Any changes that have taken place have been matter of agreement between my agent and the tenants, and always at the request of the tenant, and for his interest. I happen to recollect an instance that will serve to illustrate the case: two tenants, on adjoining farms, owed each 50 *l.* for rent; one paid the debt, the other proposed to pay sixpence addition per acre, as commutation for the 50 *l.*, to which my agent agreed, and granted him a new lease, the current interest of the Island being 6 per cent.; the 50 *l.* gave him 3 *l.*, and he paid for additional rent only 2 *l.* 10 *s.* It was therefore to the advantage of the tenant, and he wished to have the use of the money; these two farms would now sell in the market for 600 *l.* or 700 *l.* each. Can it be just to ask to disturb such arrangements?

I will now state the terms upon which land can be at all times had. A poor man applies to my agent for 50 acres of land; he obtains it on the following terms:—

One year	- - - - - -	at 3 *d.* per acre,
,,	- - - - - -	at 6 *d.* per acre,
,,	- - - - - -	at 9 *d.* per acre;

and thereafter, at 1 *s.* per acre (I having previously made a road to the land). The tenant has the privilege of cutting timber for building his house and outhouses, as well as for fuel, and also to sell for ship-building and other purposes; if he be an industrious man he will have a comfortable homestead at the end of four years, together with his 50 acres of land, and for which he is to pay annually 37 *s.* 6 *d.* sterling, or at the rate of 9 *d.* per week, and the privilege of purchasing the fee-simple at any time for 37 *l.* 10 *s.*; his agreement is for 50 *l.*; but by the Act of the Legilsature the money value is reduced to 37 *l.* 10 *s.*

Now compare or contrast the situation of this man with the farm labourer in Great Britain, who cannot get a shelter for his family for double that rate per week, and is liable to be turned out at any moment by the omission to pay only one week's rental.

I have granted 1,496 leases within the last 25 years; many of the parties are comparatively rich, while some of them have purchased their freeholds, others would do so, but prefer retaining the money, being aware that they have the privilege of purchasing at any time.

I have not been able to consult with any of the proprietors; they are out of town, and I have also been away. I am therefore only now expressing my own sentiments; but I will take the earliest opportunity of seeing them, and I hope to be enabled to submit to your Grace some proposals in the form of a Bill, which I trust may meet your approbation, and be the means of producing a better feeling in the Island.

I have, &c.
(signed) *S. Cunard.*

— No. 25. —

No. 25.
T. F. Elliot, Esq., to Sir S. Cunard, Bart.
23 November 1863.

COPY of a LETTER from *T. Frederick Elliot*, Esq., to Sir *S. Cunard*, Bart.

Sir, Downing-street, 23 November 1863.

I AM directed by the Duke of Newcastle to acknowledge the receipt of your letter of the 14th instant,* communicating to his Grace your views with respect to the proposals of the Delegates on the Prince Edward Island land question.

* Page 89.

I have, &c.
(signed) *T. Frederick Elliot.*

— No. 26. —

No. 26.
T. F. Elliot, Esq., to Sir S. Cunard, Bart.
26 Nov. 1863.

COPY of a LETTER from *T. Frederick Elliot*, Esq., to Sir *S. Cunard*, Bart.

Sir, Downing-street, 26 November 1863.

I AM directed by the Duke of Newcastle to acquaint you that his Grace has received from Mr. Pope, one of the Delegates from Prince Edward Island on the land question, a letter pressing for an early reply to the proposal submitted by himself and his colleague.

His Grace deems it proper to communicate this circumstance to you although, from the tenor of the concluding paragraph of your letter of the 14th instant,† he has no doubt that no time will be lost in arriving at a decision on the subject.

† Page 89.

I have, &c.
(signed) *T Frederick Elliot.*

— No. 27. —

No. 27.
Sir S. Cunard, Bart., to Sir F. Rogers, Bart.
5 December 1863.

COPY of a LETTER from Sir *S. Cunard*, Bart., to Sir *Frederic Rogers*, Bart.

Sir, 26, Prince's Gardens, 5 December 1863.

WITH reference to the letter which I had the honour to address to the Duke of Newcastle on the 14th November,‡ relative to the proposals made by the Delegates from Prince Edward Island, I now beg to submit, for the consideration of his Grace, the draft of a Bill to which I then alluded. I have since consulted with some of the principal proprietors in this country who have given their assent to the Bill; the greater number of the proprietors reside on the island, and I have reason to believe that they will also give their concurrence to it.

‡ Page 89.

In making these concessions we do not recognise the right of Delegates or any other party to interfere with written agreements existing between landlords and tenants, but we make the concessions in the hope that they may produce peace and obedience to the laws. It is to be fully understood that this Bill shall be taken to contain the terms upon which the land question of Prince Edward Island shall be settled, and it is further expressly understood that, in case any alterations shall be made in the provisions of the said Bill by the Legislature of Prince Edward Island, the proprietors will not in anywise be bound thereby.

I have, &c.
(signed) *S. Cunard.*

Enclosure in No. 27.

Encl. in No. 27. A BILL for settling Differences between Landlord and Tenant, and to enable Tenants on certain Townships to purchase the Reversion of their Farms.

WHEREAS, by a certain address of the House of Assembly, pursuant to certain resolutions passed by the said House, it was prayed that Her Majesty's Government would be pleased to direct a Commission to inquire into the existing relations between landlord and tenant, and to negotiate with the proprietors for abatement of arrears of rent, and also for terms to enable the tenants to purchase the reversion of their farms:

And whereas Sir Samuel Cunard, Baronet, Edward Cunard, Sir Graham Montgomery, Baronet, James Montgomery, the Right Honourable Laurence Sulivan, Daniel Hodgson, William Cundall, John Roach Bourke, the Honourable Thomas Heath Haviland, John A. M'Donald, and the Honourable Edward Palmer and Henry Palmer, proprietors of the several township lands mentioned in the Schedule to this Act, marked A, did agree to the issuing of such commission: And whereas a Royal Commission was thereupon issued: And whereas the said Commissioners by their report did find and declare that the said township lands were not liable to forfeiture in consequence of any omission to perform, or any nonperformance of any of the conditions in the original grants thereof. And also that no arrears of quit-rents by the said grants reserved are now due or recoverable from the proprietors, tenants, or occupiers of such lands; and also that the proprietors, their tenants or occupiers should be quieted in their possession of certain parts of the said lands called or known as "The Fishery Reserves," and did also declare and award that all arrears of rent which accrued, due to the said proprietors in respect of any of the said lands previous to the 1858, should be remitted to the tenants, and did also give certain rates at which they should have a right to purchase the reversion of their farms: And whereas the said Commissioners did also by their report direct and provide, that in certain cases the value of the land should be ascertained by arbitrators to be appointed by the landlords and their tenants; in making which last direction or provision the said Commissioners exceeded the authority intended to be given them by the Assembly and the said proprietors, and the said report or award is therefore void: And whereas it is nevertheless expedient for preventing the tenants being deluded by the agitation of impracticable projects, based on certain questions, called in the said resolutions the "Escheat Question," the "Fishery Reserve Question," and the "Quit-rent Question," that the declaration, provisos or directions, relative thereto should be confirmed in the manner, and under the provisos hereinafter mentioned:

And whereas it hath been agreed between the said proprietors and certain delegates or agents of the Government of Prince Edward Island, to remit to their tenants on their respective estates certain arrears of rent hereinafter mentioned, and also that the tenants on the said estates shall have the right to purchase the reversionary interest in their farms at the rate and in the manner hereinafter expressed:

1. Be it therefore enacted by the Lieutenant Governor, Council, and Assembly, that from and after the passing of this Act, and until the 1st day of May 1884, every tenant of any of the proprietors in the said Schedule named, having at the time of desiring to exercise the right of purchase hereinafter given, an unexpired term of not less than 40 years under written demise, in any of the township lands of such proprietors shall have a right or option to purchase the reversionary interest of such proprietor, his heirs or assigns therein at 16 years' purchase of the yearly rent reserved and made payable by and under such demise; provided always, that in any case where the said yearly rent during the first portion or years of the term shall be less than the yearly rent reserved during the residue of such term the amount of the purchase-money shall be computed by multiplying the maximum or full rent reserved during the residue of such term by 16.

2. Be it further enacted, that the hereinbefore recited declarations or award of the said Commissioners respecting the escheat or forfeiture of the said township lands, and the arrears of quit-rents, and also concerning the lands known or called the Fishery Reserves, be and the same is hereby declared to be binding in law and in equity.

3. Be it further enacted, that the arrears of rent which have accrued due to any of the said proprietors from any tenant of such township lands previous and up to the 1st day of May 1858, and which at the passing of this Act are unpaid, be and the same are hereby remitted and given up; provided always that nothing in this Act shall extend to remit or release any arrears of rent for which judgment in any court shall have been recovered against any tenant previous to the 1st day of October 1863, nor to remit or release any rent due from any tenant the unexpired term of whose lease shall not exceed 40 years; and provided further, and it is hereby declared that nothing in this Act shall be construed to entitle any tenant who, subsequent to the 1st day of May 1858 shall have paid a sum larger than was sufficient to cover or liquidate the rent accruing due between the said 1st day of May 1858 and the time of his making such payment, to have the overplus or amount remaining after deducting the rent so accruing between the said 1st day of May 1858 and the time of such payment applied in or towards the liquidation or payment of any rent accruing after such payment, but such overplus shall be taken and held to have been appropriated by the landlord in payment of arrears that accrued due previous to the said 1st day of May 1858.

4. Be it further enacted, that any action hereafter to be brought by any of the said proprietors, their heirs or assigns, against any such tenant for the recovery of rent which may have accrued due previous to the 1st day of May 1858, under any such demise as aforesaid, that Act (as to so much of the demand as relates to rent accrued due previous to such last-mentioned date) shall be a good defence under the general issue, without the same being specially pleaded in bar thereto.

5. That nothing in this Act shall be construed to entitle the tenant of any farm or lands comprising any mill site or water power capable of being used for the driving of any saw or grist mill whereon any such mill now is, or hereafter has been erected to any such remission of arrears of rent, or a right to purchase the reversion thereof as aforesaid.

6. That no tenant shall be entitled to claim the right or option to purchase under this Act unless all arrears of rent, and which may be recoverable by action, or for which judgment previous to the 1st day of October 1863 shall have been recovered shall be fully paid and satisfied.

7. That in case the tenant shall desire to purchase between the periods or days on which the rent falls due, the same shall be apportioned, and the portion there found to be due added to the purchase-money payable by such tenant under the provisions of this Act.

8. That nothing in this Act shall extend to any lease made after the passing of this Act.

9. That no landlord shall be compelled to sell under the provisions of this Act unless the whole of the purchase-money be tendered, or offered to be paid.

SCHEDULE (A.)

SIR SAMUEL CUNARD, proprietor of townships numbers two (2), fourteen (14), twenty-one (21), thirty-two (32), forty-four (44), sixty-three (63), sixty-four (64), and of halves of townships numbers twenty (20), forty-five (45), forty-six (46), forty-nine (49), and parts of townships eight (8), forty-eight (48), fifty-four (54), and sixty-five (65); also one-third part of township twenty-seven (27).

Mr. Edward Cunard, proprietor of townships numbers four (4), five (5), six (6), and half of township number one (1).

Right Honourable Laurence Sulivan, proprietor of townships numbers nine (9), sixteen (16), twenty-two (22), and sixty-one (61).

Sir Graham Montgomery, proprietor of the one-third ($\frac{1}{3}$), parts of townships numbers fifty-nine (59), and thirty-four (34).

Honourable Thomas Heath Haviland, proprietor of township number fifty-six (56), and parts of townships numbers forty-three (43), forty (40), and eight (8).

Henry and Edward Palmer, proprietors of half of township number one (1).

Mr. Daniel Hodgson, proprietor of part of township number twenty-three (23).

Mr. William Cundall, proprietor of part of township number twenty (20).

Mr. John A. M'Donald, proprietor of parts of townships numbers thirty-five (35) and thirty-six (36).

Mr. John R. Bourke, proprietor of half of township number thirty-seven (37).

James Montgomery, Esq., one-third part of townships numbers fifty-one (51), fifty-nine (59), and thirty-four.

— No. 28. —

No. 28.

Sir F. Rogers, Bart., to Sir S. Cunard, Bart.

1 January 1864.

COPY of a LETTER from Sir *Frederic Rogers*, Bart., to Sir *S. Cunard*, Bart.

Sir, Downing-street, 1 January 1864.

I AM directed by the Duke of Newcastle to transmit to you the enclosed extract of a letter* from Mr. William H. Pope, and to request that you will enable his Grace to answer his inquiry as to whether the Prince Edward Island land proprietors resident in this country will be disposed to agree to the third proposition of the Delegates from the Island, contained in the letter, a copy of which was forwarded to you on the 28th of October.

His Grace requests that you will favour him with an early answer, as Mr. Pope is anxious to leave this country by the mail of the 9th instant.

I am, &c.
(signed) *Frederic Rogers.*

* 18 Dec. 1863, p. 124.

— No. 29. —

No. 29.
Sir S. Cunard, Bart., to Sir F. Rogers, Bart.
4 January 1864.

COPY of a LETTER from Sir *S. Cunard*, Bart., to Sir *Frederic Rogers*, Bart.

Sir, 26, Prince's Gardens, 4 January 1864.

I BEG to acknowledge the receipt of your letter of the 1st instant,* transmitting an extract of one from Mr. W. H. Pope, and requesting that I would enable the Duke of Newcastle to answer Mr. Pope's inquiry as to whether the Prince Edward land proprietors, resident in this country, will be disposed to agree to the third proposition of the Delegates from the Island, contained in their letter of the 28th October last.

* Page 93.

In reply, I beg to acquaint you, for the information of his Grace, that in my letter of the 14th November,† in reply to the propositions submitted by the Delegates, I was reluctant to trust myself to make any remark upon the third proposition, lest I should make some observation that might be deemed unpleasant, especially as the Delegates hold the highest official situations in the Island; I therefore passed it over, merely stating that it was difficult to be understood.

† Page 89.

Being now called upon specially to reply to this proposition, I will endeavour to explain what would be its operation.

A tenant, holding a farm consisting of 100 acres, for which he is bound by his lease to pay 5*l.* rent per annum, and to pay it annually, would, under this proposition, avoid paying his landlord, being encouraged thereby to do so, but would deposit his rent in the bank, where he can get 6 or 7 per cent. interest, and at the end of 20 years the accumulated rent and interest would amount to more than 150*l.*; this sum should, in justice, belong to the landlord, but the tenant can then take 80*l.* of it, and demand from his landlord a deed, in fee simple, of his farm, and has the remainder of the 150*l.* as a reward for dishonesty. The only large proprietor I have been able to communicate with, fully accords with the opinion herein expressed, and I am quite satisfied that the other proprietors, who are out of town, will equally coincide with the view I have taken on the subject.

From the foregoing remarks I think his Grace will readily admit that the proprietors in this country, and in the Island, cannot agree to the third proposition made by the Delegates.

I have, &c.
(signed) *S. Cunard.*

— No. 30. —

No. 30.
Sir S. Cunard, Bart., to the Duke of Newcastle, K.G.
26 March 1864.

COPY of a LETTER from Sir *S. Cunard*, Bart., to His Grace the Duke of *Newcastle*, K.G.

26, Prince's Gardens, Kensington,
My Lord Duke, 26 March 1864.

MY attention has been called to a letter of Mr. Pope's, dated the 18th December 1863,‡ in which he endeavours to make it appear that my letter of the 14th November§ last contains very great misstatements.

‡ Page 124.
§ Page 89.

Though I do not think it necessary to discuss whether Mr. Pope's opinions or mine, on island affairs, are most correct, I think it due to myself to notice some of his remarks.

‖ Page 120.

My letter was written in reply to that of the Delegates of the 13th October 1863,‖ containing proposals for settling the land question, so me of which I thought so extraordinary that I was surprised they should have been made by a Government really desirous of an amicable arrangement.

I am glad to find a more just consideration for the rights of others has caused them to be withdrawn.

Mr. Pope

Mr. Pope first quarrels with an expression, "that when money is required for any purpose, a law is passed to raise the amount by a tax on the proprietors' lands." I do not suppose Mr. Pope thinks I intended this to be literally taken. I might better have expressed my meaning had I said that in the times to which my observation points, every pretext was resorted to for taxing the lands and oppressing the proprietors, whether the money was wanted or not, and I think, among other legislative proceedings, the rejected Rent Roll Bill and Tenants' Compensation Act would furnish pretty strong evidence of the fact.

Mr. Pope does not deny the existence of the Road Tax Act, but differs from me in his idea of its justice. He has a right to his opinion, and so have I to mine. But he alludes to a particular case, where I successfully resisted a most unjust demand, made against me under the Act, asserting that I evaded payment of a thousand pounds by a "purely captious objection."

The assessment alluded to was made before I purchased the property through which the road passed. The Act under which it was made recites that it is just and reasonable that proprietors should contribute to the formation of roads made through their lands.

The intention of the Act evidently was that the proprietors should pay only a proportion of the cost of making the road. Mr. Pope himself says that it was the great highway to the northern extremity of the Island. The public, therefore, must have been greatly benefited by it, so that if there ever was a case where the chief part of the expense should have been borne by the public, it was this. But the jury assessed 70*l.* and 80*l.* a mile against the proprietors, a sum nearly, or quite sufficient, to cover, I believe, the expense of making the road.

The great hardship of the Road Tax Act is that the owner of land is compelled to pay for making roads, where he does not require them, and such was the case with the road in question, along which, after a lapse of upwards of 20 years, but few persons have settled. But before taking any proceedings, my agent pointed out the defect to the Government, and offered to pay one-half of the amount, all that could, according to the intention of the Act, have been assessed, and very greatly beyond what, in justice, should, under the circumstances, have been assessed. This offer was refused, and, after the proceedings were quashed, the Assembly passed an Act to have a re-assessment. After being referred to the Law Officers of the Crown, the Act was disallowed, which, I presume, would not have been the case if my proceedings had been of the character Mr. Pope describes. All the Acts I alluded to are in existence, and can be referred to, and they will, I think, show that it is not without reason I assert that in Prince Edward Island the lands have been frequently resorted to in a manner not usual in the adjacent colonies.

What relation the quit rents, mentioned by Mr. Pope to have been remitted, have to the statement in my letter, I am unable to discover. The arrears of quit rent were remitted long before I purchased. I paid a very large sum of money for my estates, which I would not have paid had they been encumbered with the quit rents. Those from whom I purchased may have derived advantage, but it is evident that I neither did, nor could, derive any.

It is not intelligible from Mr. Pope's statement how the proprietors gained 6,014*l.* by the Land Tax Act, nor do I see that it has anything to do with the question if it were the case.

Mr. Pope says, "The tax for the encouragement of education is not as I would have your Grace infer, levied chiefly on wilderness or unproductive land; the cultivated paying only one-half the rate of the uncultivated."

On referring to the Acts it appears that in 1830 a tax of 2*s.* per hundred acres was imposed. In 1837, which was before I purchased, it was fixed at 2*s.* improved, and 4*s.* for unimproved. In 1848, it was fixed at 2*s.* 6*d.* for improved, and 5*s.* for unimproved, and so continued down to 1852, when it appears an additional (½*d.*) halfpenny per acre was imposed on all lands, which reduced the proportion between cultivated and uncultivated, which before then was, as stated in my letter, double on the latter. Writing only from recollection, I fancied it still continued so. This slight inaccuracy is, I believe, the only one contained in my letter.

The next statement to which Mr. Pope alludes is, "That I say that in my leases the rent and purchase money are made payable in British sterling, and were so paid for many years, until an Act was passed reducing the 1*l.* sterling to 16*s.* Thus the Act reduced the value of my rents and sales 25 per cent." He thinks he will have no difficulty in convicting me here of a misstatement; that he desires to do so is plain, but I think he will be disappointed.

My argument on the one-ninth Bill was, that it deprived me of one-fourth of the rent to which I was legally entitled. Many of my tenants hold under leases given by former owners, long before I purchased; at the time when many of the leases were granted the currency was little, if at all, depreciated, and the payment of 1*l.* with a 1*s.* 9*d.* added, or 1*l.* 2*s.* 2*d.* currency, would be about equivalent to 1*l.* sterling. It gradually became more and more depreciated, but the landlords continued to add 1*s.* 9*d.* and received the depreciated currency in payment; but this indulgence did not deprive them of their right to the amount agreed for, as is proved by the Tender Act, 12 Vict. c. 24, passed in 1849, which, after enacting that the sovereign shall be a legal tender for 30*s.*, in the 7th section provides that the Act shall not affect leases in which the rent is reserved in sterling money.

Such were our legal and well-understood rights, when in 1851 the 14th Vict. c. 33, known as the one-ninth Bill, was passed, compelling us to receive the sovereign for 30*s.* which the Act, passed only two years before, shows we were not bound to do. The proviso alluded to by Mr. Pope, providing that, where the rent had previously been exacted in sterling, it might still be so demanded, only shows that those who had been indulgent to their tenants were worse treated by the Legislature than those who had been exacting, which is just what I complain of.

Mr. Pope alludes to an examination of my agent in the year 1840, in which he states that the mode of converting sterling into currency was by adding one-ninth. My agent was quite correct, it is the system always used in Nova Scotia, but Mr. Pope omitted to state why that system could not be continued in the Island; it was in consequence of the depreciated state of the currency, the Government having issued notes without providing specie to redeem them, and when applications were made at the Treasury, the reply was, there is no money in the Treasury.

If the Bank of England were to refuse to pay their notes in specie, they would soon be, like Prince Edward Island notes, at a great depreciation; and as landlords were not bound to receive this depreciated currency, an Act was passed to compel them to receive it, in payment for rent, at a fixed rate. Mr. Pope says that a sovereign represents 30*s.* Now, if he owes me 1*l.*, British sterling, for rent, he, under this Act, pays me 1*l.* 2*s.* 2*d.*, but, if I owe him 1*l.* British sterling, not for rent, I must pay him 30*s.*; it was a most unjust Act, defrauding me of one-fourth of my rent.

In my letter, I state, that I have given 1,496 leases in 25 years. Mr. Pope quotes this from my letter, and then quotes from a statement, furnished by my agent to the Commissioners, from which he says it appears the number of persons holding leases on Sir Samuel Cunard's estates are 971. If he intends to allege a misstatement here, the explanation is, that I always allude to my son's and my own as one property. I had before me a return of my agent up to the end of 1863, and the number of leases are, as stated, 1,496.

Mr. Pope alludes to the terms on which my lands are let. And here I find my memory had led me into error.

I said that a tenant did not come upon full rent until after four years; I should have said until after eight years; say, two years free from rent, two at 3*d.*, two at 6*d.*, and two at 9*d.*, and thereafter at 1*s.*; and I may repeat that every industrious man should, before that time, have a comfortable homestead with 50 acres of land, at the annual rent of 1*l.* 17*s.* 6*d.*, or less than 9*d.* per week, with the privilege of purchasing the fee simple for 37*l.* 10*s.* at any time within 999 years.

Mr. Pope's remarks would lead to the supposition that there is great destitution and distress in the Island.

I annex

I annex a statement from the "Islander" newspaper, of the 1st January 1864, of the exports from the Port of Charlotte Town alone during the past autumn, which is a sufficient refutation of Mr. Pope's assertion.

I do not think a country, having such a vast quantity of agricultural produce to export, can be in a very impoverished condition. If there be so large a class whose lands do not yield them a subsistence, it only shows that the Island soil, properly worked, must be wonderfully productive, as then this vast surplus must be produced by a moiety of the people.

My last misstatement, according to Mr. Pope, is that the small debt courts of the Island are closed against the proprietors; this, Mr. Pope says, is incorrect, because, if the landlord can make oath there is not sufficient distress to countervail half a year's rent, he may sue. In other words, because, where it appears the tenant has nothing to pay with, you may sue; where he has, you shall not. Your Grace will recollect that a copy of the Small Debt Act, with this section specially marked, accompanied my letter.

If I had been furnished with a copy of Mr. Pope's letter, I should have replied to his charges immediately, so that my refutation would have appeared at the same time with Mr. Pope's charges.

I have, &c.
(signed) *S. Cunard.*

Enclosure in No. 30.

Extract from the "Islander," of 1 January 1864. Encl. in No. 30.

As for ourselves, we have much to be grateful for. Favoured by a fine season, the crops have been abundant, and in addition there has been an unusual requisition for portions of them. Oats have been in good demand. We are not enabled to give the whole quantity or value of the produce shipped during the past year from the Island in general, but the following account of what has been sent from the port of Charlotte Town alone will give some idea of how great has been the export trade in the articles enumerated.

Cleared at the Custom House, as exported from the port of Charlotte Town, as nearly as can be ascertained at present, the following articles, viz.:

		Estimated Value.		
		£.	*s.*	*d.*
665,599 bushels oats - -	2 *s.* 6 *d.* per bushel - -	66,559	18	–
210,297 „ potatoes -	1 *s.* 6 *d.* „ - - -	15,239	18	–
18,138 „ barley -	4 *s.* 6 *d.* „ - - -	3,627	12	–
10,626 „ turnips -	1 *s.* „ - - -	5,318	–	–
806 barrels oatmeal -	30 *s.* per barrel - - -	1,209	10	–
26,029 dozen eggs - -	7 *d.* per dozen - - -	758	18	4
10,173 sheepskins - -	5 *s.* per skin - - -	2,543	5	–
21,958 lbs. wool - -	2 *s.* 3 *d.* per lb. - - -	2,470	5	6
	£.	107,727	6	10

The above articles enumerated are independent of timber, deals, lathwood, horses, horned cattle, sheep, poultry, pearl barley, beef, pork, dry fish, mackerel, herrings, oil, oysters, parsnips, carrots, hay, &c. &c.

— No. 31. —

No. 31.
Sir F. Rogers, Bart., to Sir S. Cunard, Bart.
6 April 1864.

COPY of a LETTER from Sir *Frederic Rogers*, Bart., to Sir *S. Cunard*, Bart.

Sir, Downing-street, 6 April 1864.

I AM directed by the Duke of Newcastle to acknowledge the receipt of your letter of the 26th of March,* and to acquaint you that, as Mr. Pope's letter to which you refer had not left on his Grace's mind any impression unfavourable to you, and as it appeared that the controversy was one which was perfectly useless in itself, and calculated to obstruct a settlement which it was for the interests of all parties to effect as speedily as possible, his Grace did not think it necessary to send you a copy of it. But as Mr. Pope's letter appears to have been published in Prince Edward Island, it is the Duke of Newcastle's intention to furnish the Governor with a copy of your present letter and of this reply, with an intimation of his Grace's desire that, as the previous correspondence had been printed by authority of Government, a similar course should be taken with respect to these further communications.

* Page 94.

But the Duke of Newcastle will, at the same time, intimate to the Governor that he cannot allow this Department to be any further made, by either party, the medium of a controversy of this kind.

I have, &c.
(signed) *Frederic Rogers.*

— No. 32.—

No. 32.
Sir F. Rogers, Bart., to Sir S. Cunard, Bart.
4 June 1864.

COPY of a LETTER from Sir *Frederic Rogers*, Bart., to Sir *S. Cunard*, Bart.

Sir, Downing-street, 4 June 1864.

I AM directed by Mr. Secretary Cardwell to transmit to you the enclosed copy of a Despatch from Lieutenant Governor Dundas,* accompanied by an Act of the Legislature of Prince Edward Island, entitled, "An Act for settling Differences between Landlord and Tenant, and to enable Tenants on certain Townships to purchase the Fee-simple of their Farms;" and I am desired to request that you will ascertain and inform Mr. Cardwell whether the provisions of this Act are acceptable to the proprietors concerned.

* Page 50.

I have, &c.
(signed) *Frederic Rogers.*

— No. 33. —

No. 33.
Sir S. Cunard, Bart., to Sir F. Rogers, Bart.
6 June 1864.

COPY of a LETTER from Sir *S. Cunard*, Bart., to Sir *Frederic Rogers*, Bart.

Sir, 26, Prince's Gardens, 6 June 1864.

I HAVE to acknowledge the receipt of your letter of the 4th instant, enclosing copy of a Despatch from the Lieutenant Governor of Prince Edward Island, and of an Act of the Legislature of the Island, entitled, "An Act for settling Differences between Landlord and Tenant, and to enable Tenants on certain Townships to purchase the Fee-simple of their Farms," and requesting to be informed whether the provisions of this Act are acceptable to the proprietors.

In reply, I beg to state that Mr. Sulivan, Sir James Montgomery, and Mr. James Montgomery, have given their assent; and the proprietors residing in the Island named in the Act have likewise given their assent, and I hereby give my own and Mr. Edward Cunard's assent.

I have, &c.
(signed) *S. Cunard.*

— No. 34. —

No. 34.
Sir S. Cunard, Bart., to Sir F. Rogers, Bart.
10 June 1864.

COPY of a LETTER from Sir *S. Cunard*, Bart., to Sir *Frederic Rogers*, Bart.

Sir, 10 June 1864.

I BEG to enclose you certain documents * which will show you that all the persons named in the Bill transmitted from Prince Edward Island have given their assent to the Bill, with the exception of Mr. Henry Palmer and Mr. Edward Palmer, and Mr. John A. McDonald; they are resident in the Island, and I know were concurring parties to the passing of the Bill.

Yours, &c.
(signed) *S. Cunard.*

* These documents were returned to Sir S. Cunard.

— No. 35. —

No. 35.
Sir F. Rogers, Bart., to Sir S. Cunard, Bart.
13 June 1864.

COPY of a LETTER from Sir *F. Rogers*, Bart., to Sir *S. Cunard*, Bart.

Sir, Downing-street, 13 June 1864.

I AM directed by Mr. Secretary Cardwell to acknowledge the receipt of your letters of the 6th and 10th instant, and to acquaint you that the Act passed by the Legislature of Prince Edward Island, "for settling Differences between Landlord and Tenant, and to enable Tenants to purchase the Fee-simple of their Farms," will be submitted for the confirmation of the Queen at the next Council.

I am, &c.
(signed) *Frederic Rogers.*

— No. 36. —

No. 36.
Sir F. Rogers, Bart., to Sir S. Cunard, Bart.
29 June 1864.

COPY of a LETTER from Sir *F. Rogers*, Bart., to Sir *S. Cunard*, Bart.

Sir, Downing-street, 29 June 1864.

WITH reference to my letter of the 13th instant, I am directed by Mr. Secretary Cardwell to acquaint you that remonstrances have been received from Prince Edward Island against the Act for settling the differences between landlord and Enant, and that until these representations have been considered the Act will not be submitted for Her Majesty's confirmation.

I am, &c.
(signed) *Frederic Rogers.*

— No. 37. —

No. 37.
Sir S. Cunard, Bart. to Rt. Hon. E. Cardwell, M.P.
6 July 1864.

COPY of a LETTER from Sir *S. Cunard*, Bart., to the Right Honourable *Edward Cardwell*, M.P.

Sir, 26, Prince's-gardens, 6 July 1864.

I BEG to acknowledge the receipt of Sir Frederic Rogers' communication, informing me, that in consequence of some remonstrances, the Bill relating to lands in Prince Edward Island will not be laid before Her Majesty until further consideration.

Looking at the state of parties in Prince Edward Island, it is not surprising that any measure relating to lands should find numerous opponents, but as any remonstrance from that quarter will, of course, be accompanied by comments from the Lieutenant Governor, any remarks from me are unnecessary.

With respect to the opposition of proprietors who never assented to the Commission, and who have taken no part in the proceedings, I would respectfully

submit that, as the Bill does not pretend to be in any way binding on them, it seems unreasonable that their objections should be entertained.

I understand some objection is made that Mr. Henry Palmer, whose name appears in the schedule to the Bill, does not seem to have given his assent to it. I have had no communication with this gentleman, but he is a brother of Mr. Edward Palmer, the Attorney General, and I know they were, and I presume still are, jointly interested in the lands held by them on lot 1. Mr. Edward Palmer is also a Member both of the Legislative and Executive Council. The Bill now sent home was entirely redrawn in the Island by, I assume, Mr. Edward Palmer, the Attorney General, who also voted for it, and has signed. I cannot believe that he would have inserted his brother's name without being satisfied of his acquiescence. Besides this, Mr. Henry Palmer was residing in Charlotte Town during the discussion of the Bill in the Legislature, and must have known that his name was inserted in it. Under all these circumstances, I think if he really was dissatisfied he should have communicated his dissent to the Lieutenant Governor in order that the Bill might be amended by striking out his name before its final passing, and which, as Mr. Henry Palmer's share consists of only a few hundred acres, would have been of little importance.

Neither myself or the other assenting proprietors would be desirous of carrying out the present arrangement, if we had not originally agreed to the Commission; but by it and the subsequent proceedings, hopes have been raised in the minds of our tenantry, and I believe the disallowance of this Bill would cause great disappointment, and probably result in resistance to the law, as well as be productive of much political disturbance. Under these circumstances, I trust any objections of this kind will not be deemed of sufficient importance to prevent the Bill receiving the Royal Assent.

I have, &c.
(signed) *S. Cunard.*

— No. 38. —

No. 38.
Sir F. Rogers, Bart., to Sir S. Cunard, Bart.
8 July 1864.
* Page 99.

COPY of a LETTER from Sir *Frederic Rogers*, Bart., to Sir *S. Cunard*, Bart.

Sir, Downing-street, 8 July 1864.

I HAVE laid your letter of the 6th instant* before Mr. Secretary Cardwell, and I am directed by him to acquaint you, that in view of certain remonstrances which are expected from Prince Edward Island, and to the distinct allegation of Lady G. Fane, that Mr. H. Palmer is not a consenting party to the Bill for settling the differences between landlord and tenant, Mr. Cardwell does not feel himself at liberty to depart from the intimation in my letter of the 29th ultimo, that he could not at present submit the Bill for the decision of the Queen.

He has referred to the Governor Lady G. Fane's statement that Mr. H. Palmer had not consented to the Act.

I have, &c.
(signed) *Frederic Rogers.*

— No. 1. —

No. 1.
Lieut. Colonel Cumberland to the Right Hon. E. Cardwell, M.P.
16 June 1864.

COPY of a LETTER from Lieutenant Colonel *Cumberland* to the Right Hon. *Edward Cardwell*, M.P.

Sir, Old Government House, Guernsey, 16 June 1864.

I TAKE the liberty to address you in consequence of recent accounts that have reached me from Prince Edward Island, in which colony I am interested in a considerable landed property. It is with great reluctance, sir, that I trespass on your time, and particularly on a subject which, I am well aware, has proved the

the source of much trouble and annoyance to Her Majesty's Government. I mean "the land question," so termed; but by the public papers, brought by the last mail thence, I have been afforded an opportunity of seeing, for the first time, a Bill, which has lately passed the Local Legislature, entitled "An Act for settling Differences between Landlord and Tenant, and to enable Tenants to purchase the Fee-simple of their Farms."

I do not dispute the right of those gentlemen who signed for "the Land Commission," and who may have since submitted to the conditions set forth in this Bill, to act as they may have thought fit with regard to their own estates, but I wish to draw your attention to the consequences which have already resulted from this piece of, as I consider it, injudicious, injurious legislation.

In the same Island papers I observe, that even the concessions gained by this Bill do not, by any means, satisfy the tenantry, that far greater sacrifices from the landlords are demanded, and that "tenant leagues" are forming in all parts of the Colony, to resist the payment of any rent until such concessions are obtained; in short, until the tenants are allowed to purchase and hold land on their own terms.

I was not a party to "the Land Commission," and was assured, with the other non-signing proprietors, by his Grace the Duke of Newcastle, that our interests were not to be affected by it; I also understand that this recently-passed Bill is applicable only to the estates of those proprietors whose names are mentioned therein, and am likewise fully aware that the laws, as they now exist, are sufficient to sustain me in the prosecution of my proprietary rights; but I can also perceive that the spirit which the late proceedings with regard to landed property in Prince Edward Island has aroused, will lead to endless litigation, and, eventually, to the ruin of a resisting tenantry. It cannot be otherwise so long as agitation is kept up for political purposes, and rewarded by similar enactments.

It would be easy to prove that the proprietors of land in Prince Edward Island, as a class, have, from the commencement, been more "sinned against than sinning." My present purpose, however, is to solicit your attention to the Bill in question, its certain results, and to express a hope that you will not, without the most mature consideration, submit it for the Royal Assent.

Those proprietors who may have consented to the terms of this Bill would, I have no doubt, feel themselves equally bound by its conditions as if the Act had passed into law, whilst the pernicious effects of such legislation would be corrected by withholding from it the sanction of Her Majesty's Government.

I have, &c.
(signed) *B. H. Cumberland,*
Lieutenant Colonel.

— No. 2. —

No. 2.
Sir F. Rogers, Bart., to Lieut. Colonel Cumberland.
3 August 1864.
Page 100.

COPY of a LETTER from Sir *Frederic Rogers*, Bart., to Lieutenant Colonel *Cumberland.*

Sir, Downing-street, 3 August 1864.

I AM directed by Mr. Secretary Cardwell to acknowledge the receipt of your letter of the 16th June,* on the subject of the Bill recently passed by the Legislature of Prince Edward Island, "for settling Differences between Landlord and Tenant, and to enable Tenants on certain Townships to purchase the Fee-simple of their Farms."

Various representations on this subject have been made to Mr. Cardwell, and the result has been that he has found it necessary to make a reference to the Colony before deciding what advice he should tender to Her Majesty with regard to this Bill.

I am, &c.
(signed) *Frederic Rogers.*

— No. 1. —

No. 1.
Lady G. Fane to the Duke of Newcastle, K.G. 26 November 1861.

COPY of a LETTER from Lady *Georgina Fane* to His Grace the Duke of *Newcastle*, K.G.

5, Upper Brook-street,
26 November 1861.

My Lord Duke,

YOUR Grace may probably recollect that I am one of the proprietors of land in Prince Edward Island, who several months ago petitioned not to be included in an award to be made by Commissioners appointed to negotiate an arrangement of several questions in the Island; * that I expressed strong objections to the appointment of the Commission, to the manner in which the business of the Court was carried on, and to the apparent intention of the Commissioners to interfere in an arbitrary way with the rights of proprietors. We have since received an assurance from your Grace that we, who were not consenting parties to the appointment of the Commission, will not be included in their award; but it is evident that though not included, we must be in a great degree affected by it. One of the Commissioners, Mr. Howe, has announced what the award is on which the Commissioners have agreed, and I therefore trouble your Grace with this letter, to express the strong objection which I feel to that award; and my conviction from all that has passed in the last year, that if it receives the Royal Assent it will add to the mischief already effected in the Island by the Commission. The opinion I formed when I was in the Island a year ago as to the mischief it would effect, has been fully confirmed by what has occurred since.

Vide, page 13.

As for myself I can say that the proceedings of the Commissioners have interfered with all that I did on my property. I left the Island, having settled everything on an estate of 10,000 acres, to the apparent satisfaction of all the tenantry on it. I reduced the arrears very considerably, extended the period to which some of the recent settlers were to have their farms free, and gave a little money to the poor men to help them, and left all the arrears that still remained, to be spent on the settlement in various ways. The only difficulty I had there was in deciding to which of two old tenants I would lease some extra acres which both were anxious to have. On another estate I offered the people leases on the same terms as those held on a neighbouring township, where the tenants were so well satisfied, that they had, at a meeting held before the arrival of the Commissioners, decided that they would not appear in their Court at all, as they "had nothing to complain of," and believed "that no Court would give them better terms." The answer which the poor people on my property made was, that they wished to wait, and see what the Commissioners would do for them. These were of course squatters, and people in arrear. My agent writes to me that he has been unable to do anything since I came away (a year ago), on either estate, "owing to the difficulty occasioned by the Land Commission." I believe that if this award becomes law, this precedent of interference on the part of the Government between landlord and tenant (besides the injustice to the landlord of seizing his property in the way projected) will destroy the link which at present there is between landlord and tenant, and the last chance that there is of their coming to a friendly arrangement. Whilst I was in the United States I heard much of disturbances that had gone on for several years in some of the Dutch States, held and leased much in the same way as land in Prince Edward Island.

About four years ago the Courts of the United States pronounced that they could not interfere with the rights of proprietors, and that the landlords had a right to the arrears, and to future rents. Since that time everything has been settled between the landlords and tenants, and they go on peaceably; I believe the same would happen in Prince Edward Island if the local Government, instead of countenancing agitation, as it has done, and keeping up in the minds of the tenantry the expectation that the landlords are to be got rid of, would follow the example set in the United States, and refuse all such interference.

The people in the Island are dissatisfied, and are holding meetings to petition against the award, because it does not give them what they were led to expect, *i. e.*, does not transform them into proprietors. The landlords are dissatisfied, and feel that in making such an award the Commissioners have disregarded the assurances

assurances repeatedly given by the Crown that their rights as proprietors should not be interfered with.

It appears, therefore, that its rejection would not occasion displeasure to either side.

As to the loan of 100,000 *l.*, it would have the mischievous effect of keeping up agitation, and involving the Colony in debt in addition to the injustice of the tax it would occasion. The only persons benefited would be those who are now endeavouring to depreciate property for the purpose of buying it up.

I trust your Grace will think that the objections I make to an award that gives direct encouragement to, and holds out inducements to dishonesty that not only interferes with the rights of a proprietor, but takes from him the right to the possession of his property, and compels him to part with it, are reasonable.

I have, &c.
(signed) *C. Georgina Fane.*

— No. 2. —

No. 2.
Sir F. Rogers, Bart., to Lady G. Fane.
31 December 1861.

COPY of a LETTER from Sir *Frederic Rogers*, Bart., to Lady *Georgina Fane*.

Madam, Downing-street, 31 December 1861.

I AM directed by the Duke of Newcastle to acknowledge the receipt of your Ladyship's letter, dated 26th November, and to acquaint you that every attention will be paid to your representations and those of other proprietors, on the landed tenure question in Prince Edward Island. The Report of the Commissioners is still under careful deliberation, and no decision will be come to without well weighing all the considerations which have been submitted in connexion with the subject.

I have, &c.
(signed) *Frederic Rogers.*

— No. 3. —

No. 3.
Lady G. Fane to the Duke of Newcastle, K.G.
13 January 1862.

COPY of a LETTER from Lady *Georgina Fane* to His Grace the Duke of *Newcastle*, K.G.

My Lord Duke, Brympton House, 13 January 1862.

HAVING already troubled your Grace with a letter on the subject of the mischievous effect of the Land Commission in Prince Edward Island, I feel that I must apologise for writing again. I am induced to do so by a letter which I have recently received.

I wrote to my agent to request that he would explain to me the cause of the difficulty of obtaining payment of rents on an estate where a year and a quarter ago there was no reason to expect any difficulty. He writes to me that "the Commission will render the recovery of arrears a very difficult matter, even on estates, the tenants of which have had no difference with their landlords." As relates to the other estate, he says that "at the present day, in this Colony, the chance of a landlord obtaining a verdict against a squatter is not very bright—thanks to the Commission," and "that it has made dishonest men of thousands who, before it was mooted, never refused to pay their rents." He concludes by saying, "that if the Commission business were disposed of, there would be no difficulty, but so long as it remains uncertain the tenants will hold back in the hope of gaining by it." This being the report sent to me of the present state of the Island, your Grace will not be surprised that I should be anxious that the agitation should be put an end to by the rejection of the award. It is based on injustice and spoliation; injustice to the tenants, as it gives to the dishonest man an advantage over the honest and industrious one who has paid his rent; and spoliation of the landlord, as it is an arbitrary seizure of his property. Such legislation can never bring about peace and good conduct in any community.

I venture to express my opinions to your Grace, as I know that the same objections to the award are felt by other proprietors who have not troubled you, thinking that the onus of objecting to it should be left to those who agreed to the arbitration. I think, on the contrary, that all who are interested on the subject should make your Grace acquainted with their opinions and their reasons for wishing that the award may be rejected.

I have, &c.
(signed) *C. Georgina Fane.*

— No. 4. —

No. 4.
T. F. Elliot, Esq. to Lady G. Fane.
30 January 1862.

COPY of a LETTER from *T. Frederick Elliot*, Esq., to Lady *Georgina Fane.*

Madam, 30 January 1862.

I AM directed by the Duke of Newcastle to acknowledge the receipt of your Ladyship's letter of the 13th instant,* and to assure you that the objections which you have submitted to the Report of the Commission on the landed tenure question in Prince Edward Island will receive due consideration.

* Page 103.

I have, &c.
(signed) *T. Frederick Elliot.*

— No. 5. —

No. 5.
Lady G. Fane to the Duke of Newcastle, K.G.
22 November 1862.

COPY of a LETTER from Lady *Georgina Fane* to His Grace the Duke of *Newcastle*, K.G.

5, Upper Brook-street,
My Lord Duke, 22 November 1862.

I SEND to your Grace a newspaper from Prince Edward Island, the "Islander" of the 3d October, with the request that you will be so kind as to read a letter in it signed "Sentinel." It is to the latter part of the letter that I wish particularly to call your attention.

You will see that not only it is avowed that it is the intention of the Government of the Island to keep up the agitation that has for some time existed, and compel your Grace "to reconsider your decision on the subject of the award," but that it states that "the Government is determined to use every exertion by way of remonstrance, petitions, and otherwise, if necessary, to bring about a speedy confirmation of the award;" and that it also incites and advises the tenantry to refuse to pay rents.

The "Islander" is published under the sanction of the Government; the Colonial Secretary is the editor of it, and it is professedly the organ of the Government in the Island.

From the accounts I receive I believe the agitation among the tenantry has very much subsided. Mr. Bruce Stewart writes to me that he has collected his rents with much less difficulty than for several years past. Sir S. Cunard told me, in the winter, that he had received his rents; and from other friends I hear that the accounts they receive from their estates are satisfactory. On one estate I hear that the candidates for leases on the usual terms are numerous.

Your Grace will observe, that even according to the statement of "Sentinel," the popular feeling has gone with the proprietors, in being satisfied with the rejection of the award.

I am confirmed, by all that has passed, in the belief that it is not the tenantry who are discontented, but a set of people whose object is to deteriorate the value of land in order to obtain possession of it themselves. But how can it be expected that peace will be restored, or that any community will be contented, if the Government actually advises and incites tenantry to refuse to pay rents; tells them that such refusal will be successful, and encourages them in the expectation

expectation of being enabled to throw off their engagements, and become possessors of their farms by paying little or nothing for them? The letter of "Sentinel" is only a specimen of what is weekly published under the sanction of Government.

I feel it impossible that your Grace can approve of an endeavour to keep up in the minds (or rather, I should say, instil into the minds) of tenants a feeling of irritation against their landlords, and I venture to call your attention to the letter of "Sentinel," to the advice given therein to refuse payment of rent, and the system pursued towards us by the local Government of holding us up to our tenants as enemies that they are to get rid of. There is no country in the world in which agitation and discontent would not be occasioned by such a system.

The effect of renewed discussion on the award (as at present intended by the local Government) must be a revival of the agitation which since its rejection has been subsiding.

I have, &c.
(signed) *C. Georgina Fane.*

— No. 6. —

No. 6.
Sir F. Rogers to Lady G. Fane.
16 December 1862.

COPY of a LETTER from Sir *Frederic Rogers*, Bart., to Lady *Georgina Fane*.

Madam, Downing-street, 16 December 1862.

I AM directed by his Grace the Duke of Newcastle to acknowledge the receipt of your Ladyship's letter of the 22d ultimo, respecting the land questions in Prince Edward Island, and to thank you, in his Grace's name, for the communication.

I have, &c.
(signed) *Frederic Rogers.*

— No. 7. —

No. 7.
Lady G. Fane to the Right Hon. E. Cardwell, M.P.
13 June 1864.

COPY of a LETTER from Lady *Georgina Fane* to the Right Hon. *Edward Cardwell*, M.P.

Sir, Brympton House, 13 June 1864.

I OBSERVE that an Act has been passed by the Legislature of Prince Edward Island, and been sent to England for the Royal assent, called "An Act for the settling Differences between Landlord and Tenant," which is to apply to the estates of eight proprietors.

I venture, as one of the proprietors in Prince Edward Island, to write to you on the subject, and to protest strongly against an Act, the result of which must be injurious not only to myself and every other proprietor, but I believe will also be, in many cases, injurious to the tenantry.

I am told, and the same assurance has, I believe, been given to others, that the non-consenting proprietors are not to be affected by this Act, and that it is to apply only to the estates of those who are named in it. I understand that this is considered "settling the land question," and that it is thought that as the tenants will be more contented, I may expect a more punctual payment of rent. It appears to me completely and utterly impossible to expect that the tenants on my property can be more contented because those on the property of Sir Samuel Cunard and others will have a right to purchase land at less than its value, and cannot be called upon to pay arrears of rent due before 1858. It is, on the contrary, evident that the very reverse must be the fact, and equally evident that the agitation which has been got up (as is well known in the Island), not really to help the tenants, but for other reasons, will be continued for the purpose of bringing the estates of the non-consenting proprietors under the same law. Will the Government of the Island, and will Her Majesty's Government, which has assured us that we are not to be affected by this Act, give us a promise that this Bill will not be followed by another compelling us

to submit to that which those eight proprietors have agreed to? If such a promise is not given to us and kept we are deluded, for we are told that we are not to be affected by this Act, and that it is only to apply to the consenting proprietors. If such is the case, it would appear that no Act of the Legislature is necessary, or required. Sir Samuel and the other proprietors can make any arrangement they like with their tenants; can sell at what price they like; can sweep off arrears if they choose; there is no Bill required to enable them to do it. The fact is, that it is intended by those who have passed this Act to include us all. The organ of the Island Government tells the people so. It tells them also, that when the tenants who are best off have bought the lands at this reduced price, and the landlords have only the poorer tenants to deal with, they will dislike the trouble of exacting rent and the expense of paying agency, and will let the land go for little or nothing. It cannot, I feel convinced, be the intention of Her Majesty's Government to legislate for the purpose of rendering our property so valueless that we shall throw it up; but it is the avowed motive of the Government of the Island. This Bill is a positive and well imagined scheme for destroying and rooting out the proprietors; and I trust I shall be excused if I say, that I think negociating with a few of the proprietors (one of whom informs me that he is not a consenting one, as his name was put down without his sanction, and against his consent), and passing such a measure without communicating with the others, would be unjust and unfair towards them.

My possessions are small as compared with Sir Samuel's; but there is one non-consenting proprietor, Mr. Bruce Stewart, who is the owner of 80,000 acres, who is not only a resident in the Island, but has a house on his property in the country, where he resides during part of the year among his tenantry; and surely he is entitled to be heard before a measure so seriously affecting him is passed.

It is not, I believe, asserted that the proprietors have acted towards their tenants with a degree of harshness that renders us deserving of having our estates confiscated.

The Bill now passed, in its immediate and eventual results, amounts to confiscation.

In fact, the amount of arrear complained of shows that we have not exacted rent with harshness from the new settlers. It would be rather hard, now that the estates are beginning to be profitable, that they should be taken from us. As regards arrears due before 1858, I am perfectly uninterested; there is not 1*s.* that has not been either paid or remitted; but when I know that at this moment the leaseholds of 100 acres on my property sells for 200*l.*, and that one of my tenants has refused 300*l.* for his, it seems to me that it would be intensely unjust that the Legislature should compel me to sell those leaseholds to my tenants for 75*l.* On the other hand, supposing that this Bill be passed and the promise that we are not to be affected by it kept, what can be expected will be the state of the Island? The tenants on our estates, who see what agitation has done, and the poorer tenants on the estates of the consenting proprietors, will refuse to pay any rent at all. The rich ones on the estates of the consenting proprietors will buy. Many unable to buy will borrow of the money lenders for the purpose, become ruined and sold up, as I hear that already 100 are on the Selkirk property. Discontent, distress, and agitation will be widespread throughout the Island. I have not recently written to the Duke of Newcastle, as I knew that he was in bad health; but in letters written to his Grace a year ago I protested strongly against a similar Bill that was then in question.

Believing that no good can result from an Act of the Legislature that by a general remission of arrears destroys whatever feeling of gratitude might be felt by the tenant towards the proprietor if remitted by him, and that by cancelling agreements between proprietor and tenant enables the tenant to cheat the proprietor out of a quarter of what he has engaged to pay to him, and is in every way a direct encouragement to dishonesty, I venture to pray that Her Majesty's assent may not be given to a measure that must have such mischievous results.

I have, &c.

(signed) *C. Georgina Fane.*

— No. 8. —

No. 8.
T. F. Elliot, Esq., to Lady G. Fane.
27 June 1864.

COPY of a LETTER from *T. Frederick Elliot*, Esq., to Lady *Georgina Fane*.

Madam, Downing-street, 27 June 1864.

I AM directed by Mr. Secretary Cardwell to acknowledge the receipt of your ladyship's letter of the 13th instant,* praying that Her Majesty's assent may be withheld from the Act recently passed by the Legislature of Prince Edward Island for settling the difference between landlord and tenant.

* Page 105.

Mr. Cardwell desires me to say that the Act now passed will merely affect the lands of the proprietors named in it, and of no others. It is of course impossible for Her Majesty's Government to foretell what Acts will be hereafter passed by the Legislature of Prince Edward Island, or to say beforehand what course the Queen will be advised to take respecting such Acts.

Mr. Cardwell has been assured that all the proprietors named in the Schedule of the Act are consenting parties to it, and he will be much obliged if your ladyship will inform him of the name of the proprietor who is not so consenting.

I am, &c.
(signed) *T. Frederick Elliot.*

— No. 9. —

No. 9.
Lady G. Fane to T. F. Elliot, Esq.
28 June 1864.

COPY of a LETTER from Lady *Georgina Fane* to *T. Frederick Elliot*, Esq.

Sir, Brympton House, 28 June 1864.

I REQUEST you will thank Mr. Cardwell for the answer which he has been so kind as to send, through you, to my letter.

Mr. Henry Palmer is the proprietor to whom I alluded as non-consenting. He wrote to me that I was mistaken in supposing that he was a consenting proprietor; that he was not so, and found that his name had been put down as consenting without his knowledge and against his consent. I will look for the letter (received about three weeks ago), and report the exact words.

With reference to Mr. Cardwell's answer to my letter, I must remark, that I have pointed out by reasoning, which is, I think, unanswerable, that though the Act against which I remonstrate does not legislate for us non-consenting proprietors, it will affect us very seriously, and that we have some right when we see a measure in question that is certain to be very injurious to us, and certain to have the consequences that I have pointed out, to ask the Government to give us some assurance that it is not to be followed by another that will legislate for us, and include us.

I have pointed out that the natural—the certain—consequence of the Act must be agitation throughout the Island; to give to tenants in other townships the same privileges (as it will be called) as given to those on the estates now in question. I say advisedly, the certain consequence. If probable only, Mr. Cardwell's answer might be considered an answer; but it is certain; and I must suppose that the Colonial Office act on some principle, and look to the consequences of any Act of Colonial legislation that they sanction.

I therefore again say, that if, whilst telling us that we are not to be affected by this Act, the Colonial Office will not give us a promise that our estates will not be eventually placed under a similar law; we are deluded by the expression now used, that we "are not to be affected by this Bill," and that "it applies only to certain proprietors named in it."

I say further, that the Bill in question is an absurdity, if intended to bring about tranquillity and content in the Island. It must make every man who cannot put down 75 *l.* (without borrowing) to purchase the freehold of his farm, discontented—(and it gives him reason to be discontented). What number of tenants on the estates of Sir Samuel, and the other consenting proprietors, will, without borrowing, be able to put down 75 *l.*? Very few, *i. e.*, few compared to the number unable to do it. Every man who cannot will be dis-

contented, and will feel that an unjust law has been passed, placing him, on account of his poverty, in a worse position than his neighbour who can put down the 75 *l.*

It appears to me that if a Government wished to plunge a country in disturbance and discontent, it could not do better than pass such a law. It must make every poor man on the estates of Sir Samuel, and the consenting proprietors, discontented; and every man, poor or not poor, on those of the non-consenting proprietors, discontented. Can any one, with common sense, suppose that this will bring peace and tranquillity to a country? Impossible! I believe that Mr. Cardwell must see, as I do, that it is impossible it should have any such effect, and therefore I ask him not to sanction a measure passed by the Legislature of the Island, because they thought they must do something (for personal reasons), and which they assure the people is not to be a final measure, but is an instalment intended to lead to further encroachment on the proprietors.

This Bill is unjust to the tenants, as it is to the proprietors; will favour the dishonest man instead of the honest one, which never can be sound legislation; and will throw uncertainty over every contract between landlord and tenant, which must always be objectionable.

I believe that landlords and tenants would arrange their affairs without difficulty if the Government at home would firmly refuse to sanction the schemes of the Local Government for spoliating the landlords. The Island was returning into tranquillity at the end of last year, and the people were paying their rents without objection or disturbance, believing the Commission was a thing "gone by," when, on the return of the delegates this spring, the agitation has recommenced; and the newspapers will show (by the discontent expressed by the tenantry at the Bill now in question) how far it is likely to bring peace and content to the Island.

I hope Mr. Cardwell will excuse my expressing my opinion that the Bill is an absurdity if it has any such object in view; to which I also add my opinion, that that (the bringing about peace and tranquillity) is not the object of the local Government.

I have, &c.
(signed) *C. Georgina Fane.*

— No. 10. —

No. 10.
Lady G. Fane to the Right Hon. E. Cardwell, M.P.
6 July 1864.

COPY of a LETTER from Lady *Georgina Fane* to the Right Honourable *Edward Cardwell*, M. P.

Sir, Weymouth, 6 July 1864.

I MUST apologise for troubling you with another letter, but I trust you will excuse me, as I do so for the purpose of showing that I did not misrepresent the intention of the Act (passed by the Legislature of Prince Edward Island) against which I petition.

I beg to call your attention to a letter in the "Islander," of the 10th June, which says, that "When this Bill has passed, the well-to-do tenants will at once purchase their lands, and none but the poorer class will be left to feed hungry land agents; and so the proprietors will become heartily sick of keeping up an expensive land agency when the rent cannot be collected." This is preceded by the remark, that the Bill, "if obtained, will pave the way to more extended and liberal concessions, on the part of the proprietors, to the tenantry."

The "Islander" is the organ of the Local Government, and the Colonial Secretary is the editor. Four months ago the "Islander" advised the tenants to refuse to pay rent.

It is impossible for words to avow more distinctly than those I have quoted, a dishonest scheme for plundering the proprietors by rendering their property valueless.

The Colonial Secretary, who was my agent, has recently leased 100 acres of mine to his brother, also a member of the Local Government, at the usual rent of 5 *l.* per acre. This lease was immediately sold by him for 200 *l.*, which I mention

I mention solely in order to show that these gentlemen are well aware that 5 *l.* per acre is not too high a rent; or 100 *l.* (as purchase-money for the fee-simple) is not too large a sum for a proprietor to ask for a leasehold of 100 acres.

Again I pray that Her Majesty's Government will not, by giving the Royal Assent to this Bill, sanction a scheme which, being dishonest and unjust, cannot prove beneficial to the Colony.

I have, &c.
(signed) *C. Georgina Fane.*

— No. 11. —

No. 11.
Right Hon. C. Fortescue, M.P., to Lady G. Fane.

COPY of a LETTER from the Right Honourable *C. Fortescue*, M.P., to the Lady *Georgina Fane*.

Madam, Downing-street, 16 July 1864. 16 July 1864.

I AM directed by Mr. Secretary Cardwell to acknowledge the receipt of your Ladyship's letters of the 28th of June and the 6th instant,* and to acquaint you that Mr. Cardwell has thought it right to instruct the Lieutenant Governor of Prince Edward Island to obtain from Mr. Henry Palmer an explanation of the allegation contained in those letters, that that gentleman had not given his assent to the Bill for settling the differences between landlord and tenant.

* Pages 107 and 108.

I am, &c.
(signed) *C. Fortescue.*

— No. 12. —

No. 12.
Lady G. Fane to the Right Hon. E. Cardwell, M.P.

COPY of a LETTER from Lady *Georgina Fane* to the Right Honourable *Edward Cardwell*, M.P.

Gloucester Hotel, Weymouth, 2 August 1864.

Sir, 2 August 1864.

I HAVE to-day received from Mr. Bruce Stewart the enclosed letter,* which he requests me to forward to you.

* 12 July 1864, page 141.

It is gratifying to me to find that Mr. Bruce Stewart, who is deeply interested in the welfare and prosperity of Prince Edward Island, coincides with me in the opinions which I expressed to you in my letter of the 13th of June,† a copy of which I sent to him, because I was anxious to know his opinion on the subject in question.

† Page 105.

I have, &c.
(signed) *C. Georgina Fane.*

— No. 13. —

No. 13.
Sir F. Rogers, Bart., to Lady G. Fane.

COPY of a LETTER from Sir *F. Rogers*, Bart., to Lady *Georgina Fane*.

Madam, 9 August 1864. 9 August 1864.

I AM directed by Mr. Secretary Cardwell to acknowledge the receipt of your Ladyship's letter of the 2d instant, enclosing one addressed to Mr. Cardwell by Mr. Robert Bruce Stewart, of Prince Edward Island.

I am, &c.
(signed) *Frederic Rogers.*

— No. 14. —

No. 14.
Lady G. Fane to the Right Hon. E. Cardwell, M.P.
18 August 1864.

COPY of a LETTER from Lady *Georgina Fane* to the Right Honourable *Edward Cardwell*, M.P.

Sir, Brympton House, 18 August 1864.

I TROUBLE you with this letter, as I am anxious that there should not be any misunderstanding on the subject of any statement that I have made.

Mr. Henry Palmer is here at present. He informs me that what he wrote to me some weeks ago was the fact. He had not given his consent to the Commission, or to the Bill recently passed by the Prince Edward Island Legislature, about which I have written to you. His name had been put down by his brother without his knowledge.

He received yesterday letters from the Island, urging him now to give his consent to the Bill. The personal motive for his doing so is apparent (his brother being one of the members of the Government), and I have no doubt that he will accede to the request. I have endeavoured to learn from him what reasons there can be for supposing that the measure will have any beneficial effect in the Colony, and cannot find that there is any. He is compelled to admit that I am right in believing that almost all the tenantry are opposed to it, and discontented. He also states that very few will purchase their farms. Increased discontent throughout the Island is the only certain result of it. I need scarcely add, that he admits the non-consenting proprietors will be affected by this Act, if passed, as it is impossible that any one can doubt the increased discontent that will be occasioned by it. I venture to remark, that whether Mr. Henry Palmer becomes a consenting proprietor or not, does not lessen the injustice of a negociation with a few of the proprietors of the Island that will be so injurious to the proprietors who are non-consenting.

I have, &c.
(signed) *C. Georgina Fane.*

— No. 15. —

No. 15.
Lady G. Fane to the Right Hon. E. Cardwell, M.P.
27 August 1864.

COPY of a LETTER from Lady *Georgina Fane* to the Right Honourable *Edward Cardwell*, M.P.

Sir Brympton House, 27 August 1864.

I FEAR that you may think me troublesome, but having been unable to obtain from the "consenting" proprietors to the Act of the Prince Edward Island Legislature any statement of their reasons for supposing that it can have a beneficial effect in the Colony, I venture to call your attention to a Despatch from Lord Stanley to Sir Henry Huntley on the subject of facilitating and encouraging the sale of land, of which I enclose an extract, with the date.

I know that my opinion, unsupported by reasons, could not be thought of any consequence, but you will see from that Despatch that Lord Stanley did not think it could be conducive to the welfare of the Colony that landlords should be compelled to sell, or that the existing engagements between landlord and tenant should be interfered with. I know, also, that it is thought desirable that the "Land Question" should be settled, but the Act in question does not settle it. It only unsettles the arrangements now existing between some of the proprietors and their tenants, and gives an inducement to every tenant throughout the Island to withhold payment of rent in future under the expectation that the Legislature will again interfere and release him from the payment of the accumulated arrears. It is impossible that an encouragement to dishonesty can be conducive to the welfare of any country, I asked Mr. Palmer (now my agent), whose brother being one of the present Government in the Island has personal reasons for wishing the Bill to receive the Royal Assent, what the effect on my property would be. He said he thought I should have difficulty in getting any rent, and that I should be obliged to let some of my rich tenants purchase (men who can as easily pay me 100 *l.* as 75 *l.* for the freehold). My tenants have hitherto paid their rents very well; * * *

* * * * * * *
* * * * * * I am on very good terms with my tenants. Other proprietors are also with theirs. Among them Mr. Bruce Stewart, who is living in the midst of his. I venture to hope that the Government here will not sanction such an injustice as will be perpetrated by the Act now pending, the certain effect of which will be to render all these people discontented. There would be no difficulty in Prince Edward Island if the proprietors were left, as they have been in the other colonies, to settle their affairs with their tenants with respect to rent or purchase, without interference from the Government. I believe that at present the agitation is caused by a dishonest party in the Island, and would subside if the Government here firmly refused to sanction the scheme.

I have, &c.
(signed) *C. Georgina Fane.*

Enclosure in No. 15.

EXTRACT from a Despatch from Lord *Stanley* to Sir *Henry Huntley*, 11 Nov. 1842. Encl. in No. 15.

BUT I am bound to say that I must go further, and state that a careful perusal of your Despatches, and of previous documents bearing on the case, leads me to entertain serious doubts whether the object sought to be accomplished by an increased tax, that, namely, of increasing the facilities of obtaining land, is one which is really for the benefit of the colony; and whether the difficulties under which some of the tenants confessedly labour are not rather caused by the existence already of too great a facility. I find from the papers before me that so far from cultivation being checked, the quantity of land made available for agricultural purposes is rapidly increasing, that the amount of produce has nearly doubled itself in the last nine years, that the population is increasing, and the holders of lands, of course not without exceptions, accumulating capital. And when I look to the exceptions, I find them to be a class who "having in their own country been paupers, or at least but daily labourers or journeymen tradesmen, on their arrival eagerly become tenants, taking 100 acres of forest land at 1 *s.* per acre, without one farthing in their hands to commence upon." You state forcibly the ruin to the land, and the suffering to the occupier, arising in such cases out of his own imprudence; and you remark, most truly, that "this state of things has been induced chiefly, if not entirely, by the want of some little capital in the hands of the settler upon his first occupation of the land; that had he taken daily labour instead of a farm, he might have put by a little money, wages being from 3 *s.* 6 *d.* to 4 *s.* a day, whilst the best mutton and beef is 6 *d.*, and coarser meat as low as 2½ *d.* per pound; but the eagerness to become an independent farmer leads the pauper settler to overlook the chances of that position, when attained, placing him in a more painful dependence than when he emigrated."

Now if this be the class among whom distress and discontent prevails, and this be, as I do not doubt it is, the real cause of the distress, it appears to me that it would not only be unjust towards the proprietor, but impolitic as regards the well understood interests of the colony, to attempt to relieve them by forcing additional lands into the market for sale; lands which it is hardly necessary to observe they could not afford to purchase, and the introduction of which could not in any way affect those under present engagements, and only very circuitously the class to which they belong by the general reduction of rents. It appears to me that a wise Legislature would seek rather to diminish than to multiply the facilities of obtaining land; in such a state of things, would not interfere unnecessarily with those whose manifest interest it is to accelerate the settlement of their lands, and who do not seem to neglect or misunderstand that interest, and would not, above all, unnaturally force into the market a larger amount of land than the capital within the colony was able profitably to cultivate. For its more rapid advancement, the Island requires confessedly an influx of capital, for the employment of which there appears to be a fair opening in its agricultural capabilities; and it will be my pleasing duty, through the Commissioners of Emigration, to make known to the British public the reasonable prospects of success held out in your Despatch. But the Legislature ought not to lose sight of the fact, that the policy which, by rendering the acquisition of land too easy, tends to divert that portion of the population, who, having no means of their own, from seeking hire as labourers, to the occupation of land on their own account, has also the tendency, by raising the price of hired labour, to deter capitalists from seeking an investment in the land of the Colony, and may thus counteract the very object which is attempted to be obtained by the imposition of an additional tax on uncultivated land.

I have thus endeavoured to put you in possession of the grounds upon which, looking to the present condition of Prince Edward Island, I see no sufficient reason for an increase of the Penal Tax upon Wild Lands; and why, on the contrary, I incline to the opinion that the condition of the Province rather requires that, if any legislative measures were to be

taken, they should rather be in an opposite direction; but that on the whole the public interest will best be consulted by abstaining from interference with a state of progressive improvement which seems equally steady and healthy.

There are other points referred to in your Despatch which are manifestly not subjects for legislative interference. I shall take an early opportunity of communicating your views on these points to the general body of proprietors, and I do not doubt that they will be received with the consideration which is due at once to your authority and to the conciliatory spirit which appears likely to prevail in the present House of Assembly.

I have not made this Despatch confidential in order that you may use your own discretion in bringing it, or any part of it, before the Colonial Legislature; and, as Her Majesty's Government can have no object in view but the advancement of the general interests, I shall be prepared to receive with respect, and consider with attention, any statements or arguments which you or they may feel disposed to advance in support of a different policy from that which, on full consideration, I have felt it my duty to suggest.

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

— No. 16. —

No. 16.
T. F. Elliot, Esq., to Lady G. Fane.
1 September 1864.

COPY of a LETTER from *T. Frederick Elliot*, Esq., to Lady *Georgina Fane.*

Madam, Downing-street, 1 September 1864.

I AM directed by Mr. Secretary Cardwell to acknowledge the receipt of your ladyship's letter of the 27th ult.,* on the subject of the Act of the last session of the Prince Edward Island Legislature, relating to the land question; Mr. Cardwell desires me to acquaint you in reply, that having ascertained that all the proprietors who are to be bound by the Act are consenting parties to its being passed, he is not aware of any sufficient reason for offering his advice to Her Majesty to disallow a law deliberately adopted by the Colonial Legislature.

* Page 110.

I am, &c.
(signed) *T. Frederick Elliot.*

— No. 17. —

No. 17.
Lady G. Fane to the Right Hon. E. Cardwell, M.P.
2 September 1864.

COPY of a LETTER from Lady *Georgina Fane* to the Right Honourable *Edward Cardwell*, M.P.

Sir, 5, Upper Brook-street, 2 September 1864.

I HAVE to-day received Mr. Elliot's letter of the 1st September, written by your desire, and regret to learn that you do not see in the injustice of the Bill recently passed by the Prince Edward Island Legislature, sufficient reason for advising Her Majesty that it should be disallowed. I have complained of the cruel injustice of an enactment, the certain effect of which must be to render every tenant on my estate, and on the estates of the other non-consenting proprietors, discontented. I mentioned incidentally that Mr. H. Palmer had not consented, because he wrote to me that he had not; but it appears to me that the injustice to the non-consenting proprietors is not in the least affected by the question of whether Mr. H. Palmer, the owner of a quarter (or less) of a township, is or is not a consenting party. When I mentioned what he had written to me I did not attach much importance to it, as I was aware of his relationship to Mr. E. Palmer, and that he might have reasons for becoming a consenting party; I remarked on the effect this Bill would have on the estates of the non-consenting proprietors, and on the Island generally.

I have complained of the injustice to myself of rendering all my tenantry discontented; I complain also of the injustice of this Bill to the tenants on the estates of the consenting proprietors. By far the greater number of tenants in the Island are poor men, utterly unable to purchase; is it possible to imagine anything more calculated to increase, to occasion discontent throughout the country, than an enactment by which a rich man can purchase for 75*l.*, whereas the poor man is to be compelled to pay 5*l.* per annum? The Bill is

so

so disliked by the tenantry, that the prospect of its being passed has occasioned tenant leagues. The only persons who will be benefited are the dishonest speculators, whose object is to plunder landlord and tenant, and who endeavour to effect this by occasioning as much confusion as they can. I see plainly what the object of these people may be, but I am utterly unable to see how a country can be rendered tranquil and prosperous by an enactment that must make three-fourths, and more, of the population discontented; it seems inconsistent with common sense to suppose it. I beg you will not think I intend to be disrespectful in expressing these opinions; I try to see reasons for thinking differently, but I am unable. I see that this Bill must have the most injurious effects on my property; I know that Mr. B. Stewart, the owner of 80,000 acres, thinks the same of the effect on his. I feel sure that it cannot be the wish or intention of Her Majesty's Government to pass measures that will injure us, and make our property almost valueless; I therefore still pray that you will delay coming to any decision on the subject, until the opinion of other non-consenting proprietors may be heard; for, from the rapidity with which this Bill was passed through the House of Assembly, we have hardly had time to communicate with each other, and then express our opinions to you as to the effects of it on our property and the Island generally; it appears to me too, for reasons too long for me now to enter upon, that the difference which this Bill will make between us and the consenting proprietors, will be unjust to us, and lead to future contention and differences. As I feel sure it would not be your wish that this should be the result, I pray that you will give the subject further consideration.

I have, &c.
(signed) *C. Georgina Fane.*

— No. 18. —

No. 18.
T. F. Elliot, Esq., to Lady G. Fane.

COPY of a LETTER from *T. Frederick Elliot*, Esq., to Lady *Georgina Fane*.

Madam, Downing-street, 12 September 1864. 12 Sept. 1864.

MR. Secretary Cardwell desires me to acquaint you that he has received your ladyship's letter of the 2d of September,* containing some further remarks on the Land Act lately passed in Prince Edward Island.

* Page 112.

I am directed by Mr. Cardwell to assure you that he has duly considered your observations, but I am to state that after giving his best attention to the subject, he is unable to arrive at any different conclusion from that which he has already expressed.

I have, &c.
(signed) *T. Frederick Elliot.*

— No. 19. —

No. 19.
Lady G. Fane to the Right Hon. E. Cardwell, M.P.

COPY of a LETTER from Lady *Georgina Fane* to the Right Honourable *Edward Cardwell*, M.P.

Sir, Upper Brook Street, 15 September 1864. 15 Sept. 1864.

I RECEIVED, yesterday, Mr. Elliot's letter of the 12th September, sent at your desire. I beg you will accept my thanks.

I beg also that you will excuse my troubling you again with a few words on the subject of the Act of the Prince Edward Island Legislature.

I said, at the end of my last letter, that the difference it would occasion in the position of the consenting and non-consenting proprietors would be unjust. What I alluded to is this.

I believe, but I have not the Act to refer to, that it confirms the titles of the proprietors named in it. The Imperial Government has given repeated assurances to the proprietors that their titles are secure. These assurances render a confirmation by an Act of the local Government wholly unnecessary.

I need not remind you of the incessant endeavour made to delude and excite the tenantry on the subject. What are the people to think when they see an Act passed confirming the titles of eight proprietors? Will they not at once say, and be assured by agitators, that the titles of the others are invalid?

I feel convinced that Her Majesty's Government has no wish to occasion either injury or trouble to us, but I do not feel that confidence in the local Government. I think it extremely probable that that Government sees what will be the consequence of this Act. Some of the members of it have taken an active part in occasioning agitation among the tenantry, and have assured them that the present Act is only an "instalment." It will of course assist them in their views if they can occasion uncertainty and confusion as to title.

I ventured in my last again to pray that you would postpone your decision until you heard the opinion of some of the other non-consenting proprietors; because it struck me that though we had considered the probable discontent occasioned among our tenantry, we had not considered the chance of their being told to dispute our titles. I cannot think I am mistaken in believing that this is a very probable result of an Act "confirming the titles of eight proprietors." It seems to me that it must at once give rise to the idea that the titles of the others may be disputed; and that, instead of bringing tranquillity, it will occasion strife and confusion throughout the Island.

If there is discontent in the Island now, it is quite possible that this Act may make it worse.

I have, &c.
(signed) *C. Georgina Fane.*

— No. 20. —

No. 20.
Sir F. Rogers, Bart., to Lady G. Fane.
28 Sept. 1864.

COPY of a LETTER from Sir *F. Rogers*, Bart., to Lady *Georgina Fane.*

Madam, Downing-street, 28 September 1864.

I AM directed by Mr. Secretary Cardwell to acknowledge the receipt of your letter of the 15th of this month,* on the subject of the recent Land Act passed by the Legislature of Prince Edward Island, and I am to state that Mr. Cardwell sees no reason for altering the decision which was conveyed to your Ladyship in Mr. Elliot's letter of the 1st of September.

* Page 113.

I am, &c.
(signed) *Frederic Rogers.*

— No. 21. —

No. 21.
Lady G. Fane to the Right Hon. E. Cardwell, M.P.
28 Sept. 1864.

COPY of a LETTER from Lady *Georgina Fane* to the Right Honourable *Edward Cardwell*, M.P.

Sir, 5, Upper Brook-street, 28 September 1864.

I HAVE this evening received the letter sent to me, by your desire, by Sir F. Rogers. The request I made in my last letter was that you would delay your decision until the opinion of other non-consenting proprietors of Prince Edward Island might be heard. An abler pen than mine would point out more clearly than I have the mischievous effects likely to result from the proposed interference of Government with the rights of the proprietors. The delay would give time to consider whether an Act so unjust as the one in question can prove beneficial; and as the tenantry detest the Act and are petitioning against it, the delay cannot be objectionable.

It strikes me with astonishment, that when I read daily that the true and sound principle of government is to leave trade and commerce in every way as free and unfettered as possible, the experiment is to be tried in Prince Edward Island of compelling proprietors to sell their property at a fixed price, and under its value.

In some parts of the Island land now will sell at 60 *l.* per acre, will let at 26 *s.* per acre, and in some places for more. I myself have recently paid on my

my property 16 *l.* for a small bit of land on which to erect a cottage and give to a poor man a little garden. Can there be a semblance of justice in an enactment that, where land is of that value, would compel the proprietor to sell for 75 *l.* the lease of 100 acres, for which he now can ask 100 *l.*? If free trade is good on other subjects, it surely is as inexpedient as it is unjust to interfere in such purchases between buyer and seller, and prevent a proprietor from setting his own price on his land. I beg you will excuse me for again protesting strongly against an Act which is unjust in principle, and which must affect my property injuriously, as it will raise a spirit of discontent throughout the country. Sir Samuel and others do not require an Act of Parliament to enable them to sell their lands at a price as low as they may please. I protest against an Act of Parliament fixing that price; as such an Act is an unjust interference with the rights of a proprietor; and though he and some others have consented to it, the precedent is to be deprecated. It is difficult to suppose that an unjust Act can have a beneficial effect. In this case I feel convinced it cannot on the Island in general. The first, the immediate effect of it, will be an agitation to obtain a further interference on the part of Government to again lower the price of land, and compel proprietors to accept a smaller sum. I protest against the injustice of this first interference with our rights, and beg you to take my remarks into consideration.

I have, &c.
(signed) *C. Georgina Fane.*

P.S.—I must add, with respect to my giving 16 *l.* for a small piece of ground, that it was a purchase of one-fourth or less of an acre from one of my tenants, owner of a leasehold of 100 acres. It cannot be thought a great grievance to pay 5 *l.* a-year for 100 acres, when a fraction of an acre can sell for 16 *l.*

— No. 22. —

No. 22.
Lady G. Fane to the Right Hon. E. Cardwell, M.P.
8 November 1864.

COPY of a LETTER from Lady *Georgina Fane* to the Right Honourable *Edward Cardwell*, M.P.

Sir, 5, Upper Brook-street, 8 November 1864.

I HAVE to-day received from Mr. Bruce Stewart the enclosed letter,* which he requests that I will transmit to you.

* 20 October 1864, p. 141.

I have written to him about the Act of the Prince Edward Island Legislature, against which I have petitioned, because I believed that he, as a resident proprietor and the owner of large property, was better qualified than anyone else from whom I could seek information, to form a true opinion of the probable results of this Bill.

I try in vain to see some reason for which an Act so unjust in principle can have a beneficial effect; it is a cruel Act as regards the honest tenant who has paid his rent, and who will be liable to be ridiculed as a fool by the dishonest one, in favour of whom the Legislature interferes to relieve him from his obligation; and it is as unjust to the landowner who is to be compelled to sell for 75 *l.* what is worth 100 *l.*; dishonesty, so fostered and encouraged, must increase.

Where land may be worth 16 *l.* for a piece less than a quarter of an acre, as I know by my own experience it may, and where (as I also know for a fact) it may let at the rate of 26 *s.* per acre per annum, it can be no grievance to have to pay 100 *l.* for the freehold of 100 acres. I beg to call your attention to the report of a Canadian who visited the Island in September, from which there is an extract in the "Islander" of the 14th October. He writes, "This (the land) tenure has given rise to a great deal of dissatisfaction, but on what grounds I am not at present prepared to express an opinion, though I must say at first sight it does not appear to be reasonable, since the proprietors are said to offer a fee simple title to any purchaser on the payment of 1 *l.* per acre; if this is true, I think the tenants have little to complain of." This is the opinion of a disinterested person, and not of one whose object has been, for personal reasons,

to excite dissatisfaction among the tenantry by telling them that they ought to have the land for little or nothing. The writer of that report knows the value of land in the neighbouring Colonies, and therefore could form an opinion as to whether 1 *l.* per acre was a high price.

The fact is, we should have no difficulty at all with our tenants, if the Government there, and I may add here, would leave us to arrange affairs with them without interfering with us; and the agitation will subside if the Local Government become convinced that Her Majesty's Government will not sanction a scheme for spoliating the proprietors.

I feel that I must apologise for repeating remonstrances already made; and I now conclude, uniting with Mr. Bruce Stewart in the hope that, if they are made in vain, and if Her Majesty's Government has determined in favour of the Bill, that it will defend us against the mischief and the attempted injustice which we apprehend from it.

I have, &c.
(signed) *C. Georgina Fane.*

P.S.—I venture to remark that the Act in question, unjust as it is, is not wished for by the tenantry; on the contrary, they dislike it, and Mr. B. Stewart, writing so recently, must be well aware that its rejection would not occasion any dissatisfaction among them. There seems no reason, therefore, why Her Majesty's Government should sanction an Act that will only benefit a dishonest fraction of the community.

— No. 23. —

No. 23.
T. F. Elliot, Esq. to Lady G. Fane.
19 Nov. 1864.
* Page 115.

COPY of a LETTER from *T. Frederick Elliot*, Esq., to Lady *Georgina Fane.*

Madam, Downing-street, 19 November 1864.

WITH reference to your Ladyship's letter of the 8th instant* on the subject of the Act of the Prince Edward Island Legislature, "for settling the Differences between Landlord and Tenant, &c.," I am directed by Mr. Secretary Cardwell to acquaint you that he is no longer in a position to interfere in the matter, the Act having been confirmed by Her Majesty in Council on the 1st instant.

I have, &c.
(signed) *T. Frederick Elliot.*

— No. 1. —

No. 1.
Sir F. Rogers, Bart., to J. H. Gray, Esq.
16 June 1860.

COPY of a LETTER from Sir *F. Rogers*, Bart., to *J. H. Gray*, Esq.

Sir, Downing-street, 16 June 1860.

I AM directed by the Duke of Newcastle to acquaint you, that it has been resolved, with the consent of all parties concerned, to appoint a Commission to inquire into and determine the tenures of land in Prince Edward Island. With this letter you will receive a copy of a Resolution of the House of Assembly, agreeing on behalf of the tenantry to the appointment of the Commissioners, and pledging itself to concur in whatever measures may be required to give validity to their decision. The object of the measure is to put an end to the differences which have so long unhappily prevailed between landlords and tenants in Prince Edward Island.

Mr. Howe, you will observe, has been named by the Assembly to be one of the Commissioners; Mr. John William Ritchie, of Halifax, has been selected by the proprietors for the same function; and I am directed to state to you that the Duke of Newcastle is so fully impressed with the ability, carefulness and justice which were lately displayed by you in another important inquiry, that it will be very satisfactory to his Grace if you will serve on the present occasion

sion as the Commissioner chosen by the Crown. The Duke of Newcastle would have been glad if there had been time to learn your assent before proceeding further in the matter. But as this is rendered impossible by the necessity of prompt action, his Grace will cause your name to be inserted in the Commission to be issued for this purpose, subject to its revocation, and the substitution of another, if any circumstances should render you unable or unwilling to undertake the office.

Although the privilege of selecting each Commissioner has been conferred on a separate authority, in order the better to ensure satisfaction with the composition of the Commission, yet it is the Duke of Newcastle's view, and he doubts not will be that of the Commissioners themselves, that none of them ought to be regarded as the special advocate of one interest, but rather that the whole should devote their efforts to framing such recommendations as shall appear to be demanded by the equity of the case, and to be conducive to the general good of all classes of the community.

The time of meeting in Prince Edward Island will be best determined by the Commissioners themselves, in conformity with their own convenience and with the state of affairs in Prince Edward Island. The Governor of that Colony will be happy to correspond with the Commissioners on any information which they may require, with a view to fixing the date of assembling. It has been suggested to him that he should take previous steps for having at hand all witnesses and all documentary evidence which the Commission is likely to require, in order to avoid any unnecessary prolongation of their sittings.

There remains to be considered the subject of remuneration. It is needless to say that this will be the same for each member of the Commission. As the inquiry, notwithstanding its importance, cannot be expected to last long, it would be difficult to fix any suitable payment on the footing of salary. Looking, therefore, to all the circumstances of the case, the Duke of Newcastle proposes that the remuneration should consist of one fixed payment of 200 *l.* to each Commissioner, to serve as compensation for his time, and likewise as an indemnity for those personal expenses and expenses of travelling which, under a different arrangement, would have been chargeable to the public. If the inquiry should admit of being concluded within the limits which are at present contemplated, the Duke of Newcastle trusts that this will prove to be a liberal compensation for the time it will occupy, whilst on the other hand he is certain that it cannot be more than suitable to the responsibility of the task and to the character and position of the gentlemen by whom it is to be discharged.

I am, &c.
(signed) *F. Rogers.*

— No. 2. —

No. 2.
J. H. Gray, Esq., to Sir F. Rogers, Bart.
7 July 1860.

COPY of a LETTER from *J. H. Gray*, Esq., to Sir *F. Rogers*, Bart.

St. John's, New Brunswick,
7 July 1860.

Sir,

I HAVE the honour to acknowledge a communication from you of the 16th June last,* conveying to me the information that His Grace the Duke of Newcastle had been pleased to insert my name as Commissioner chosen by the Crown in the Commission to inquire into and determine the tenures of land in Prince Edward Island, and expressing His Grace's desire that I should serve on the Commission.

* Page 116.

I have addressed a letter to His Grace, herewith enclosed, expressing my acknowledgments for the honour thus conferred, and accepting the appointment; which letter I have to request you will lay before him.

I have, &c.
(signed) *J. H. Gray.*

Enclosure in No. 2.

Enclosure in No. 2.

St. John, New Brunswick,
7 July 1860.

My Lord Duke,

I HAVE the honour to acknowledge a Despatch from Sir Frederic Rogers, under date of 16th June last, conveying to me, by your Grace's command, the information that your Grace had been pleased to insert my name as the Commissioner chosen by the Crown, in a Commission to inquire into and determine the tenures of land in Prince Edward Island, and expressing your Grace's desire that I should serve as such.

I beg to convey to your Grace my acknowledgments for the honour thus conferred, and to state that I will act on the Commission, and endeavour to discharge its duties faithfully and honourably as soon as I receive the Commission and its accompanying instructions.

I have, &c.
(signed) *John Hamilton Gray.*

— No. 3. —

No. 3.
J. H. Gray, Esq., to the Duke of Newcastle, K. G.
23 December 1861.

COPY of a LETTER from *J. H. Gray*, Esq. to His Grace the Duke of *Newcastle*, K.G.

St. John, New Brunswick,
23 December 1861.

My Lord Duke,

ON the 5th of August last, I had the honour to transmit to your Grace, as Her Majesty's Principal Secretary of State for the Colonies, the Report of the Commission appointed by Her Majesty to investigate the land tenure disputes of Prince Edward Island. Accompanying the Report, I also sent to your Grace an account of the disbursements paid out by the Commissioners, amounting to 293 *l.* 14 *s.* 6 *d.* New Brunswick currency; all of which, except the mere personal expenses of Mr. Howe and Mr. Ritchie, have been borne by myself as claimant. I have not yet been honoured with any acknowledgment that this Report had reached your Grace's hands, but I trust your Grace will not regard me as wanting in proper respect, if I ask to be reimbursed the outlay referred to, the expenditure of which commenced in August 1860.

244 *l.* 15 *s.* 5 *d.* sterling.

Your Grace will, I hope, observe that I am not guilty of the impropriety of touching upon the question of compensation to the Commissioners for their services, but am simply referring to the expenses paid out in the prosecution of this public inquiry.

If, in addressing your Grace on this subject, I am chargeable with any undue precipitancy, I have most respectfully to beg pardon.

I have, &c.
(signed) *John Hamilton Gray.*

— No. 1. —

No. 1.
Messrs. Montgomery to the Duke of Newcastle, K. G.
11 December 1861.

COPY of a LETTER from Messrs. *Montgomery* to His Grace the Duke of *Newcastle*, K.G.

Stobo Castle, Peebles, N. B.,
11 December 1861.

My Lord Duke,

WE, the undersigned proprietors in Prince Edward Island, having seen the copy of a letter addressed to your Grace by Sir Samuel Cunard, dated Bushhill House, Edmonton, 2d October 1861,* upon the subject of the Report of the Commissioners appointed by Her Majesty to investigate certain questions at issue between the proprietors and tenants in Prince Edward Island, beg respectfully to express to your Grace our entire concurrence in the views stated by Sir Samuel Cunard in that letter.

* Page 78.

We have, &c.
(signed) *G. Graham Montgomery.*
James F. Montgomery.
Wm. Montgomery.
Robt. Montgomery.

— No. 2. —

No. 2.
Right Hon. C. Fortescue, M.P., to Messrs. Montgomery.
20 December 1861.

COPY of a LETTER from the Right Honourable *C. Fortescue*, M.P., to Messrs. *Montgomery*.

Gentlemen, Downing-street, 20 December 1861.

I AM directed by the Duke of Newcastle to acknowledge the receipt of your letter of the 11th of December, and to acquaint you that the representations of the proprietors of land in Prince Edward Island will not fail to engage the careful consideration of Her Majesty's Government, in connexion with the Report of the Commissioners, on the questions at issue.

I am, &c.
(signed) *C. Fortescue.*

— No. 1. —

No. 1.
Messrs. Palmer & Pope to the Duke of Newcastle, K.G.
18 Sept. 1863.

COPY of a LETTER from Messrs. *Palmer* and *Pope* to His Grace the Duke of *Newcastle*, K.G.

115, Jermyn-street, St. James', London,
My Lord Duke, 18 September 1863.

WE have the honour to submit to your Grace, herewith inclosed, a letter from Lieutenant Governor Dundas of Prince Edward Island, acquainting your Grace of our being appointed by the Government of that Colony a deputation to communicate to your Grace the views of the Colonial Government on the land question.

It is our intention to remain in town, in the hope that we may be favoured with an interview with your Grace on the subject of our mission, and we most respectfully solicit the favour of an intimation from your Grace of what may likely be the earliest period at which it will be convenient for your Grace to grant us that honour.

We have, &c.
(signed) *Edw. Palmer.*
W. H. Pope.

Enclosure in No. 1.

Enclosure in No. 1.

My Lord Duke, Government House, 2 September 1863.

THE bearers of this letter, the Hon. Edward Palmer, Attorney General, and the Hon. William Henry Pope, Colonial Secretary of this Island, have been nominated by the Executive Council to proceed to London as a delegation from the Government of this Province to Her Majesty's Government on the land question.

The delegates are in possession of the views of the party in power on the subject, and are prepared, with your Grace's permission, to enter into the whole question.

I have, &c.
(signed) *George Dundas,*
Lieut. Governor.

To His Grace
the Duke of Newcastle, K.G.

— No. 2. —

No. 2.
Sir F. Rogers, Bart., to Messrs. Palmer & Pope.
24 Sept. 1863.

COPY of a LETTER from Sir *F. Rogers*, Bart., to Messrs. *Palmer* and *Pope*.

Gentlemen, Downing-street, 24 September 1863.

THE Duke of Newcastle has desired me to acknowledge the receipt of your letter of the 18th instant, requesting an interview on the subject of your mission to England, and to inform you that he will be happy to see you at this office as soon as he comes to London.

I have, &c.
(signed) *Frederic Rogers.*

— No. 3. —

No. 3.
Messrs. Palmer & Pope to the Duke of Newcastle, K.G.
13 October 1863.

COPY of a LETTER from Messrs. *Palmer* and *Pope*, to His Grace the Duke of *Newcastle*, K.G.

115, Jermyn-street, St. James', London,
13 October 1863.

My Lord Duke,

THE undersigned, referring to the subject discussed at the interview with your Grace, with which they were yesterday honoured, beg leave respectfully to submit for your Grace's consideration the following propositions, expressive of certain concessions and privileges, which, if granted by the proprietors of land in Prince Edward Island to their tenants, would be accepted by the Government of that Island, as a settlement of the land question, and in lieu of the award of the Land Commissioners:—

First,—The undersigned propose that in the terms of the award of the Royal Commissioners, all arrears of rent prior to May 1858 be remitted; and that in all cases, if any there be, wherein tenants have paid to their landlords, at and time since the 13th February 1860, sums of money for rent, which sums in the whole exceed the rent which has accrued due from such tenants since May 1858, the amounts by which such payments shall exceed the rent, which shall have accrued due since May 1858, shall be placed to the credit of the tenants who shall have paid the same, by the landlords to whom the same shall have been paid; the tenants, in such cases, to have the privilege of appropriating such over payments towards the purchase of the fee simple of their respective holdings; and in all cases where lands leased originally at rents not exceeding 1 *s.* per acre, have been re-let at rents exceeding 1 *s.* per acre, the rents of such lands shall be reduced to the rate of rent reserved in the original leases of such lands when leased in their wilderness state. The latter stipulation is considered by the undersigned as necessary to meet those cases, wherein arrears of rent have heretofore been remitted, on condition that the tenants owing such arrears should take new leases, reserving a rent exceeding the original rent, by a sum equivalent to the annual interest, which it is assumed such arrears would yield the landlord were they paid to him, and by him invested.

Second,—The undersigned infer from the scheme submitted by the proprietors in the draft of the Bill transmitted by your Grace to the Lieutenant Governor of Prince Edward Island, that the proprietors are in all cases willing to sell their leased lands for 15 years' purchase of the reserved rents, payable in one payment in cash. The undersigned therefore propose that all tenants holding under leases granted for terms of 40 years and upwards, and who shall not be indebted one whole year's rent, shall at all times, within 20 years from the 1st day of January next, have the right to receive a conveyance of the fee simple of their farms, on tendering to their landlords 15 years' purchase of the reserved rent, together with the rent which may be due by such tenants in respect of such lands.

Third,—That all tenants holding as in the foregoing proposition is mentioned, who shall be indebted in more than one year's rent, shall, within the like period of 20 years, have a similar right to the fee simple of their respective holdings, on payment of 16 years' purchase of their reserved rents.

The undersigned most respectfully submit to your Grace, that the compliance of the entire body of the landed proprietors of Prince Edward Island with the foregoing propositions, and the enactment of a law to carry them into effect, would work such a settlement of the land question as would satisfy the majority of the people, realise the fullest expectations of the Royal Commissioners, and for ever terminate those unhappy disputes between landlord and tenant, which for several generations have kept alive an agitation which has most materially retarded, and which, so long as it exists, must necessarily continue to retard the development of the resources of the Colony, and thereby would most amply compensate such proprietors for any sacrifice of their strict legal rights which such compliance would involve.

The

The conversion of the entire leasehold tenures of the Colony into freehold is the end sought to be attained.

The rate of purchase should, the undersigned suggest, be such as to present an inducement to the tenant to become a freeholder. The rate of interest received in Prince Edward Island for money, generally, materially exceeds 6 *l.* per centum per annum; and if the value of the freehold be fixed at 16 years' purchase, the number of purchasers will be far less than if the rate should be fixed at 15 years' purchase.

Many tenants, it is assumed, would purchase their farms if allowed the privilege to do so at 15 years' purchase, who, rather than buy at 16 years' purchase, would continue to pay rent, and invest their money in such a manner as to give them more than sufficient to discharge the claims of their landlord. The apparent loss which the landlords would sustain by selling at 15 years' purchase would, to a very great extent, be made up to them by reason of their being enabled to procure 6 *l.* per centum per annum for their money, free from the risk and expense which necessarily attend the collection of rents. The undersigned deem it not improper to state that the rate of interest charged by the bank of Prince Edward Island has not been less, for several years past, than 7 *l.* 10 *s.* per centum per annum; and also that the estates which have been purchased by the Government of the Colony, namely, the "Worrell Estate," "Sir Hunt Johnston Welsh's Estate," the "Selkirk Estate," the "Sandfield Estate," and portions of the "Montgomery Estates," the whole comprising an area of upwards of 170,000 acres, together with all arrears of rent due thereon, have been acquired at a rate per acre, less on the average than five years' purchase of the reserved rent. The "Selkirk Estate" comprised 62,059 acres; the arrears of rent due by the tenantry thereon exceeded 9,000 *l.* sterling. This estate, together with the arrears, was purchased in 1860 for 6,612 *l.* sterling, which is less than 2 *s.* 2 *d.* per acre, and not equal to three years' rent.

The proposal to give to tenants owing to their landlords more than one year's rent the right to acquire the freehold of their farms on payment of 16 years' purchase of the reserved rent, in other words, allowing tenants in arrear for rent to discharge themselves from all liability to pay such arrears, with the exception of one year's rent, on their paying down 15 years' purchase of the reserved rent of their holdings for the purchase of the freehold, it is submitted is one which would operate beneficially alike to landlords and tenants. The settlement of the land question, which would be the result of the acceptance by the proprietors of the foregoing propositions, the statutory confirmation of proprietory titles, the subsidence of all agrarian agitation, the general absence of sympathy with those who would resist the just demands of the landlords, and the terminating of those extravagant hopes and expectations on the part of the tenantry that they would be enabled to acquire their lands at nominal prices, which have heretofore been entertained, and which will necessarily be cherished so long as the land question remains unsettled, would necessarily have the effect of materially increasing the value of proprietory estates. Very many of the well-to-do tenants would immediately prepare to purchase their farms, and all who would be able to pay rent would do so with regularity, conscious that it would be useless to expect the proprietors to allow their rents to fall into arrear at the risk of losing them.

It is assumed by the undersigned that the Government of Prince Edward Island would adopt the suggestion contained in the Despatch of your Grace to Lieutenant Governor Dundas, No. 24, dated 11th July 1863, and be prepared to advance to all tenants desirous of purchasing their farms either seven and one-half, or 10 years' purchase of the reserved rent of such farms, on receiving from such tenants the balance of the requisite purchase money, and thus to enable such tenants to pay their landlords "in one payment in cash." Assuming that such accommodation should be offered by the Government of Prince Edward Island, it is evident that the inducement to those tenants who are indebted in arrears for rents to purchase the freehold of their farms would be very great. Take the case of the tenant indebted in six years' rent: the landlord insists upon receiving his rent, and the tenant knows that he must satisfy the demand or lose his farm; such a tenant would necessarily be driven to purchase the freehold of his farm, for, if he paid the six years' rent to his landlord as rent it would be virtually thrown away; whereas, if he paid this

money to the Government, his farm would be purchased for him, subject only to a mortgage for a sum equivalent to 10 years' purchase (this is assuming that the Government will agree to advance 10 years' purchase to the tenant). The undersigned are well aware that the increased energy with which landlords would in future insist upon the payment of their rents would be complained of as one of the results of adoption of the foregoing propositions; but they are prepared to meet this objection by showing that the benefits to the tenants generally would far exceed the evils which might result to the few. The allowing rents to accumulate the undersigned believe is, on the whole, no less injurious to the interests of the tenant than to that of the landlord.

In offering the foregoing propositions as a settlement of the land question, and in lieu of the terms proffered by the Royal Commissioners, the undersigned cannot refrain from expressing their convictions that a settlement of the land question at the present moment is a matter of the utmost importance to the proprietors and to Prince Edward Island. The differences between landlords and tenants in the Island have, in consequence of the appointment of the Royal Commission in 1860, more especially assumed the importance of a public question. A long and painstaking inquiry has been instituted into these differences, and a remedy for them has been indicated by the Royal Commissioners. The proprietors who assented to the appointment of the Commissioners, and pledged themselves to abide by their recommendations, have refused to give their tenants those privileges which the Commissioners unanimously considered should be extended to them, and now seek to nullify the proceedings of the Commissioners by urging against their legality objections which they might waive, but which they insist upon, thereby crushing those reasonable hopes of relief which the tenantry had cherished, and intensifying and extending the feelings of hostility towards the landlords, which, ere their endeavour to avoid the award, were but too general and too bitter. Should the proprietors, in addition to repudiating the award, refuse those reasonable concessions now required at their hands, the undersigned fear that dissaffection among the tenantry will become very general, and that the due maintenance of good order prove a task of no ordinary difficulty in a Colony, the inhabitants of which exercise self-government, and where universal suffrage obtains.

We have, &c.
(signed) *Edward Palmer*,
W. H. Pope.

— No. 4. —

No. 4.
Sir F. Rogers, Bart., to Messrs. Palmer & Pope.
30 October 1863

COPY of a LETTER from Sir *F. Rogers*, Bart., to Messrs. *Palmer* and *Pope*.

Gentlemen, Downing-street, 30 October 1863.

I AM directed by the Duke of Newcastle to acknowledge the receipt of your letter of the 13th instant,* submitting a proposal for the settlement of the land question in Prince Edward Island, and to acquaint you that the duplicate with which you have furnished his Grace has been forwarded to Sir S. Cunard.

Page 120.

I have, &c.
(signed) *Frederic Rogers.*

— No. 5. —

No. 5.
T. F. Elliot, Esq., to Messrs. Palmer & Pope.
7 November 1863.

COPY of a LETTER from *T. F. Elliot*, Esq., to Messrs. *Palmer* and *Pope*.

Gentlemen, Downing-street, 7 November 1863.

WITH reference to Sir F. Rogers' letter of the 30th October, stating that the duplicate of your proposal for the settlement of the land question in Prince Edward

Edward Island had been forwarded to Sir Samuel Cunard, I am directed by the Duke of Newcastle to acquaint you that Sir S. Cunard has informed him that he will endeavour to see some of the proprietors and ascertain their views on the subject.

I am, &c.
(signed) *T. Fredk. Elliot.*

— No. 6. —

No. 6.
W. H. Pope, Esq., to the Duke of Newcastle, K.G.
21 Nov. 1863.

COPY of a LETTER from *W. H. Pope*, Esq., to His Grace the Duke of *Newcastle*, K.G.

115, Jermyn-street, London,
My Lord Duke, 21 November 1863.

ON the 7th instant I had the honour to receive, by direction of your Grace, the intimation that the proposal for the settlement of the land question of Prince Edward Island, submitted by Mr. Palmer and myself to your Grace, had been forwarded to Sir Samuel Cunard, and that Sir Samuel Cunard had informed your Grace that he would endeavour to see some of the proprietors and ascertain their views on the subject. I feel very reluctant to intrude, in the slightest degree, upon the attention of your Grace at the present time; I, nevertheless, venture to request that your Grace will be pleased to direct that Sir Samuel Cunard may be written to, with the view of learning whether he has as yet seen any of the proprietors, and whether it is probable that the principal proprietors will accept the proposal for the settlement of the land question now before them, and that the purport of Sir Samuel Cunard's reply may be communicated to me.

I have, &c.
(signed) *W. H. Pope.*

— No. 7. —

No. 7.
T. F. Elliot, Esq., to W. H. Pope, Esq.
26 Nov. 1863.

COPY of a LETTER from *T. F. Elliot*, Esq., to *W. H. Pope*, Esq.

Sir, Downing-street, 26 November 1863.

I AM directed by the Duke of Newcastle to acquaint you, in reply to your letter of the 21st instant, that his Grace is informed by Sir S. Cunard that in consequence of the absence from town of the proprietors of land in Prince Edward Island, he has not yet been able to consult with them on the proposal submitted by yourself and your colleague for the settlement of the land question, but that he will take the earliest opportunity of doing so.

I have, &c.
(signed) *T. Fredk. Elliot.*

— No. 8. —

No. 8.
W. H. Pope, Esq., to the Duke of Newcastle, K.G.
27 Nov. 1863.

COPY of a LETTER from *W. H. Pope*, Esq., to His Grace the Duke of *Newcastle*, K.G.

Athenæum Club, London,
My Lord Duke, 27 November 1863.

IN the communication addressed to your Grace by the Law Officers of the Crown, on the subject of the address to the Queen from the Council and Assembly of Prince Edward Island, dated, Temple, 9th June 1863, allusion is made to a letter addressed by Sir Samuel Cunard to your Grace, in which the proprietors, through Sir Samuel Cunard, state their objections to the award of the Land Commissioners.

A copy

A copy of this letter was submitted to the Law Officers of the Crown.

My object in addressing your Grace, is, respectfully to request that your Grace will be pleased to direct that I may be furnished with a copy of Sir Samuel Cunard's letter referred to.

I have, &c.
(signed) *W. H. Pope.*

— No. 9.—

No. 9.
Sir F. Rogers, Bart., to W. H. Pope, Esq.
5 December 1863.

COPY of a LETTER from Sir *F. Rogers*, Bart., to *W. H. Pope*, Esq.

Sir, Downing-street, 5 December 1863.

I AM directed by the Duke of Newcastle to acknowledge the receipt of your letter of the 27th November, and to acquaint you that, as the question to which Sir S. Cunard's letter, of which you desire to have a copy, relates, has been definitively settled, his Grace does not perceive that any purpose would be answered by communicating it to you.

I am, &c.
(signed) *Frederic Rogers.*

— No. 10. —

No. 10.
T. F. Elliot, Esq., to W. H. Pope, Esq.
10 December 1863.

COPY of a LETTER from *T. F. Elliot*, Esq., to *W. H. Pope*, Esq.

Sir, Downing-street, 10 December 1863.

I AM directed by the Duke of Newcastle to transmit to you, for any observations which you may have to offer, the enclosed copy of a letter* from Sir Samuel Cunard, accompanied by the draft of a Bill for the settlement of the Prince Edward Island Land Question.

* Page 91.

I am also directed to enclose a copy of a previous letter† from Sir S. Cunard, dated the 14th ultimo, communicating to his Grace his own views on the subject; but it does not appear to his Grace that any advantage would be gained by pursuing the questions raised in this letter, which relates principally to past transactions.

† Page 89.

I am, &c.
(signed) *T. Fredk. Elliot.*

— No. 11. —

No. 11.
W. H. Pope, Esq., to the Duke of Newcastle, K. G.
18 December 1863.

COPY of a LETTER from *W. H. Pope*, Esq., to His Grace the Duke of *Newcastle*, K. G.

Athenæum Club, Pall Mall,
18 December 1863.

My Lord Duke,

I HAVE the honour to acknowledge the receipt of a communication from Mr. Elliot, dated Downing-street, 10th December instant, in which was transmitted to me, by your Grace's directions (for any observations which I might have to offer), a copy of letter from Sir Samuel Cunard, accompanied by the draft of a Bill for the settlement of the Prince Edward Island land question; and also a copy of a previous letter from Sir Samuel Cunard, dated the 14th ultimo, communicating to your Grace his own views on the subject.

Referring, my Lord Duke, to the communication of Sir Samuel Cunard to your Grace, dated 14th November last, which purports to express the sentiments of that gentleman, and to be in reply to the proposals for the settlement of the land question of Prince Edward Island, submitted to your Grace by Mr. Palmer and myself on the 13th October last, I regret to acquaint your Grace, that the character and tendency of the statements therein made by Sir Samuel Cunard

Cunard are, in my opinion, such as imperatively demand from me, on public grounds, more than a mere acknowledgment.

Sir Samuel Cunard commences his communication by adverting to the original granting of the Island in large lots; a subject not even alluded to in the proposals to which he professes to reply, in the following terms:—

"It may not be out of place to advert to the original granting of the Island, about 90 years ago, in large lots, which has been so much and so severely commented upon. It was an act of necessity, the Island at that time being derelict, and it was absolutely necessary to make arrangements for taking possession of it. The grantees have all lost very heavily by accepting the grants; but no individual on the Island, at present, has been injured by that proceeding; on the contrary, these grants have been made a fruitful source of profit to the present generation, for when money is required for any purpose, a law is passed to raise the amount by a tax on the proprietors' land." Sir S. Cunard's letter, 14 November 1863, page 89.

It is not my intention, my Lord Duke, in this communication to argue the question whether the alienation of the entire lands of an infant Colony in one day to a hundred individuals by lottery was or was not a disposition of them forced by necessity upon His Majesty's Government in the year 1767, or whether it was a judicious or injudicious mode of dealing with the Colony.

The assertion of Sir Samuel Cunard, that no individual on the Island at present has been injured by that proceeding, but that the present inhabitants have been benefited by the original alienation of the lands of the Colony, "for when money is required for any purpose, a law is passed to raise the amount, by a tax on the proprietors' lands," is not to me very intelligible. It is undeniable, my Lord Duke, that several of your Grace's predecessors in office have declared this disposition of the public property of the Colony a fruitful source of discontent on the part of its inhabitants, as the records of the Colonial Office amply testify.

The lands of the Island generally, of the thousands of small freeholders and leaseholders, as well as of the owners of townships and of several thousand acres, who are generally intended by the designation "proprietors," are, and for years past have been, taxed in order that a revenue might be raised for the public service; and the taxes which it is now found necessary to impose for this purpose upon the land, it is fair to assume, are greater than they would have been, had not the Colony in its infancy been deprived by the original grants of the lands which should have formed the public demesne, and, as in other Colonies, proved a fruitful source of revenue.

In support of the extraordinary statement, that "when money is required for any purpose, a law is passed to raise the amount by a tax on the proprietors' land," Sir Samuel Cunard instances three taxes imposed by the Legislature of Prince Edward Island. "I can recollect" (writes Sir Samuel Cunard to your Grace) "the following taxes; viz., one for making the great roads in the Island, another for the encouragement of education, and another for erecting in Charlotte Town a large building for the Parliament to assemble in, and for all other Government purposes. This was a costly edifice, being constructed in cut stone, imported into the Colony, and I believe the tax was continued after a sufficient sum had been raised to cover the cost." Sir S. Cunard's letter, 14 November 1863, page 89.

First—As to the Tax for making Great Roads in the Colony.—The only law that has, within the recollection of Sir Samuel Cunard, been in force in Prince Edward Island, rendering the lands of proprietors liable to contribute to the making of great roads, was the Act 10 Geo. 4, cap. 10, which was intituled "An Act to regulate the laying out and altering of Highways, and to provide a mode of obtaining compensation for those who may thereby be injured, and to cause those who are benefited thereby to contribute towards their formation." This Act, together with the Acts in amendment, have been consolidated by the Act 12 Vict. cap. 1. 10 Geo. 4, c. 10.

The Act 10 Geo. 4, cap. 10, authorised the Lieutenant Governor and Council of Prince Edward Island, to open roads where necessary through cultivated or wilderness lands, and enacted, that when any road should be ordered to be opened under the Act in question, the sheriff should be directed, by a writ from the Supreme Court, to ascertain, by the oaths of a jury or juries, the injury or advantage which such road would occasion to the owners of the land through

which it should pass, and that the owners should be compensated, or required to contribute towards the cost of such road accordingly.

The only expensive road ever ordered to be constructed through uncultivated lands by virtue of this Act, was ordered to be opened in the year 1838; it was the great highway to the northern extremity of the Island, and was projected through lands owned chiefly by Sir Samuel Cunard.

The inquests of the juries were returned into the Supreme Court in the autumn of the year 1838; the amount thereby assessed to be paid by Sir Samuel Cunard was upwards of 1,000 *l.* No appeal was demanded against the findings of the juries, nor was any application made to have them quashed, by Sir Samuel Cunard, or his agents.

The local Government was allowed to proceed with the construction of the highway, and to finish the same, at a cost of upwards of 1,600 *l.* (the Government were by law required to make the roads before the proprietors could be called upon for the amount assessed against them); then, as will appear to your Grace, by reference to the Report of the then Attorney General (now the Chief Justice of Prince Edward Island), transmitted to your Grace's predecessor Lord Stanley, by the Lieutenant Governor of the Island, in a Despatch, No. 110, dated Government House, Prince Edward Island, 24th October 1843, for the first time objections were started to the proceedings taken under the Act, and an application was made to the Supreme Court to quash the writs, and all proceedings under them, on the ground of irregularity. The irregularity was this: the assessment was not made within the time limited therefor by the writ, but subsequently thereto. The application to the Supreme Court was successful; the writs were quashed, and Sir Samuel Cunard, by a purely captious objection, evaded the payment of upwards of a thousand pounds, and reaped the advantage of the road constructed through his property at the expense of the people of Prince Edward Island.

The effect of opening this road upon Sir Samuel Cunard's property may be inferred from the following paragraph taken from the Report of the Attorney General, transmitted to Lord Stanley in the Despatch of the 24th October 1843, before referred to:—

"As a proof of the increased value of a portion of the lands, viz., townships numbers 4, 5, and 6 (the property of Sir Samuel Cunard), it is matter of fact, that in the year 1839, before the expenditure of the public money upon the roads and bridges, they were purchased for the sum of 9,600 *l.* sterling, and subsequently, in the year 1842, after the roads and bridges were made, agreed to be resold for the sum of 25,000 *l.* sterling, affording a profit of the sum of 15,400 *l.* sterling, this gain no doubt arising in a very great degree, from the expenditure of the public money in making the roads and bridges in question."

That Sir Samuel Cunard was the proprietor of the lands in question, and that the amount which he was assessed to pay was about the sum of 1,000 *l.*, will appear by reference to the memorial of that gentleman to Lord Stanley, dated Halifax, 2d May 1843. How far the original grants have been made a fruitful source of profit to the present generation in that Island, by reason of Sir Samuel Cunard's extensive estates, held under them, having been taxed for the making great roads, your Grace will have little difficulty in determining.

The next evidence adduced by Sir Samuel Cunard in proof of his assertion that the original grants had been made a fruitful source of profit to the present generation, is the imposition of—

The Tax for the Encouragement of Education.—This tax is imposed by the Acts 11 Vict. cap. 7, and 24 Vict. cap. 35, and is not, as Sir Samuel Cunard would have your Grace infer, "levied chiefly upon unproductive land, the cultivated paying only half the rate of the uncultivated land."

The taxes to which the lands of the Colony are now subjected for education and all other purposes, are imposed by these two Acts. Cultivated land is rendered liable for the payment of 6 *s.* 8 *d.* per 100 acres; uncultivated land to the payment of 9 *s.* 2 *d.* per 100 acres; and these taxes are equivalent to the tax imposed by the Act 7 Will. 4, cap. 31, increased by the imposition of an uniform tax of one halfpenny per acre, which is especially declared to be for the purposes of education.

In the year 1861, the whole amount derived from the taxes on the uncultivated lands of the Colony was 811 *l.* 5 *s.* currency; while the cultivated land, in the same year, paid 3,819 *l.* 4 *s.* 1 *d.* The penal or differential tax upon wilderness land in 1861, was equivalent to the small sum of 221 *l.* 15 *s.* currency, or less than 150 *l.* sterling.

I shall now, my Lord Duke, consider the third evidence adduced by Sir Samuel Cunard in proof of this extraordinary assertion, viz., the imposition of the—

"*Tax for erecting in Charlotte Town a large Building for the Parliament to assemble in, and for all other Government purposes.*"—The only taxes ever levied upon the lands of the Colony for the purpose of erecting public buildings, were imposed by the three Acts following, viz.—

1. The Act 49 Geo. 3, cap. 9. This Act imposed an uniform tax upon all lands of 2 *s.* currency per 100 acres.

Under this Act was collected about 1,400 *l.*

2. The Act 11 Geo. 4, cap. 17. This Act imposed the same rate of tax as the Act 49 Geo. 3, cap. 9.

Under this Act was collected 8,516 *l.* 15 *s.* 2 *d.*

3. The Act 7 Will. 4, cap. 31. This Act imposed a tax of 2 *s.* on every 100 acres of cultivated land, and 4 *s.* on the like quantity of uncultivated land.

Under this Act was collected 18,133 *l.* 8 *s.* 3 *d.*

These Acts produced in the aggregate 28,050 *l.* 3 *s.* 5 *d.*

By reference to the 12th section of the Act 11 Geo. 4, cap. 17, your Grace will observe that it was thereby enacted, that this Act should have no force or effect "until it should be ascertained that His Majesty shall have been pleased to relinquish all claim to the quit rents" during the continuance of the above recited Acts. A similar provision was inserted in every subsequent Act imposing a land tax.

The quit rents, taking the rate as reduced by the Prince Regent's Proclamation in 1818, viz., 2 *s.* sterling per 100 acres (about one-half the average rate imposed by the original grants), during the 16 years of the operation of the Acts 11 Geo. 4, cap. 17, and 7 Will. 4, cap. 31, would have amounted to 34,066 *l.* 16 *s.* currency. It follows, therefore, that by reason of these enactments, of which Sir Samuel Cunard complains, the owners of land gained no less a sum than 6,016 *l.* 12 *s.* 7 *d.* If this sum be added to the arrears due at the time of the passing of the Act 11 Geo. 4, cap. 17, which arrears were generously remitted by the Crown to Sir Samuel Cunard and others, who now appear so reluctant to grant concessions to their poor tenants, it would represent a sum many times exceeding every tax that has ever been paid in respect of the lands of Prince Edward Island, from the date of the original grants to the present hour.

The next statement of Sir Samuel Cunard to which I would direct your Grace's attention is the following:—

In my leases, "the rent and purchase-money are made payable in British sterling money, and were so paid for many years, until an Act was passed reducing the 1 *l.* sterling to 16 *s.*" "Thus the Act reduced the value of my rent and sales 25 per cent."

My Lord Duke,—I shall not, I think, have much difficulty in convincing your Grace that this statement of Sir Samuel Cunard is not borne out by the facts of the case. The Act referred to by Sir Samuel Cunard, as reducing his rents and sales 25 per cent. is the Act 17 Vict. cap. 6. This Act was passed by the Legislature of Prince Edward Island, under the following circumstances:

In the early days of the Colony, when sterling money of Great Britain was paid, the equivalent in currency was determined by the addition to the sterling of one-ninth. For instance, the landlord whose tenant had covenanted to pay him 5 *l.* British sterling money as the annual rent of 100 acres of land, granted an acquittance therefor on receiving 5 *l.* 11 *s.* 2 *d.* of the current money of the Island. This practice continued until 1854, and in fact is still observed, with very rare exceptions although for many years past the currency of the

Island has been so depreciated that the British 1 *l.* has been, as it now is, equivalent to 30 *s.* currency. In 1854, the Legislature, believing that very many tenants had signed leases in which the rent was reserved in British sterling money, under the belief that they would never be called upon to pay more than the currency of the Island with a ninth added, and that doubts had been raised as to whether such rents could not be legally enforced in sterling money, irrespective of the long-established usage which had prevailed, and which still prevailed, passed the Act 17 Vict. cap. 6, which Act, after reciting the Act 12 Vict. cap. 24, declared, "That the enactments contained in the said ninth section of the said recited Act, made and passed in the 12th year of Her present Majesty, intituled, 'An Act to regulate the Specie Currency of Prince Edward Island,' shall extend and be construed to extend and apply with regard to the mode of converting sterling money into currency, that is to say, by adding one-ninth part to such sterling money in order to bring it into currency, to any lease, bond, or other monetary obligation made and entered into before the passing of the said last recited Act, unless in cases or in any case where a contrary course may have been mutually recognised and acted upon by the party or parties to any such bond, lease, or obligation, either before or since the passing of the said last recited Act, anything therein or in this Act to the contrary notwithstanding."

The 9th section of the Act 12 Vict. cap. 24, above recited, is as follows:—"And be it enacted, that as in certain cases the fees in public offices have been defined by statute to be payable in sterling money, and as it has been customary heretofore, in payment of the said fees, to convert the sterling into currency by the addition of one-ninth part, such fees shall continue to be paid and received at the usual rates, anything in this Act to the contrary notwithstanding."

The Act of 17 Vict. cap. 6, evidently affects only those leases and contracts in which are covenants or agreements for the payment of sterling money made before the passing of that Act, and such leases and contracts only in cases in which the parties to such leases or contracts shall have mutually recognised the practice of converting sterling money into currency by adding one ninth part to such sterling money; so that if Sir Samuel Cunard is correct in his statement that in his "leases the rent and purchase-money are made payable in British sterling money, and were so paid for many years, until an Act was passed reducing the 1 *l.* to 16 *s.*, he must necessarily be in error when he asserts that the Act to which he alludes reduced the value of his rent and sales 25 per cent."

As to the alleged "unjust" and "vexatious" laws which Sir Samuel Cunard states to have been passed by the Legislature of Prince Edward Island, by which he and other proprietors have been deprived of one-fourth of their property, and had difficulties placed in the way of the collection of the remainder, I have no further observation to offer to your Grace than that the Acts thus characterised were duly approved by your Grace, or your Grace's predecessors in the office of Secretary of State for the Colonies, by whom they were submitted for Her Majesty's allowance.

Sir Samuel Cunard next proceeds to state to your Grace the terms upon which he lets his lands in Prince Edward Island. "The poor man," says Sir Samuel Cunard, "who applies to my agent for land, obtains it on the following terms, viz.: one year at 3 *d.* per acre, one year at 6 *d.* per acre, one year at 9 *d.* per acre, and thereafter at 1 *s.* per acre."

Sir S. Cunard's letter, 14 November 1863, p. 89.

After enumerating the privileges which the "poor man" becoming his tenant on these terms would have, such as "the privilege of cutting timber for building a house and outhouses," as well as for fuel and other purposes," Sir Samuel Cunard informs your Grace that if the "poor man" who takes a lease of fifty acres of his land in Prince Edward Island "be an industrious man," he will have a comfortable homestead at the end of four years, together with fifty acres of land, for which he is to pay annually 37 *s.* 6 *d.* sterling." Sir Samuel Cunard adds, "I have granted 1,496 leases within the last twenty-five years; many of the parties are comparatively rich, while some of them have purchased their freeholds; others would do so, but prefer retaining the money, being aware that they have the privilege of purchasing at any time."

My Lord Duke,—It is well known to all who are acquainted with the North American Colonies, that no man without capital, no "English farm labourer," it matters not how industrious he may be, can go into the woods and procure from

from the soil sufficient to support a wife, and pay rent for fifty acres of land, at 3*d.* an acre, and at the end of four years possess a "comfortable homestead."

The able and experienced author of the Appendix to the Report of the Royal Commissioners thus treats on the subject of—

Clearing up a Farm.—"When a new settler begins without capital, it is as much as he usually can do to clear two acres per year; at the end of four years, when his rent is 6*d.* an acre, he may have eight acres cleared; say, two in potatoes and turnips, two in wheat, and two in indifferent hay. The rent goes on increasing from 3*d.* an acre, at the end of two years, to 1*s.* at the end of eight years, when it becomes 18 dollars and 56 cents per 100 acres; at that time there may be an addition to the above crop of about two or three tons of hay and no pasture, the rent being about 1 dollar and 80 cents per acre for the useful land (equal to about 11*s.* 3*d.* currency). The tenant may leave out the oat crop and get better hay, or continue the oats until the land will not bear hay; the value taken off the ground will, in either case, be about the same. Where money has to be raised, oats seem to be the only resource, although the exhaustion makes it unprofitable in the long run. At the end of eight or ten years he may have twenty acres cleared, and about the same area of ground in crop as before; the remainder of clearing being in pasture, then stumping comes on, and a second course of cropping at the rate of about two acres a year (the clearing being continued), till at the end of 20 years there are perhaps 30 or 40 acres of cleared land, with from 15 to 20 under the plough, and one-half of that pretty well worn out by cropping. Sometimes clearing is carried on at a more rapid rate; circumstances may be peculiarly favourable, or there may be grown-up sons in the family, which is equivalent to capital; but in the majority of cases this is a pretty fair account of a new settlement. Except in very favourable circumstances it is impossible to pay the rent and support a family by what is raised upon such a farm. If 50 or 60 acres were cleared, and in good heart, the demand might be easily met; this, however, requires either capital or time. The few persons who have capital do not lay it out in this way; the demand for rent comes on too soon, and even if not paid, remains an incubus upon the energies of the farmer, and prevents improvements."

Sir Samuel Cunard has also informed your Grace that many "of his tenants are comparatively rich." I shall proceed to prove to your Grace that "many" of Sir Samuel Cunard's tenants, as well as the tenants of other proprietors, are in very destitute circumstances.

First, as to Sir Samuel Cunard's tenantry: when the Royal Commissioners held their court in Prince Edward Island, they were furnished, by Sir Samuel Cunard or his agent, with a tabular statement, which your Grace may find by reference to the Appendix to the Report of the Commissioners, in your Grace's possession; it is intituled, "Synopsis of Estate of Sir Samuel Cunard in Prince Edward Island, 1860." From this return it appears that the number of tenants holding under lease on Sir Samuel Cunard's estates, is 971; that they hold 64,889 acres, which is equivalent to an average of about 66 acres to each tenant; that the reserved rent amounts to 3,434 *l.* 18 *s.*, or a little over 1 *s.* per acre, and that the amount of arrears due in 1860 was 17,073 *l.* 6 *s.* At the foot of this Table is the following note: "As the rent is not considered due till the autumn, the arrears should be reduced by the amount of the yearly rent received, which would leave the arrears about 14,000 *l.*" Taking the arrears at 14,000 *l.*, the amount due, divided among the 971 tenants, would give to each tenant a sum exceeding 14 *l.*, or upwards of 4 *s.* an acre for any acre leased, and, as many of Sir Samuel Cunard's tenants are "comparatively rich," it may fairly be assumed that they owe no arrears of rent; hence it necessarily follows that many of them are very heavily in arrear.

This synopsis shows that, on Sir Samuel Cunard's townships, 63 and 64, there are 173 tenants holding 11,010 acres, and that they are indebted in arrears 5,451 *l.* 10 *s.*, which, allowing the annual rent to have been paid in 1860, and in every year since, would leave the arrears upwards of 7 *s.* an acre, supposing every tenant to be alike indebted. Townships, Nos. 44, 45, and 46, are mentioned as having on them 122 tenants, holding under Sir Samuel Cunard, occupying 7,709 acres, and indebted for rent in arrear upwards of 2,300 *l.*, which is equal, on an average, to nearly 6 *s.* per acre. The condition of the tenantry on these last-mentioned townships is specially noticed in the Appendix to the

Report of the Royal Commissioners. The produce raised by each tenant, carefully ascertained from the returns of the census made up by sworn enumerators, is given, and the whole is summed up in the following words :—

Township 44.—"Here are 52 out of 57 persons who have barely a sufficiency of grain and vegetable food, without the means of getting meat, or wool for clothing, not to say foreign luxuries or payment of rent.

Township 45.—Of the 14 tenants of Sir Samuel Cunard, who are divided into two classes, nine first class, and five second class, the produce of whose lands is given, it is reputed that after deducting one-tenth of the product of the farms of the first class for seed, "the remainder will about provision an average family of six and a half persons, and feed a horse while doing the farm work, nothing to spare. The second class must get provision from some other quarter or starve."

Township 46.—Of this township it is said, "Here are 14 families, in fair circumstances, four very little, if anything, to spare, and 13 with about half the year's provisions."

My Lord Duke,—The foregoing as well as the following extracts from the Report of the Royal Commissioners are better calculated to give your Grace a correct estimate of the condition of the tenantry of Prince Edward Island than the representations of interested parties. The extracts following are the conclusions drawn from the Census Returns of 1861, and were prepared so as to give a proper idea of the means derivable from the soil at command of the tenants, for the payment of rent and maintenance of families.

"*Tables deduced from the Census of* 1861, *showing character of the Leases, the quality and produce of the Lands leased in* 22 *Townships, indiscriminately selected, and the means derivable therefrom for paying the stipulated Rent.*—These Tables are extracted from the returns of the enumerators of the Census of 1861, and the value of the produce computed so as to give a proper idea of the means derivable from the soil at command of the tenants for the payment of rent, and for the maintenance of families. The most striking feature of these Tables is the small value of produce upon many of the farms ; for instance, on nine lots in King's County, the produce of four-sevenths of the tenantry is below 30 *l.* in value, the average being about 15 *l.* 6 *s.* currency, or 10 *l.* 4 *s.* sterling. Another seventh have produce between 30 *l.* and 40 *l.*, average 35 *l.* The remaining two-sevenths run between 40 *l.* and 100 *l.*, average 60 *l.* ; but 18 families out of the nine lots average 179 *l.*, and four others 276 *l.* The food of one person for a year at the prices calculated, will hardly be less than 4 *l.*, say 2 *l.* for bread and potatoes, and 2 *l.* for meat and fish, and taking the average family at six and a half persons, the amount will be 27 *l.* ; to which add 30 bushels of oats for feeding a horse while at work, say 30 *l.* in the whole, besides milk and vegetables in the summer ; but considering the small quantity of fodder for seven months' feed of cattle, and the poorness of the pastures in summer, the relief from milk cannot be very great. Taking the provisions of the family at 27 *l.* a year, it is only 10 *s.* 4 ½ *d.* currency, or 6 *s.* 11 *d.* sterling per week ; there is no surplus for the payment of rent or purchase of foreign articles ; but of four-sevenths of the tenants this is the maximum income ; the average is only about one-half of this sum ; there is also another seventh but slightly raised above this ; nor is this state of things occasioned, except partially, by the newness of the settlement. An examination of the Tables shows that the new farms are not numerous, and that in the greater number of instances small crops are drawn from farms long settled upon. It may be surmised that these persons get a good deal of their living by fishing, but this can hardly be the case, as the greater part of the poor tenantry are in the interior of the townships, out of reach of the fishery. As regards clothing, these people can make for themselves, if they had materials, but the source from which they are to be drawn is not obvious. By the Tables of 1855 all the sheep in these townships averaged but eight to a family, and as the more wealthy have a large share, the number owned by the poorer class can hardly be put at more than three or four to each family. How clothing and shoes are obtained by these people to meet the rigours of winter, is a question difficult to solve ; it has been said that there is a great deal of suffering among them at times, and the statistics prove that it must be true."

Having

Having replied to the statements of Sir Samuel Cunard in reference to subjects not mentioned in the proposals for the settlement of the land question, I shall now proceed to consider his observations, directly bearing upon the said propositions submitted by Mr. Palmer and myself.

Sir Samuel Cunard informs your Grace that some of the propositions of the delegates appear to be complicated and difficult to be understood, but all of them "interfere with the written agreements between landlord and tenant, and go to deprive the landlord of his just rights; one proposal is for the remission of arrears of rent prior to May 1858; another to reduce the term of purchase from 20 to 15 years; this would not appear to be a very just proposition when it is considered that an Act has already been passed reducing the sterling money in which the rents and purchases are payable to the extent of 25 per cent., so that this further demand is a further additional reduction of 25 per cent. Another proposal is, that land leased originally at 1 *s.* per acre, and now paying a higher rate, should be reduced to 1 *s.*" I regret, my Lord Duke, that the propositions submitted by the delegates should appear to Sir Samuel Cunard complicated and hard to be understood; that they interfere with the written agreements between landlord and tenant, and go to deprive the landlord of his strict "legal rights" I freely admit. If such were not the fact, the mode of settlement proposed would not have required, nor would it have been submitted for the approval of Sir Samuel Cunard and his fellow proprietors. Your Grace has already expressed the opinion that the landowners of Prince Edward Island cannot even "hope to recover" from their tenants "their strict legal rights," and that a settlement of the differences now unhappily existing between such landowners and their tenants is desirable, even at the sacrifice of much that is the legal right of the landowners.

Letter of Sir S. Cunard, 14 November 1863, p. 89.

Despatch to Lieut. Governor, Prince Edward Island, 11 July 1863.

My Lord Duke, at several periods between the date of the original grants of Prince Edward Island and the year 1833, had the Crown exacted the arrears of quit-rent, its "strict legal right," many proprietors would have had to pay sums of money exceeding the value of their estates, or would have been deprived of them. The objection to the proposal to fix the rate of purchase at 15 years, based upon the assumption "that an Act has already been passed reducing the sterling money, in which the rents and purchase-monies are payable, to the extent of 25 per cent," I submit it is of no force.

I have already proved to your Grace that this Act, referred to by Sir Samuel Cunard, does not at all affect any lease granted since the year 1854. That it applies only to leases granted prior to that year, and as to such leases, simply declares that the landlord shall continue to receive his rents reserved in sterling, at the rate of exchange at which, previously to that year, such landlord had been accustomed to receive them. No landlord, therefore, can truthfully assert that by reason of that Act the receipts from his lands have been lessened to the extent of one penny.

My Lord Duke, in the year 1840 the House of Assembly of Prince Edward Island examined before a Committee the agent of Sir Samuel Cunard as to the manner in which payment was required from the tenants of that gentleman, in whose leases rents were reserved in sterling money. The following questions and answers, put to and given by that agent, who was the Solicitor General of Her Majesty for the Island, while they conclusively determine the credibility due to the statement of Sir Samuel Cunard to your Grace, that "in his leases the rent and purchase-money are made payable in British sterling money, and were so paid for many years, until an Act was passed reducing the 1 *l.* to 16 *s.*," must, I think, satisfy your Grace that the Act 17 Vict. c. 6 was "neither a vexatious Act," nor one which "unjustly deprived" that gentleman, or any other proprietor, of "one-fourth" of his property, but on the contrary was a necessary and proper Act. The question and answers are as follow:—

"Committee Room, Session 1840. *James H. Peters*, Esq., Solicitor General, called in, and examined:

"*Question.*—Are you a land agent, and for whom?—*Answer.*—I am the agent of my father-in-law, Mr. Cunard.

"*Q.*—Have you settled any persons on the lands (of Mr. Cunard), and on what terms?—*A.*—I have given leases for about 8,000 acres this last year.

"*Q.*—On what terms were these tenants or occupiers settled?—*A.*—Those

Journal, House of Assembly, Prince Edward Island, 1848. App. (P.)

who had been there a number of years on leases of 999 years, at one shilling sterling per acre.

"*Q.*—What do you consider to be one shilling sterling?—*A.*—I add one-ninth to the currency of the Island, and I consider this makes a sum in currency equivalent to the sterling.

"*Q.*—If five pounds sterling be the rent of a farm, what sum in currency will be equivalent thereto, for payment of the rent of the leases you have given?—*A.*—Five pounds, eleven shillings and two pence, or thereabouts of the currency of this Island.

"*Q.*—If the matter be gone to the rigour?—*A.*—Then I would not feel obliged to take the currency, I would take dollars at 5 *s.* and add one-ninth, that is, I would take 5 *l.* 11 *s.* 2 *d.* in dollars at 5 *s.*

"*Q.*—Is the Committee to understand that the tenants under your leases must pay in dollars at 5 *s.*?—*A.*—I do take at present all monies current in the Island, but could enforce a legal tender, as before explained."

Although the Act 17 Vict. c. 6, complained of by Sir Samuel Cunard, was passed in 1854, since which time many leases have, I presume, been granted to tenants on his estates, reserving rent in sterling money of Great Britain, I believe it to be the fact that neither Sir Samuel Cunard, nor any other proprietor, has ever required such rent to be paid, other than after the rate mentioned in the Act. This, my Lord Duke, is an important fact, evidencing the justice and propriety of the Act. The proposal that rents which had been raised from 1 *s.* to 1 *s.* 6 *d.* per acre should be reduced to 1 *s.* was, as was clearly stated in the proposals, intended as a means of carrying out the "remission of all arrears prior to May 1858," as awarded by the Commissioners.

It now remains, my Lord Duke, to consider the "draft bill" submitted to your Grace by Sir Samuel Cunard. The main feature in any Act intended as a settlement of the land question must necessarily be the rate at which every tenant shall have the right to convert his leasehold into freehold. In the Act submitted, the rate of purchase is fixed higher than in the draft bill previously furnished to your Grace by Sir Samuel Cunard; and although it is the same as is suggested in the plan of settlement laid down in your Grace's Despatch of the 11th of July last, the plan suggested in your Grace's Despatch differs from that laid down in the draft bill of Sir Samuel Cunard in this material point, that the latter does not make any distinction based upon the difference in the quality and value of the lands.

I respectfully submit, my Lord Duke, that if the leasehold tenures of Prince Edward Island are ever to be converted into freeholds, this end will not be accomplished by any Act which fixes an uniform rate of purchase, without recognising the differences which exist in the quality and value of the lands. I deem it quite unnecessary, my Lord Duke, at the present time to offer any observations upon the details of the Bill just submitted by Sir Samuel Cunard. I am, my Lord Duke, most anxious that a settlement of the existing difficulties arising out of the land question should be arrived at, and I beg respectfully to request that your Grace will be pleased to call the attention of Sir Samuel Cunard to the third proposition of the delegates, and request that he will inform your Grace whether that, or any similar proposition, will be agreed to by him or by the large proprietors resident in this country.

My Lord Duke, the Legislature of Prince Edward Island have given the strongest evidence of their desire to settle the differences arising out of the relations of landlord and tenant on just and equitable principles. They, as is well known to your Grace, in their address to Her Majesty in 1859, prayed for the appointment of a Commissioner or Commissioners, who should be authorised to inquire into the differences existing between landlords and their tenants, and to negotiate with the landlords for the purposes of establishing the rate of purchase, at which every tenant might be enabled to convert his leasehold into freehold, and also for a remission of arrears of rent, and to report the result of their inquiries and negotiations to Her Majesty the Queen. The proprietors, not desiring a report which would not be binding on the parties, suggested the appointment by the Queen of three Commissioners, whose decision should be accepted by all parties as final. The suggestion of the proprietors was adopted; the tenants, or the Legislature on their behalf, pledged themselves to abide by the decision of the Commissioners, and three Commissioners were appointed wholly in accordance with the desire of the proprietors.

They

They exhausted the materials for inquiry into the facts of the case, and in due time placed in your Grace's hands their decision. This decision of the Commissioners was not such as pleased the proprietors, and they repudiated it, on the plea that the Commissioners had exceeded the authority intended to be conferred upon them.

The people of Prince Edward Island, my Lord Duke, were not to any extent responsible for the irregular manner in which the matter of the Commission would appear to have been conducted; they did all that was required of them, and now, my Lord Duke, they feel that they have been subjected to cruel disappointment. The Commission, instead of reconciling differences between landlords and tenants, has had the contrary effect, and has withal cost the Colony a sum of money such as its limited resources could ill afford. Although, my Lord Duke, the Commissioners failed to accomplish the settlement of the land question, and caused much excitement among the tenantry, they have nevertheless furnished your Grace with information as to the nature and extent of the evils which they attempted to remedy, such as cannot fail to be of essential service: information, which by reason of the eminent abilities of those by whom it was collected, and their entire disinterestedness, is entitled to be regarded as reliable.

From the returns furnished to the Commissions by the agents of Sir Samuel Cunard, who is the most extensive proprietor of land in Prince Edward Island, the melancholy truth is revealed, that in 1860 the arrears due by his tenants were equivalent, on an average, to upwards of 4 *s.* per acre on the entire area of his leased lands; and it is not too much to assume, as I have already stated on the faith of Sir Samuel Cunard's recent communication to your Grace, in which he states that "many of his tenants are comparatively rich," that one-half of them are free from debt to their landlord. On this assumption, it must be granted that those who are indebted are burthened with arrears of rent, equivalent to no less than eight years' purchase of the reserved rent.

The Report of the Commissioners also further shows that on Sir Samuel Cunard's estates, on townships 44, 45, and 46, the majority of his tenants do not raise from their farms more than barely sufficient to keep them from starvation, and this, too, on the assumption that six and a-half persons can be supported on 7*s.* sterling a week; and also that, taking the tenants throughout the Island, 40 per cent. do not procure from their farms a sufficiency of food. My Lord Duke, a country so largely peopled as is Prince Edward Island, by tenants in such unhappy circumstances, cannot advance. The effect of arrears of rent upon the tenants of Prince Edward Island, are in the Report thus described: "The tenant finds it to his interest to improve no more than he can help; improvement would only invite purchasers; it is rather for his interest to take all he can get out of the land while the opportunity continues; in fact it is Ireland on a small scale."

My Lord Duke, wholesale evictions cannot I presume be resorted to; in Prince Edward Island many poor people, in various parts of the Colony, have expended their youth and strength in clearing the forest, and are now in their old age deserted by their grown up sons (who naturally refuse to improve land which is charged with arrears of rent, in many cases quite equal to its freehold value); these persons, with wives and helpless children are dragging out a miserable existence in a country where snow covers the ground for six months in the year, and where the cow that supplies milk to the poor family must be housed and fed for seven months of the 12, cannot be thrust out into the highways to perish, or become dependent upon public charity. My Lord Duke, this picture is not an exaggeration; may I not add that a remedy for these evils is imperatively demanded. High as may be the respect entertained for the legal rights of the landowners, there are cases in which they should give way to the requirements of public policy. The Ministers of the Crown in my opinion would not have acted wisely had they sought to enforce the payment of the quit-rents, after having allowed them to fall into arrear, until they amounted in many cases to the value of the land in respect of which they were due; under such circumstances they freely remitted them. The example of Her Majesty's Government in their dealings with the defaulting proprietors in the matter of the quit-rents, first reducing them one-half, and afterwards freely remitting many thousands of pounds, should, I respectfully submit, to some extent com-

mend itself to Sir Samuel Cunard and his fellow proprietors, as worthy of emulation in their dealings with their tenants.

My Lord Duke, the tenantry of Prince Edward Island are already deeply indebted to your Grace for the great personal exertions hitherto made by your Grace to bring about a settlement of the land question as a remedy for the evils under which they suffer, and I have gone thus fully into the subject of these evils, feeling that it is one which affects directly the happiness of thousands of families, and indirectly that of a Colony which is under your Grace's care, and that it also is one upon which it is most desirable that your Grace should be fully and correctly informed; I have also done so in the earnest hope that your Grace's sympathy and influence may continue to be exerted in support of the effort now being made to remedy those evils, which owing their origin to the indiscreet exercise of the Royal Prerogative, have so increased, that they are no longer endurable.

I have, &c.
(signed) *Wm. H. Pope.*

— No. 12. —

No. 12.
T. F. Elliot, Esq., to W. H. Pope, Esq.
7 January 1864.

COPY of a LETTER from *T. Frederick Elliot*, Esq., to *W. H. Pope*, Esq.

Sir, Downing-street, 7 January 1864.

I AM directed by the Duke of Newcastle to transmit to you the enclosed copy of a letter * from Sir Samuel Cunard, on the subject of the third proposition in the letter on the Prince Edward Island land question, which was addressed to his Grace by yourself and your colleague on the 13th of October.

* Page 94.

I am, &c.
(signed) *T. Frederick Elliot.*

— No. 13. —

No. 13.
W. H. Pope, Esq., to T. F. Elliot, Esq.
13 January 1864.

COPY of a LETTER from *W. H. Pope*, Esq., to *T. Frederick Elliot*, Esq.

Sir, Athenæum Club, Pall Mall, 13 January 1864.

I HAVE the honour to acknowledge the receipt of your communication of the 7th instant, in which you transmitted me, by direction of His Grace the Duke of Newcastle, a copy of a letter from Sir Samuel Cunard on the subject of the third proposition in the letter on the Prince Edward Island land question, which was addressed to his Grace by Mr. Palmer and myself on the 13th October.

For the information of His Grace the Duke of Newcastle, I beg to communicate to you the following observations upon Sir Samuel Cunard's letter.

The third proposition of the letter referred to by Sir Samuel Cunard, would entitle a "tenant holding under lease, and indebted in more than one year's rent, to demand from his landlord, at any time within 20 years from January 1864, the fee-simple of his leasehold land, on payment in one sum, in cash, to such landlord, of 16 years' purchase of the reserved rent." This proposition was intended to meet the case of those tenants, indebted for rent in arrear, in sums in many cases exceeding the fee-simple value of their lands, and who have heretofore paid little or no rent, and whose lands, unless emancipated from the arrears (which in the great majority of cases the landlords cannot hope to recover), must remain in a most impoverished state, to the injury alike of the landlord and of the Colony. Sir Samuel Cunard refuses to consent to this proposition, because its operation, as he alleges, "would be" as follows: "A tenant holding a farm consisting of 100 acres, for which he is bound by his lease to pay 5*l.* rent per annum, and to pay it annually, would under this proposition avoid paying his landlord, being encouraged thereby to do so; but would

would deposit his rent in the Bank, where he can get 6 or 7 per cent. interest, and at the end of 20 years the accumulated rent and interest would amount to more than 150*l.*; this sum should, in justice, belong to the landlord; but the tenant can then take 80*l.* of it, and demand from his landlord a deed in fee-simple of his farm, and have the remainder of the 150*l.* as a reward for dishonesty."

The foregoing statement of Sir Samuel Cunard as to what "would be the operation" of the proposition in question, is absurd, unless upon the twofold assumption:

First,—That the tenant possesses the means of paying his rent; and

Secondly,—That there does not exist in the Colony, a law by virtue of which the landlord may compel such tenant to pay his rent, or in default thereof, may dispossess him of his lands.

That these assumptions are completely groundless, I think I shall have little difficulty in proving.

As to the first assumption, I have already, in my letter to His Grace the Duke of Newcastle, of the 18th December, referred to the evidence afforded by the "Synopsis of the estate of Sir Samuel Cunard in Prince Edward Island" laid before the Royal Commissioners, and by them attached to their Report furnished his Grace, from which it appears, beyond all question, that on some of the estates of Sir Samuel Cunard, the arrears of rent due, are equivalent to upwards of 7*s.* an acre, for every acre leased, assuming that the tenants are equally indebted; and from the Report of the Commissioners it further appears that the majority of these tenants are in abject poverty; that they do not produce from their farms sufficient to procure for them food and clothing; and from the same Report it also appears that, taking the whole tenantry of the Colony, there are 40 per cent. who do not raise from their lands a sufficiency of food.

As to the second assumption, the landlord in Prince Edward Island has the right, at all times, to distrain upon his tenant's land for rent in arrear.

In all cases where the amount of rent due is upwards of 7*l.* sterling, the landlord can bring an action therefor against his tenant in the Supreme Court of the Colony.

In cases where the amount of rent due is under 7*l.* sterling, and there is no distress upon the lands, the landlord is allowed to proceed for the recovery of such rent, against the tenant, in the Small Debts Court of the Colony.

The landlord can proceed by ejectment, in cases wherein there shall not be upon the lands of his tenant sufficient distress to countervail six months' rent.

All these remedies are available, and for years past have been freely resorted to by landlords.

If the tenant be in occupation of land from which he cannot raise a sufficiency of food, the landlord cannot, of course, get his rent: but if the tenant have goods or chattels, they may be distrained, or taken under execution; or the landlord has the power, in the absence of distress, to dispossess the tenant, and to re-enter upon the land.

Such being the remedies available by the landlord, it cannot be supposed for a moment, that any tenant would be allowed to withhold his rent, and to act in the manner set forth in Sir Samuel Cunard's letter.

In Sir Samuel Cunard's letter to His Grace the Duke of Newcastle, of the 14th November last, much stress was laid upon the operation of the Act 23 Vict. c. 16, upon proprietary rights. Reference to the Act in question will satisfy his Grace that Sir Samuel Cunard is incorrect in his assertion, contained in the letter last referred to, that "a landlord is not allowed to proceed in the Small Debts Court for the recovery of rent."

With as much propriety might it be said, that a landlord is not allowed to proceed in the courts of this country, under the Imperial Act of 4 Geo. 2, c. 28. This Act contains a proviso that no proceedings shall be taken against the

lands of a defaulting tenant, under this Act, unless there is not to be found upon his land distress sufficient to countervail six months' rent.

The Colonial Act, of which Sir Samuel Cunard complains, contains a similar provision. If the landlord, who seeks to recover rent in arrear, makes oath that there is not upon the lands in respect of which such rent is due, sufficient distress to countervail a half year's rent, he may proceed by action in the Small Debts Court against his tenant.

The only restriction upon the landlord proceeding by distraint against his tenant is imposed by the Act 6 Vict. c. 19, which declares to the effect that horses and cattle, hay and straw, distrained upon after the 1st December, shall not be sold until after the 1st June following; provided security be given for the due return of such horses and cattle.

In conclusion, I regret to say that I cannot construe Sir Samuel Cunard's communications on the subject of the proposals for the settlement of the land question, in any other sense than as indicative of unwillingness, on his part at least, to make any such reasonable concessions to his tenants, as would afford that relief which is essential in order to secure the Colony generally from those much to be dreaded evils, which necessarily result from wide spread agrarian agitation.

I have, &c.
(signed) *W. H. Pope.*

— No. 14. —

No. 14.
H. Palmer, Esq., to the Right Hon. E. Cardwell, M. P.
18 August 1864.

COPY of a LETTER from *Henry Palmer*, Esq., to the Right Honourable *Edward Cardwell*, M.P.

Sir, Yeovil Deverey, Brymton, 18 August 1864.

I BEG leave to inclose you a printed copy of an Act passed at Prince Edward Island for "settling Differences between Landlord and Tenant, and to enable Tenants in certain Townships to Purchase the Fee-simple of their Farms, &c."

I am so satisfied that the Legislature of Prince Edward Island have done all in their power to reconcile the unfortunate differences that exist between landlord and tenant. I am anxious to withdraw any opposition that I may have been supposed to entertain against the passing of this Bill. I have, therefore, signed it, and trust your Honour may be induced to submit the same for Her Majesty's assent.

I am quite satisfied that, although Lady Georgina Fane will not withdraw her opposition, she will comply with its terms when the Bill is passed.

I have, &c.
(signed) *Henry Palmer*,
One of the Proprietors.

Enclosure in No. 14.

Encl. in No. 14.

"An Act for settling Differences between Landlord and Tenant, and to enable Tenants on certain Townships to Purchase the Fee-simple of their Farms."*

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* This Act is printed as an enclosure in Governor Dundas' Despatch, No. 44 of 7th May 1864, page 50. The following words were appended to the Act:—"We, the undersigned proprietors in Prince Edward Island, agree to the provisions of this Act.

(signed) "*J. R. Bourke.* *John A. M'Donald.*
"*T. H. Haviland.* *Edward Palmer.*
"*Wm. Cundall.* *Henry Palmer.*
"*D. Hodgson.* (in London)."

— No. 1. —

No. 1.
Memorial from Mrs. M. Stephens to the Duke of Newcastle, K.G.
February 1861.

COPY of a MEMORIAL from Mrs. *Marguerite Stephens* to His Grace the Duke of *Newcastle*, K.G., Secretary of State for Her Majesty's Colonies.

The MEMORIAL of *Marguerite Stephens*, otherwise *Stewart*, wife of *James Stephens*, of the town of *Galway, Ireland*,

Showeth,

THAT your memorialist is the daughter of the late Captain John Stewart, formerly Deputy Paymaster General of the Forces at St. John's, Newfoundland, and afterwards Receiver General of Quit-rents, and Speaker of the House of Assembly for many years in Prince Edward Island.

That your memorialist's said father having purchased several townships in Prince Edward Island, part of those lands have come, by inheritance, to your memorialist, and now belong to her as owner, same being in the possession of several tenants at very small rents, payable to your memoralist.

That, until about four years since, your memorialist always resided in Prince Edward Island, which she then left and came to Ireland on the occasion of her marriage, leaving her property to the management of an agent.

That your memorialist has lately been informed and has heard with the greatest anxiety, that certain Commissioners appointed by Her Majesty's Government have been holding inquiries relative to the tenure and occupation of land in Prince Edward Island, and that the tendency and object of those inquiries are publicly announced to be, to convert those who are now tenants on the land into the actual owners thereof, upon terms so merely nominal as to amount, if carried into effect, to complete confiscation of the property now belonging to your memorialist and the other proprietors in the Island.

Your memorialist respectfully submits that the proceedings referred to, if acted upon by Her Majesty's Government, will furnish a dangerous precedent, and will be subversive of the vested rights of property, not only in Prince Edward Island, but in other parts of the British dominions where those rights are now recognised and upheld, and she humbly and earnestly hopes that neither your Grace nor any other member of Her Majesty's Government will sanction such an unjust measure, so totally at variance with the state of things in Great Britain and Ireland, and to which your memorialist has been in no way a party.

And your memorialist will ever pray,

Galway, February 1861. (signed) *Marguerite S. Stephens.*

— No. 2. —

No. 2.
The Right Hon. C. Fortescue, M.P., to Mrs. M. Stephens.
4 March 1861.

COPY of a LETTER from *C. Fortescue*, Esq., M.P., to Mrs. *Marguerite Stephens*.

Madam, Downing-street, 4 March 1861.

I AM directed by the Duke of Newcastle to acknowledge your memorial relative to a Commission which has been sitting upon the subject of the tenure and occupation of land in Prince Edward Island.

I am desired to acquaint you that this Commission was appointed with the concurrence, on the one hand, of the great majority of the proprietors of land in the Colony; and on the other hand, of the Assembly, as representing the

tenants, with the view of endeavouring to put an end to differences of long standing, and of thus promoting harmony, and conducing to the security and value of property in the Island. There is no intention to enforce the awards of the Commissioners against any persons who have not, either personally or by their representatives, consented to refer their claims to arbitration; but on the other hand, the refusal of any particular proprietors to concur frankly in a measure which was framed for an object so important to their own interests, and which has hitherto been assented to by a large portion of their body, could not but be calculated to influence the conduct of Her Majesty's Government, if afterwards called upon to support them in any future disputes with their tenants.

I am, &c.
(signed) *C. Fortescue.*

— No. 1. —

Memorial from R. B. Stewart, Esq., and others to the Duke of Newcastle, K.G.

1 October 1860.

COPY of a MEMORIAL from *R. Bruce Stewart*, Esq., and others to His Grace the Duke of *Newcastle*, Her Majesty's Principal Secretary of State for the Colonial Department.

The MEMORIAL of the undersigned Owners of Township Lands in Prince Edward Island,

Humbly showeth,

THAT in pursuance of a measure of the Local Legislature passed last Session, intituled, "An Act to give effect to the Report of the Commissioners to be appointed on the Land Question," public proceedings at different parts of this Island have since been instituted, under a Royal warrant, bearing date 5th July 1860, and an opinion obtains that the Report of the Commissioners so appointed, when complete as to the articles of the requirements of the statute, shall be compulsory and binding on all owners, to whatever extent, of township lands, and from which award there shall be no appeal.

That your Grace's memorialists humbly conceive that this construction of the Act was meant to apply only to such landowners as in a letter to your Grace, dated "Bush-hill House, Edmonton, 13th February 1860," expressed their concurrence in the measures proposed by the Assembly, with certain amendments of their own suggestion, but that your memorialists were no parties to such correspondence. That, on the contrary, when certain of them were afterwards requested to become so by the Lieutenant Governor and others, they refused to sign the paper tendered to them, being strongly opposed to the contemplated interference, and believing that without their own concurrence their real estates on this Island would not be chargeable under an award of the Commissioners or arbitrators to be appointed under the Act.

That in the preamble to Resolutions of the Assembly, embodied in their Address to the Queen, of date the 9th of May 1859, it is clearly stated "that Her Majesty's Government will not consent to any *compulsory interference* with the lands and rights of the proprietors, and which has been strongly reiterated in the Despatches of Sir Edward Bulwer Lytton, dated 20th October 1858 and 3d December 1858." That also in the first of the said Resolutions it is expressly implied that no compulsory legislative enactment is contemplated, but that a Commission be directed to "*negotiate with the proprietors* for such terms as, *without infringing on the rights of the landlords*, may be fairly and reasonably asked for." The non-compulsory principle is also recognised in the preamble of the Act, which preamble, however, your memorialists beg leave to submit is at variance with the second section, or enacting clause of the said Bill.

That

That the proceedings of the Commission are anomalous in character, and not ruled by any precedents, as the said Act gives them no power either to compel the attendance of witnesses or to examine them upon oath. That the Commissioners are therefore liable to be influenced by the gratuitous assertions of many political agitators who obtained leave to address them, and of a large number of tenants, who are led to expect they may become freeholders at a very low rate of purchase; some alleging that they considered themselves entitled to have their land for nothing.

That since the assent of certain of the said proprietors to said Commission, an Act has been passed giving to the Commissioners powers perfectly unconstitutional, and not in any way contemplated by Her Majesty, nor by the proprietors who consented to the inquiry; investing the Commissioners with a delegation of legislative power; with an arbitrary authority over the rights of property of Her Majesty's subjects in this Island unparalleled in the history of any country.

That the Commissioners have evidently imagined that they are entitled to avail themselves of this questionable authority, and have publicly stated they are not bound by law in their investigation and in their award. That as a proof of this, Mr. Howe, when an allusion was made to purchases having been made by parties resident in Great Britain of property here, on the faith of repeated assurances of Her Gracious Majesty, conveyed through all the Secretaries of State for the Colonies for the last half century, that Her Majesty would not allow the rights of property to be violated, stated that he would not be bound by a cartload of Despatches.

That this investigation has been concluded in manner tending, not as it was proposed, to allay the agitation here against vested rights, but to excite it to a most alarming degree.

Before the case for the tenants had closed, one of the Commissioners asserted that the present system of tenancy in this Island *is most injurious, and must be done away with.* This assertion was made in the presence of the tenantry, before an opportunity was given of answering the evidence; and the whole course pursued has led the people to believe that no rents shall hereafter be collected. To show that this impression exists, your memorialists beg to enclose an extract of a morning paper representing the views of the tenantry, which will best illustrate the alarming effects already created by a tribunal entrusted to settle the question between landlord and tenant on just and equitable principles.

To show that these views are not confined to your memorialists, we may state that the counsel for the proprietors, who have consented to the Commission, was compelled to hand in a request to the Commissioners to publish a proclamation, requesting tenants to pay their current rents, although those proprietors are compelled to yield to the command of the Commissioners not to collect any arrears.

This request was made to the Commissioners, because otherwise it was anticipated that no rents could be collected by proprietors in this Island.

That the said Act, as explained by counsel before the said Commissioners, may establish principles repugnant to the constitution, and certainly involves constitutional rights, which from time immemorial have never been questioned, namely, a married woman's right of dower, or a widow's security under her marriage settlement, and the testamentary provision for orphan children; also, contracts entered into under seal, security for debt, whether by way of mortgage or of judgments in the supreme court, and various other obligations heretofore considered binding between parties, and the right of a subject to enjoy the use of his own property. And as your Grace's memorialists are at present unable to learn how far their estates may or may not hereafter be chargeable under the award of the said Commissioners, and as your memorialists never joined in the acquiescence already referred to of Sir Samuel Cunard and others, they therefore humbly pray that your Grace will recommend Her Majesty to

withhold Her Royal sanction from the said Bill, till further representations can be made respecting it.

All which is humbly submitted by your Grace's most obedient and most humble servants,

(signed) *Robert Bruce Stewart,*
Proprietor of lots or townships, Nos. 7, 10, 12, and 30, Lennox Island; half lot 47, and part of lots 27 and 46.
Anna Matilda M'Donald,
Widow of the late M'Donald, of Glenaladale.
Helen Jane M'Donald.
Mary Margaret M'Donald.
William Christopher M'Donald,
By John A. M'Donald, his attorney (part of township, 35 and 36).
Samuel Nelson,
1,000 acres on lot 24.
Mary Dundas B. Irving,
Widow of the late George Irving, esq., and only surviving daughter of the late Chief Justice Stewart, holding lands on townships, Nos. 18 and 48, under will of said Chief Justice.
Charles Wright,
Owner of land on townships, Nos. 65 and 48, (*no party* to the correspondence dated at Bush Hill House, but who handed in a written protest to the said Commissioners against any *compulsory interference* on their part with his property).
John A. M'Donell,
Owner of part of township, No. 35.
Flora Anna Maria M'Donell,
Owner of land on township, No. 35, widow of the late Alexander M'Donell, of Donaldston
David Stewart Rennie,
By Robert Rennie, his attorney, part of township, No. 23.
Ellen Stewart,
Margaret Stewart,
Owners of part of lot 18, under the will of the late Charles Stewart, Attorney General of this Island.
Robert G. Cuninghame,
Owner of 2,163 acres on township, No. 48, a collateral descendant of James Cuninghame, one of the original grantees of that township, by Robert Stewart, his attorney.

Charlotte Town, Prince Edward Island,
1 October 1860.

Enclosure in No. 1.

Encl. in No. 1.

EXTRACT from the "Examiner" Newspaper, of date 25th September 1860, Charlotte Town, Prince Edward Island.

"PROGRESS of the Land Commission Inquiry.

"NEARLY a month has elapsed since the Royal Commissioners engaged in the investigation of questions relating to landlord and tenant opened their court in this Island, and from the zeal

zeal and assiduity with which they have performed their duties, there is no doubt that they have collected a large amount of information. In a few days they will end their labours here, and the general inquiry is, What will be the result? It is extremely difficult to answer this question; but one thing is very clear, that public opinion has been most unequivocally pronounced against the leasehold tenure in any and every shape. Instead of allaying agitation on the land question, it has received an impulse by the present inquiry hitherto unknown in the Colony; and whatever may be the award of the Commission, we are confident that the landholders have little or no chance, without the intervention of a strong military or constabulary power, of enforcing their demands upon the tenantry."

— No. 2. —

No. 2.
R. B. Stewart, Esq., to the Right Hon. E. Cardwell, M. P.
12 July 1864.

COPY of a LETTER from *R. Bruce Stewart*, Esq., to the Right Honourable *E. Cardwell*, M. P.

Strath Gartney, Prince Edward Island,
Sir, 12 July 1864.

LADY GEORGINA FANE has kindly sent me copy of her letter to you, dated 13th June,* in which letter she mentions me as the resident proprietor of about 80,000 acres of land in this Colony, wherein I have spent the last 18 years, and need scarcely say that I am deeply interested in its prosperity. I beg to state that I most thoroughly concur in the purport of her Ladyship's letter, and very sincerely wish that every proprietor of land in this Colony had, like her, visited it and remained in it long enough to see and to know the actual state of parties and facts here, in which case I feel very certain that they all would concur with Lady Georgina Fane in the letter which she has addressed to you.

* Page 105.

I have, &c.
(signed) *Robert Bruce Stewart.*

— No. 3. —

No. 3.
Sir F. Rogers, Bart., to R. B. Stewart, Esq.
9 August 1864.

COPY of a LETTER from Sir *F. Rogers*, Bart., to *R. Bruce Stewart*, Esq.

Sir, Downing-street, 9 August 1864.

I AM directed by Mr. Secretary Cardwell to acknowledge the receipt of your letter of the 12th of July, forwarded to Mr. Cardwell by Lady Georgina Fane, in which you express your concurrence in her Ladyship's views on the subject of the recent Act of the Prince Edward Island Legislature for settling differences between landlord and tenant.

I am, &c.
(signed) *Frederic Rogers.*

— No. 4. —

No. 4.
R. B. Stewart, Esq., to the Right Hon. E. Cardwell, M.P.
20 October 1864.

COPY of a LETTER from *R. Bruce Stewart*, Esq., to the Right Honourable *E. Cardwell*, M.P.

Strath Gartney, Prince Edward Island,
Sir, 20 October 1864.

I HAVE had the honour to receive Sir F. Rogers' acknowledgment of my letter to you, dated 12th July, which was forwarded to you by Lady Georgina Fane. Her Ladyship has since furnished me with copies of her letters to you, dated respectively September 2d, 15th, and 28th.* I beg to state, that I thoroughly concur in the purport of those letters, and in the prayer of the petition, that the Bill of last Session, sent from this Colony, "For the settle-

* Pages 112, 113, and 114.

ment of differences between Landlord and Tenant," may not be submitted for Her Majesty's assent. Foreseeing and feeling that great injury and injustice are impending and contingent upon the confirmation of that Bill, to myself and those other proprietors who did not consent to the appointment of the Land Commission, I feel certain that such injury and injustice can neither be intended nor approved by Her Majesty's Home Government, to whom I shall look with earnest and respectful hope that they will then be pleased to protect and defend me from such injury and injustice, in case they should determine in favour of the confirmation of that Bill against which I now appeal to you.

I have, &c.
(signed) *Robert Bruce Stewart.*

— No. 5. —

No. 5.
T. F. Elliot, Esq., to R. B. Stewart, Esq.
19 Nov. 1864.

COPY of a LETTER from *T. Frederick Elliot*, Esq., to *R. Bruce Stewart*, Esq.

Sir, Downing-street, 19 November 1864.

I AM directed by Mr. Secretary Cardwell to acknowledge the receipt, through the Lady Georgina Fane, of your letter of the 20th ultimo, on the subject of the Act of the Prince Edward Island Legislature, " for settling the Differences between Landlord and Tenant, &c."

Mr. Cardwell desires me to acquaint you that he is no longer in a position to interfere in the matter. The Act was confirmed, on the 1st instant, by an Order of Her Majesty in Council, which was sent out by last mail.

I am, &c.
(signed) *T. Frederick Elliot.*

— No. 1. —

No. 1.
Lady Wood and Miss Fanning to the Right Hon. E. Cardwell, M.P.
31 October 1864.

COPY of a LETTER from Lady *Wood* and Miss *Fanning* to the Right Honourable *Edward Cardwell*, M.P.

LADY WOOD and Miss Fanning present their compliments to Mr. Cardwell, and beg leave to submit to him the enclosed certified copy of a petition received from their tenants in Prince Edward Island by the last mail thence.

Lady Wood and her sister, Miss Fanning, are induced to take this step for the purpose of proving to the Secretary of State for the Colonies the little probability there is that the legislative proceedings which have followed the late Land Commission will tend to satisfy the tenantry of Prince Edward Island generally, or to promote the peace and prosperity of the Colony. As yet, all the measures with regard to what is called " The land question of Prince Edward Island," have but served to engender and call into action the dishonest feelings and illegal combinations set forth in the petition herewith enclosed.

Lady Wood and Miss Fanning beg to state, that they are not aware of any grievance of which their tenants have to complain ; they voluntarily took leases of their respective holdings on the current terms of the country ; and land on lot 50, the township upon which these tenants chose to settle, has been sold for the last 40 years, and is still selling, at the rate of 20 *s.* sterling per acre.

3, Circus, Bath, 31 October 1864.

Enclosure in No. 1.

Encl. in No. 1.

Prince Edward Island, Township, No. 50,
Lady Wood and Miss M. M. Fanning, 29 September 1864.

WE, the undersigned, your Ladyships' tenants on township, No. 50, Prince Edward Island, have lately held public meetings, and at the last meeting, held on Monday the 26th instant,

instant, unanimously agreed to correspond with your Ladyships, relative to the disquietude now so prevalent in this Colony in consequence of the present rent-paying system, so injurious and detrimental to the prosperity and contentment of the Island generally; and humbly beg leave to address your Ladyships with every feeling of respect, and would urge, as our excuse for this liberty, the pressing necessity of our case.

We, your Ladyships' tenants on township, No. 50, in common with the whole tenantry of the Island, have become convinced of the great and positive necessity of the abolishment of the rent-paying system, and that we, your Ladyships' tenants, in connection with the tenantry of the Island generally, have inaugurated ourselves into a tenants' union, for the purpose of withholding the further liquidation of rent until a right of purchase being afforded your Ladyships' tenantry, upon fair and equitable principles, as acceded to the tenantry on the Selkirk and other estates, purchased by the local Government of this Colony; therefore, the first means your Ladyships' tenantry purpose adopting, being the offering to purchase the fee-simple of our respective holdings, agreeable to the following propositions, viz., 10*s.* per acre; one-fifth paid on the 1st January 1865, and the balance in four annual instalments, with six per cent. interest until paid; interest to cease on each liquidated payment. Which proposition your Ladyships' tenants earnestly trust will be accepted by your Ladyships, as being more satisfactory and remunerative than the present rent system; your Ladyships' tenants of course giving ample security for the faithful fulfilment of the same. Robert Poore Haythorne, Esq., has recently effected a compromise with his tenants, on lot 49, on similar terms as herein represented. And we, your Ladyships' tenants, sincerely hope your Ladyships will accept this, our offer, with those charitable feelings that we have reason to believe your Ladyships possess.

Trusting your Ladyships will favour us with a reply at your Ladyships' earliest convenience.

We respectfully beg to remain, &c.

(signed) *Frederick Nelson.*
Teoplles Nelson.
(And 104 other signatures.)

P.S.—Your Ladyships will be pleased to address your reply, on behalf of your tenantry, to Mr. Alexander M'Neill, lot 50.

(Examined with the original),

(signed) *John Kemp,*
Solicitor, Bath.

— No. 2. —

No. 2.
T. F. Elliot, Esq., to Lady Wood.
8 November 1864.

COPY of a LETTER from *T. Frederick Elliot*, Esq., to Lady *Wood.*

Madam, Downing-street, 8 November 1864.

I AM directed by Mr. Secretary Cardwell to acknowledge the receipt of your Ladyship's and Miss Fanning's letter of the 31st ultimo, together with a copy of a letter from your tenants in Prince Edward Island, containing a proposal for the purchase of the fee-simple of their holdings.

I am, &c.
(signed) *T. Frederick Elliot.*

— No. 1. —

No. 1.
Charles Wright, Esq., to the Duke of Newcastle.
6 November 1860.

COPY of a LETTER from *Charles Wright*, Esq., to His Grace the Duke of *Newcastle.*

Charlotte Town, Prince Edward Island,
My Lord Duke, 6 November 1860.

A PETITION addressed to the Queen is herewith transmitted to your Grace, and I beg leave most respectfully to state that my father, Mr. Charles Wright, held the office of Surveyor General of Prince Edward Island, from 1812 till his death in 1828.

My grandfather, Mr. Thomas Wright, was, by Commission dated 6th August 1764, appointed deputy to the Surveyor General of the "Northern District of America," and was subsequently, during a long life, employed in various public

services, among which I may be permitted, with due deference, to mention, that in 1769 he was deputed by the Astronomer Royal to observe the transit of Venus, and that he succeeded in this observation (near Quebec) appears by Vol. 59 of the "Philosophical Transactions." In 1773 he repaired to the seat of Government of this Colony at the pressing solicitation of Walter Patterson, Esq., then Governor thereof, and was appointed Surveyor General, and also filled the office of Senior Assistant Judge of this Colony. During a long residence here he encountered many difficulties, and at the breaking out of the American war of independence was taken prisoner and carried to the head quarters of the revolutionary army.

When the Commissioners, appointed in pursuance of the 5th Article of the Treaty with America, dated 19th November 1794, to fix the boundary between the State of Maine and New Brunswick, met at Boston in 1797 his attendance was required, and the importance attached to the information and assistance afforded by him on that occasion appears by original documents, to which reference can be made.

In defence of rights justly acquired by members of my family amidst unremitted labour and various hardships, I am obliged to resort to the highest authority in the State, and humbly trust that the facts set forth in my petition may appear worthy of favourable consideration.

I have, &c.
(signed) *Charles Wright.*

Enclosure in No. 1.

Encl. in No. 1.

To the Queen's Most Excellent Majesty.

The Petition of Charles Wright, Owner of portions of Townships No. 65 and No. 50, in Prince Edward Island.

Most humbly showeth,—

1. That your petitioner is a loyal subject of Your Majesty, and craves leave to approach the Throne with the assurance of his devoted attachment to Your Majesty's person and Government.

2. That in accordance with an Address and Resolutions of the Assembly of this Island, Your Majesty has been pleased by your Royal warrant, dated at Buckingham Palace, 5th June 1860, to appoint John Hamilton Gray, Joseph Howe, and John William Ritchie, Esqrs., Commissioners for inquiring into and adjusting the differences between landowners and tenants in Prince Edward Island on "fair and equitable principles," and that an Act has passed the Local Legislature, intituled, "An Act to give Effect to the Report of the Commissioners to be appointed on the Land Question," without Your Majesty's assent to which, their award can have no legal force, as the said Act contains a clause suspending its operation "until Your Majesty's pleasure therein shall be known."

23 Vict. c. 28.

3. That it was contended by counsel before the said Commissioners, that by the second enacting clause thereof "the rights, estates, rents, issues, and profits of such estates, liberties, franchises, and interests of all and every person whomsoever," Your Majesty's subjects, of, out of, or concerning township lands in this Island will, if it becomes law, be bound by the award of the Commissioners, from which award it is likewise maintained there shall be no appeal.

4. That if the second section of the Act will bear this construction, and there seems too much ground for the apprehension, Your petitioner humbly begs leave to submit that the said Act is opposed to the well-established principles of British constitutional law; that it is contrary to the intentions of Your Majesty's Minister, as clearly expressed in his Despatch to Lieutenant Governor Dundas, of date 21st of March 1860, and partly embodied in the preamble to the Act, that it is repugnant to the Royal instructions for the good government of Colonies, as transmitted to Sir John Colborne and Sir Edmund Head, and is also at variance with the principles set forth in the preamble of the Act itself, as well as in the resolutions of the Assembly, dated the 9th of May 1859, referred to in the said preamble; for the preamble to the said resolutions, as transmitted to Your Majesty, utterly repudiates "any compulsory interference with the lands and rights of the proprietors," as being contrary to the declarations of Your Majesty's Government "for a great number of years," and which, as stated in the said preamble, "has been strongly reiterated in the Despatches of Sir Edward Bulwer Lytton, dated the 20th of October 1858 and 3d December 1858."

5. That it was the plain meaning of the Assembly to promote an "amicable arrangement" with the proprietors, and that no "compulsory interference" was intended is apparent throughout the said resolutions, especially in No. 1, wherein, among other things,

it

it is resolved that a humble address be presented to Your Majesty, praying that Your Majesty will be pleased to direct a Commission to inquire into the existing relations between landlord and tenant, "and to negotiate with the proprietors for such abatement of present liabilities, and for such terms for enabling the tenantry to convert their leaseholds into freeholds as, without infringing on the rights of the landlords, may be fairly and reasonably asked for, &c."

Resolutions of the Assembly of Prince Edward Island, 9th May 1859. No. 1.

6. That in the said Despatch of His Grace the Duke of Newcastle, dated 21st March 1860, in reference to a proposal emanating from Sir Samuel Cunard and others, it is stated, "if the consent of all the parties can be obtained to this proposal, I believe that it may offer the means of bringing these long-pending disputes to a termination." Thus clearly implying that, without such consent being first had and obtained, his Grace did not contemplate that dissentient parties would be made liable to the award.

7. That from the said correspondence of the Secretary of State, it is likewise apparent that the Act, intituled, "An Act to give Effect to the Report of the Commissioners to be appointed on the Land Question" has been passed at the instance of Sir Samuel Cunard, and a few others, chiefly non-resident landowners, who in a letter to his Grace, dated Bushhill House, Edmonton, 13th February 1860, state themselves "large proprietors of land in this Island," and that they "shall readily acquiesce in any arrangement that may be practicable for the purpose of settling the various questions alluded to in the memorial from the House of Assembly." At the same time they submit certain suggestions of their own respecting the appointment of Commissioners, "instead of the mode proposed by the House of Assembly," which suggestions, it is needless to add, have been acted upon both by Your Majesty and by the said house.

8. That the Act in question, therefore, assumes in every respect the character of a Private Bill, passed at the instance of Sir Samuel Cunard, and some other individuals who signed the letter addressed to the Secretary of State, of date above mentioned, and on referring to Your Majesty's Royal Instructions to the Governor General of the North American Colonies, of date, Balmoral, 20th October 1854, the sixteenth section is as follows:—

"And We do further direct that you do not propose or assent to any Private Bills whereby the property of any individual may be affected, in which there is not a saving of the right of Us, Our heirs and successors, and of all bodies politic and corporate, and of all other persons excepting those at whose instance or for whose especial benefit such Bill may be passed, and those claiming by, from, through or under them."

Instructions to Sir E. W. Head, dated Balmoral, 20th October 1854, s. 16.

9. That the said section of the Royal Instructions for the Government of Canada applies with equal, if not greater, force to Prince Edward Island; for your petitioner humbly submits that Your Majesty's loyal subjects, the inhabitants of this Colony, are equally entitled to Your Royal favour and protection; and former Acts of the Local Legislature, disallowed by Your Majesty, prove that the "rights of property" have not at all times been held sacred by that body.

10. That by Your Majesty's Royal Letters Patent and Instructions to Sir John Colborne, formally transmitted here for the guidance of the Lieutenant Governor of the Colony, it is distinctly enjoined that all "Laws, Statutes and Ordinances are not to be repugnant, but as near as local circumstances will admit agreeable to the Laws and Statutes of Our United Kingdom of Great Britain and Ireland;" and your petitioner humbly begs leave to submit that the sweeping provisions of the Act in question are not only repugnant to the laws and statutes of Great Britain, but are without parallel in Colonial Legislation.

11. That when responsible Government was conceded to this Island in 1851, it was expressly enjoined, among other things, that the rights of property should be respected, and the laws appertaining thereunto strictly enforced; and as appears by Earl Grey's Despatch to Sir A. Bannerman, dated 12th February 1851, that any laws bearing unjustly on the owners of landed property would be disallowed by Your Majesty. This pledge has been religiously observed in the disposal of the Rent-roll and Tenants' Compensation Acts, passed in the Session of 1855, and also of a subsequent "Act relating to the Fishery Reserves;" and Sir Dominick Daly, in his Despatch, No. 70, to the Right Honourable H. Labouchere, of date the 10th of December 1855, when explaining his conduct in reference to the two former Bills, declares he has "never been unmindful that Your Majesty's Government possesses the power of causing the laws to be respected in all parts of your dominions."

12. That your petitioner was no party to any correspondence agreeing to the appointment of Commissioners on the land question; that he never entered into stipulations of any kind to abide by their award, and was not sensible, until very recently, that there was a possibility of such award affecting him, after the plain meaning of the resolutions of the Assembly, supported by the solemn and repeated declarations of successive Secretaries of State.

13. That previous to the sitting of the said Commissioners your petitioner did not know of any existing disputes between himself and his tenants, nor has he yet been apprised of any specific charges or complaints of theirs requiring the intervention of delegated authority, armed with unlimited and indefinite discretionary power above the law of the land. And in the opinion of your petitioner, the pre-existing laws of the Island, if fairly administered, are amply sufficient to adjust all questions arising between landlords and tenants, although such laws, as modified and amended since the introduction of responsible government, are highly favourable to the latter.

14. That

14. That your petitioner appeared personally before the said Commissioners on Monday the 24th of September, one of the days appointed for hearing the landlords after the tenants' case was closed; and your petitioner expressed his readiness to answer such questions as the Chairman of the Commission might be pleased to put to him, but nothing was said about settling disputes with his tenants, nor were proposals of any kind made to him for an "amicable arrangement" of grievances, whether real or alleged, were any such before their Excellencies. And your petitioner then and there protested against any compulsory interference on their part with his property, on the grounds hereinbefore stated; and having answered certain questions relative to the value of lands in this island, it was signified to your petitioner that he might withdraw.

15. That as Your Majesty's Royal allowance to the Act to give effect to the Report of the Commissioners has not yet been signified, it was both premature and impolitic in the Local Government to promote the sittings of the said Commissioners, as their proceedings were evidently influenced by a regard to the arbitrary jurisdiction the Act is meant to confer, rather than the more limited power implied by Your Majesty's warrant; and much excitement has consequently spread through the Island, the result of which it is impossible to conjecture.

16. That amidst the mass of evidence tendered to the Commissioners, and the great number of persons, chiefly tenants expecting to get free farms by escheat or otherwise, who appeared before their Excellencies, not a single individual was examined upon oath, as it was evidently the opinion of the Court that it had no power to administer that obligation; nor even by subpœna or process of any kind to enforce the necessary attendance of witnesses who, through intimidation or motives of self-interest, might be reluctant to appear, and that such there were admits of easy proof.

17. That proceedings in the said Commissioners' Court assumed a highly irregular character, strongly marked by excited feeling and extreme party bias. In support of this, it may be mentioned that a man in the custody of the deputy sheriff of Queen's County, in an action for the recovery of an alleged debt of rent, was brought by that officer before the said Court, without any legal authority for his appearance there, and to no other purpose than to create a prejudice in the minds of the Commissioners against landlords generally; and although learned counsel of high professional standing were retained from the Bar of New Brunswick and that of Prince Edward Island, by the Local Government on behalf of the tenantry, yet certain members of Your Majesty's Executive Council, namely, Colonel the Honourable John Hamilton Gray and the Honourable John Longworth, both members of the Assembly, addressed the Commissioners in open court against the leasehold tenure. The former especially attended throughout nearly the whole of the tenants' case, and spoke repeatedly in terms ill-calculated to promote a settlement of the question "in a spirit of conciliation and fairness to all parties," as recommended by Your Majesty's Minister.

Sir E. B. Lytton's Despatch, dated 20th October 1858.

18. That the said Colonel Gray, who thus appears opposed to the representatives of the original grantees of townships, is himself the grandson of Captain George Burns, who was indebted to the bounty of his Majesty George the Third for a grant of such land now held under the said George Burns' title. But, as your petitioner is informed, and verily believes, neither the said Honourable John Hamilton Gray nor a single member of his family, is at present seised or possessed of any township land in this Island.

19. That the part of township No. 65 owned by your petitioner is let chiefly in tracts of from 50 to 150 acres, for terms of 999 years, at rents varying from 9*d.* to 1*s.* 2*d.* per acre, sterling money of Great Britain, estimating it at the present rate of exchange; and in some few cases the rents rise to 1*s.* 6*d.* sterling per acre (at the same rate), at the expiration of 40 years of the term; and it would be attended with consequences utterly ruinous to your petitioner to submit to sales of his property on terms obliging him to take payment in limited instalments, as proposed in the Resolutions of the Assembly. But he would willingly take a sum in gross for the fee-simple of what land he owns, amounting to 20 years' purchase of the maximum annual rent reserved on the whole, which he deems would be a reasonable consideration. And your petitioner would thankfully be so enabled to seek an investment in some other country, owing to the manifest insecurity attending that disregard to the rights of property and of social order which is becoming more and more apparent in this Island.

20. That the said part of township No. 65 was demised to your petitioner by his mother, deceased, who received a conveyance of it in exchange for a valuable property, settled on her previous to marriage.

21. That 166 acres, owned by your petitioner on township No, 50, was part of 400 acres purchased for a valuable consideration by his grandfather Thomas Wright, Esq., from John Throckmorton, Esq., an American Loyalist, who had served as an officer in the King's Rangers during the American War of Independence; and the said 400 acres was all the real property your petitioner's said grandfather was enabled, at his decease, to leave as a provision for his family, after 48 years of his life spent in various public services, which may not be particularly enumerated here.

22. That, as far as your petitioner is enabled to judge, the tenants on his said property are generally respectable and inoffensive people, and hitherto well disposed towards your petitioner, though of course liable to be influenced by designing men and unprincipled political agitators.

23. That

23. That your petitioner's said property is free from all encumbrances of any kind whatsoever; and the rents thereof, which are not more than sufficient for the respectable maintenance of himself and family, have of late years been paid with tolerable regularity. That he has a wife and infant children dependent on him for support; and, in the uncertainty of life, he sees no prospect of being enabled to leave them any other future provision, though his family have resided here for many years, and have expended large sums in the Colony.

Wherefore your petitioner humbly prays that Your Majesty will not sanction the aforesaid Act in its present highly unconstitutional form, as it may prove ruinous to certain of Your Majesty's subjects, who, as they did not sign the letter agreeing to the appointment of Land Commissioners, should, according to the declarations of Your Majesty's Government, be exempted from their compulsory award. And your petitioner further prays that Your Majesty will direct the said Act to be so modified and amended that it may come within the meaning of the Address and Resolutions of the Assembly, in concurrence with which Your Majesty's Warrant was issued.

And Your Majesty's petitioner will ever pray.

Charlotte Town, Prince Edward Island,
6 November 1860.

(signed) *Charles Wright.*

PRINCE EDWARD ISLAND.

COPY of the ADDRESS to Her Majesty, adopted by the House of Assembly of *Prince Edward Island* on 9 May 1859, praying for the Appointment of a COMMISSION to inquire into the existing Relations of LANDLORD and TENANT in that Colony; and, COPY or EXTRACTS of the subsequent CORRESPONDENCE of the Secretary of State for the Colonies with the Governor of *Prince Edward Island*, and Landowners and others of that Colony, relating to the same Subject.

(*Lord Stanley.*)

Ordered, by The House of Commons, *to be Printed,*
26 *July* 1864.

[*Price* 1 *s.* 8 *d.*]

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Under 16 *oz.*

SIOUX INDIANS.

RETURN to an Address of the Honourable The House of Commons, dated 6 May 1864;—*for*,

"COPIES or EXTRACTS of all the CORRESPONDENCE between the Commanding Officers of the United States Troops in *Minnesota* and the Resident Governor of the Hudson's Bay Company at *Red River*, respecting a Tribe of SIOUX INDIANS who were Refugees within the British Territory:"

"Of REPORT of the Meeting of the Governor and Council of *Assiniboine*, on the 12th day of March 1864, including Copy of the MESSAGE which the Governor is reported to have received from the INDIANS:"

"And, of the CORRESPONDENCE between the Hudson's Bay Company, or any of the Colonial Authorities, and Her Majesty's Government, in reference thereto."

Colonial Office,
16 June 1864.

FREDERIC ROGERS.

(*Mr. Hennessy.*)

Ordered, by The House of Commons, *to be Printed*,
17 *June* 1864.

SCHEDULE.

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COPIES or EXTRACTS of all the CORRESPONDENCE between the Commanding Officers of the United States Troops in *Minnesota* and the Resident Governor of the Hudson's Bay Company at *Red River*, respecting a Tribe of SIOUX INDIANS who were Refugees within the British Territory :—Of REPORT of the Meeting of the Governor and Council of *Assiniboine*, on the 12th day of March 1864, including Copy of the MESSAGE which the Governor is reported to have received from the INDIANS :—And, of the CORRESPONDENCE between the Hudson's Bay Company, or any of the Colonial Authorities, and Her Majesty's Government, in reference thereto.

— No. 1. —

No. 1.
The Right Hon. Sir Edmund Head, Bart., to Sir Frederic Rogers, Bart.
5 February 1864.

No. 1. Letter of December 11.
No. 2. Letter of December 18.
No. 3. Extract, December 25.
No. 4. Extract from Nor'-Wester paper.

COPY of a LETTER from the Right Honourable Sir *Edmund Head*, Bart., to Sir *Frederic Rogers*, Bart.

Hudson's Bay House, London,
5 February 1864.

Sir,

I HAVE the honour to enclose, for the information of his Grace the Duke of Newcastle, copies and extracts from the letters (public and private) of Governor Dallas, explanatory of the position of the Red River Settlement at the present time.

An extract from the public letter of the 11th December has been communicated to the Foreign Office, with a view to obviate any misrepresentations at Washington.

I may be permitted to observe, that this difficulty with the Sioux has not come upon the Company in consequence of any of their trading operations. These Indians are driven back upon us by the American troops, and in the absence of the Queen's name and direct authority, it will be very difficult to prevent the mixed population of the Red River from looking to the Americans for protection in case of need.

I am of opinion that Governor Dallas has acted with great propriety and judgment, and I trust, from the extract of the last letter from Mr. Mactavish, that the pressure has for the moment passed away.

But the fact that the Queen's subjects look for protection to the United States, is one of grave importance with reference to the nationality of the settlement and territory. Moreover, it appears from previous correspondence that our officers have been compelled to communicate with the General commanding the American troops on their frontier, in a manner which is hardly consistent with the character of representatives of a commercial company, holding no direct authority from the Crown. It is obvious that the constant proximity of United States troops, and the contact with a civilised people, have produced a state of things wholly inconsistent with the original powers and position of the Company.

The extract from the "Nor-Wester" paper, respecting gold in the Bow River, or South Saskatchewan, is marked by Governor Dallas as "supposed to be true." That river, as his Grace knows, is near the frontier, and a rush of diggers from Minnesota would not be improbable, if the account turns out to be correct.

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

Enclosure 1, in No. 1.

Fort Garry, Red River,
11 December 1863.

Encl. 1, in No. 1.

Sir,

HAVING written separately upon general matters, I have now to report, for the information of the Board, that the Settlement is at present in a state of great distress and alarm at the arrival of about 60 lodges, and 445 Sioux Indians, including men, women, and children, in a state of positive starvation.

This band, having been deeply implicated in the American massacres, and being hard pressed, have fallen back upon us, as their chiefs plainly told me, to live or die with us, in preference to perishing amidst the snow drifts of the prairies.

There is barely food in the settlement for the wants of its ordinary inhabitants, owing to great drought in spring and summer, which caused an absolute failure of the potato crop, and reduced the returns of wheat and barley to a minimum. The fall Buffalo hunt was a partial failure, and to the above causes are to be added the improvidence and bad farming of the people.

The arrival of about 400 American Cavalry at Pembina with their followers, has caused an extra demand for provisions for man and beast, and wheat and barley are now held at 8*s.* and 5*s.*, respectively, per bushel; and flour at 25*s.* per 100 lbs, with every prospect of further advance, while potatoes are not to be had. Pemican and dried meat, usually worth 3½ *d.* and 3 *d.*, are now held at 6 *d.* and 4 *d.* per lb.

Under these circumstances, the addition of 445 starving Indians is a tax upon our resources, which we do not well see how we can get rid of, as these Indians are absolutely starving, and must have food. They object to go away to hunt on the prairies, on the obvious plea that they have nothing but the few scanty rags with which they are covered, at the commencement of a long winter, in which the thermometer ranges from zero to 40 below (40°), and are without food or ammunition.

I am now arranging to supply these wants out of the public funds, including even ammunition, upon a solemn promise, which I have no doubt will be kept, that it is to be used only to hunt game, and I am in hopes that a move may be made to-morrow.

We shall have to provision the whole party for a period of from 10 to 15 days, and our great fear is that should they fail to procure food by hunting, they will fall back upon us again, or that other bands may visit us.

The American Government may probably hear exaggerated reports of our having supplied the Sioux with ammunition, and make a complaint against us. Our poverty, of food and weakness, and not our will, consent to an unavoidable alternative: food we cannot spare, and even were the case otherwise, the Indians have not the means to carry a sufficiency for more than a very few days.

So great is the distress, that they are offering their children for sale to the settlers—a very unprecedented occurrence, as they will generally rather see them starve than give them up to white people. Three young American children, whose parents were murdered, have been recovered, and are taken care of by some of the settlers.

There are fortunately few Chippeways or Saulteaux in the settlement at present; and though we may get over our present difficulties quietly, our isolated position in the neighbourhood of contending enemies will not, I trust, be overlooked in the negotiations now going on with Her Majesty's Government for the permanent disposition of this territory.

I have, &c.
(signed) *A. G. Dallas.*

Thomas Fraser, Esq., Secretary,
Hudson's Bay House, London.

Enclosure 2, in No. 2.

Encl. 2, in No. 2.

Sir,

Fort Garry, Red River, 18 December 1863.

WITH reference to my letter of the 11th instant, I have now to inform the Board that our efforts to induce the Sioux Indians to take their departure have hitherto failed, and that, at an interview held with them at their camp yesterday, they absolutely refused to move, being apparently determined to quarter themselves upon us for the winter. Their number at this time amounts to 494, and not 445, as stated in my last letter; while there are in the immediate neighbourhood 13 more lodges, bringing up the total number to more than 600.

Besides providing them with food for immediate wants, we had prepared, and actually dispatched eight horse sledges, with food for the journey, leather (for shoes, leggings, &c.), ammunition, fishing tackle, hooks, and a guide to conduct them to a part of the country where they could fish and hunt for themselves; but they obstinately decline to move, saying they may as well perish here as on the plains.

I have summoned a meeting of Council, to be held on the 19th instant, more for form sake than in the hope that the Council can assist me. The fact is, we cannot conveniently afford either to quarrel with or to maintain the Sioux, and there is no middle course to adopt, short of allowing them to perish of starvation—an alternative they cannot be expected to submit to without an attempt to help themselves. The Chippeways and Saulteaux

Saulteaux are much alarmed at this invasion of their territory, and will not long tolerate it quietly.

Our weakness consists in the scattered position of the settlement, extending from 40 to 50 miles north and south, and including the prairie portage, a distance of 70 miles westward. Apart from this consideration, past experience in our own colonies, and the recent example afforded by the war between the Americans and the Sioux, warn us that we ought to avoid an Indian war at any sacrifice. It will, I believe, cost us less to maintain all these Sioux for 10 years than to go to war with them; but the burden is a hard one upon the settlers, and the subject may well be entitled to Imperial consideration.

A collision with the Sioux would necessitate our invoking the assistance of the American troops at Pembina; but the Board may rely upon my best efforts being used to maintain friendly relations with the former at any reasonable cost, and to keep the latter at a distance. Many of the settlers, however, are in such a state of alarm as to be deaf to reason, and are anxious at once to adopt extreme measures.

I have, &c.,
(signed) *A. G. Dallas.*

Thomas Fraser, Esq., Secretary,
Hudson's Bay Company, London.

Enclosure 3, in No 1.

Encl. 3, in No. 1.

Extract of Letter from *W. Mactavish*, Esq., to *Thomas Fraser*, Esq., Secretary; dated Fort Garry, 25 December 1863.

"I am happy to be able to inform you that Governor Dallas, having yesterday finally arranged with the Sioux Indians now here, that they should leave the settlement and proceed to Turtle Mountain, all those Indians, with the exception of a single tent, have early this morning raised camp, and set out for their proposed destination."

Enclosure 4, in No. 1.

Encl. 4, in No. 1.

Extract from the "Nor-Wester" Newspaper, dated Red River Settlement, 8 December 1863.

The miner who first discovered the Fraser River and Cariboo diggings, came over the mountains to this side last spring, and prospected along the Bow River. He had five men with him. They were very successful; found rich diggings, which paid them 5 *l.* each per day. Knowing that there was any amount of gold there, the head miner resolved to go down to Fort Benton and get up a party for his mines. He accordingly got one John Munro to guide him to Benton, and he there made up a party of 21 men, whom he sent back to the Bow River mines, under the same guide. These were the 22 men who helped themselves to our supplies.

This John Munro is now, and for a long time back has been, living with the Blackfeet, but he had originally come out as apprentice clerk in the service of the Hudson's Bay Company. He told me that he had himself seen the miners taking out 5 *l.* worth of gold each man per day, at the Bow River mines; and that the head miner, whom he had guided to Fort Benton, said these mines were richer than any one on the west side of the mountain, as another year would show. Bow River, let me remind you, falls into the south branch.

— No. 2. —

No. 2.
The Right Hon. Sir Edmund Head Bart., to Sir Frederic Rogers, Bart.
27 February 1864.

Copy of a Letter from the Right Honourable Sir *Edmund Head*, Bart., to Sir *Frederic Rogers*, Bart.

Hudson's Bay House, London,
27 February 1864.

Sir,

I have the honour to enclose, for the information of His Grace the Duke of Newcastle, an extract from a letter of Governor Dallas, dated Fort Garry, January 15th, 1864. by which, I regret to say, it appears that the Sioux Indians, driven back on the settlement by the American troops, were yet in the neighbourhood.

I also enclose a copy of a letter, written by return of post, in answer to Governor Dallas's communication.

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

Enclosure 1, in No. 2.

Encl. 1, in No. 2. Extract of Letter from *A. G. Dallas*, Esq.. to *Thomas Fraser*, Esq., dated Fort Garry, Red River, 15th January 1864.

"We are still suffering from the presence of the Sioux, and unless they very soon take their departure voluntarily, some serious collisions may arise. I am urged on all hands to call in the assistance of the American troops from Pembina, and some of the settlers have already applied to the officer commanding, who will not, however, act without a requisition from me. This alternative I wish to postpone as long as possible."

Enclosure 2, in No. 2.

Encl. 2, in No. 2. Copy Letter from *Thomas Fraser*, Esq., to *A. G. Dallas*, Esq., Governor in Chief of Rupert's Land, dated Hudson's Bay House, London, 26 February 1864.

Sir,

I am directed by the Governor and Committee, to acknowledge the receipt of your letter of the 15th ultimo, which came to hand this day.

The Governor and Committee observe with much regret, what you say with reference to the Sioux. They entirely approve of your continued refusal to apply for aid to the American troops at Pembina, and they think that nothing short of actual and imminent peril to the lives of yourself and the settlers, would justify the intervention of a foreign force on British territory.

I remain, &c.
(signed) *Thomas Fraser*, Secretary.

No. 3.
The Right Hon. Sir Edmund Head, Bart., to Sir Frederic Rogers, Bart.
4 March 1864.

— No. 3. —

Copy of a Letter from the Right Honourable Sir *Edmund Head*, Bart., to Sir *Frederic Rogers*, Bart.

Hudson's Bay House, London,
4 March 1864.

Sir,

I have the honour herewith to transmit a copy of the "Canadian News," of the 3d March, in which there are two passages respecting the kidnapping of two Indian chiefs, in Red River Settlement, by a person, said to be an American. I have marked the passages, and beg to forward them for the information of his Grace the Secretary of State.

I may add that, although we have received letters from Red River Settlement to the 15th January, they make no allusion to the event in question.

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

Enclosure in No. 3.

Encl. in No. 3. Extracts from the "Canadian News," 3 March 1864.

Kidnapping Two Indian Chiefs.

We publish, in another column, an account taken from the "St. Paul Press," Minnesota, of the manner in which two Indian chiefs were kidnapped at Red River, and taken across the boundary line to the United States fort at Pembina. After the recent correspondence from Mr. Seward on the matter of International Law, we shall be curious to see the action he will recommend his Government to take in the present instance. The matter, as it stands, is deserving of careful consideration. The "Toronto Globe" thus summarises the events: —"In 1862 the Indian tribes came suddenly down upon the western settlements, robbed and massacred the unprotected people, burned their homesteads, and desolated the country. Owing

Owing to the exciting incidents of the civil war, the sad doings did not excite the attention which otherwise would have been given to them. Suffice it to say, that the whole history of the long contest between the white and the red man since the first settler placed his foot upon American soil, furnishes no more horrible record of cruelty and indiscriminate slaughter. The Americans, of course, girded up their loins and exacted a bitter revenge; they would have been more or less than human had they not done so. They have, even as their fathers before them, smitten the 'red devils' hip and thigh. They have followed them through the wilderness, and shot and hung them wherever found. To those who have surrendered voluntarily they have shown mercy, but to those who would not bow down they have been most merciless. The retribution has been stern, severe, and all but complete; for, unable to cope with their white foes, a remnant of the powerful Sioux tribe crossed the boundary line and encamped in the neighbourhood of Fort Garry. Very disagreeable neighbours are they to the people there. There is not a soldier in the place, and the settlers, spread over a vast tract of country, can hardly combine for the common defence; but, however objectionable, the Sioux were there. Even though he had had the power, the Governor could not deliver them up to their enemies; such a deed would have been contrary to British practice. These men, savages though they are, had sought refuge under the British flag, and protection was therefore extended to them. Efforts were made to induce them to leave, and food and ammunition were offered if they would do so. It was reported a short time ago that they had agreed to go, but that report has not been verified. The authorities were willing to get rid of them at any price short of a sacrifice of the national honour; that was not to be thought of."

Matters were in this position when the scheme, as detailed in the correspondence of the "St. Paul Press," was laid and carried out. What can be said in justification of the treachery of Mr. M'Kenzie we are at a loss to conceive. Finding all his efforts unavailing to induce the chiefs to surrender, and being decisively told that the Indians would not place any reliance in anything the Yankees might say, as they were "all liars," he next invited them to go and see him, which they did. Relying on his oft-protested good intentions, they went to M'Kenzie's house, and when there they were plied with laudanum, chloroform, and whisky until they became senseless. They were then bound upon sleighs and carried to Pembina, and in the guard-house of that fort they were kept chained to the floor until instructions concerning them were received from head-quarters.

We hold that the Government of this country cannot pass over so flagrant an outrage on our International Laws, and although it could be wished that the creatures for whom the majesty of the law has to be vindicated were other than the miserable Indians, whose hands we know are stained with the blood of harmless American citizens, yet the fact remains that a gross violation of International Law has been committed by persons acting under the authority of the United States Government, and which cannot be overlooked.

Six Indians Kidnapped from the Red River.

(From the "St. Paul Press," 2 February.)

From official Despatches received late last night by General Sibley from Major Hatch, at Pembina, we have the gratifying intelligence that Little Six, and another Sioux chief, son of Gray Iron, have been captured, and are now in close custody. Both of these men were leaders in the massacres of 1862, Little Six being only second to Little Crow in influence, and far surpassing him in cruelty. The capture was effected without any violation of the neutrality of Her Majesty's soil by our forces, and the event will be hailed with joy by all who are acquainted with the demon-like ferocity which was manifested by these wretches during the outbreak. Much credit is due to Major Hatch and his officers for their good management in this matter. It was reported that many more of the Sioux were on their way to Pembina to surrender themselves, they being in a state of great destitution.

Since the above was obtained, our correspondence has come to hand, giving the following account of this important capture:—

(Correspondence "St. Paul's Press.")

Pembina, D. T., 13 January 1864.

This has been a big day for Pembina. The paymaster arrived last night, and Little Six and another chief, called Medicine Bottle, were brought in as prisoners of war. They were captured by a brilliant strategic manœuvre by an American, named J. M. M'Kenzie, formerly at Hutchison, Minnesota, and a Canadian Frenchman living in Red River settlement. The Indians were invited to the house of one of the party, and after they had taken a little too much whisky they fell asleep, and then they were tied and bound to horse sleds. Their capture was effected about nine o'clock in the evening, and they arrived here about three o'clock the next day. They were taken to the guard-house and chained to the floor, and from thence will probably be taken to the place of execution.

Little Six was twin devil with Little Crow, and the other one has confessed to having killed men, women, and children on the frontier.

There are about 40 more on their way here from the settlement to give themselves up, but it will require more strategy to get hold of the murderers. Mr. M'Kenzie thinks, however, that he will succeed in capturing the rest of them. He deserves the eternal gratitude of every Minnesotian. They were on British ground, and could not be reached by any other means.

Mr. M'Kenzie was assisted by Mr. D. L. Kinsley, or Lakeville, who also lives at Red River, in bringing them to Major Hatch. There are about 400 more Indians at the British settlement, and the probability is that our commissary will be called on to feed them before spring.

This is all the news of importance at present about Indians. They are in a state of starvation, and will die as our horses did. So mote it be.

The following letter from our ("St. Paul Press") special correspondent at Pembina gives a full and reliable account of the manner in which the Sioux chiefs were entrapped and brought over the line:—

Dear Press, Pembina, 19 January 1864.

Let me tell you quick that two of the principal leaders of the late Sioux outrages have been captured, and were brought to Major Hatch yesterday at 12 o'clock A. M. Little Six and Medicine Bottle, the chiefs of the murderers and ravishers of our daughters, wives, and sisters, are now chained up and under the close custody of Major Hatch. Too much praise cannot be given to Hatch's battalion. They have already accomplished a great deal, considering the difficulties they have laboured under; while, too, they were prosecuting an immense labour in building up quarters that are nearly completed, notwithstanding the scarcity of materials. They will accomplish still more between now and spring.

The particulars of the taking of these two red devils I have from one of the capturers' own lips, and they are as follows:—On Christmas-day, Lieutenant Cochrane went to J. H. M'Kenzie's, formerly of Hutchison, Minnesota, with a letter of introduction from his old friend, Lieutenant Ensign, and employed him to use his best endeavours to secure the surrender of the Sioux murderers. From that time on, Mr. M'Kenzie gave himself no rest day or night, in order to accomplish the desired end. He was assisted by several persons in whom he could place confidence, but whose names he is not permitted to give.

On the 14th day of January, Captain ——— (whose name I am not at liberty to give) sent word to Mr. M'Kenzie's house to the effect that he desired to see him. On his arriving at Emerling's, the appointed place, he found some Sioux who desired to deliver themselves up as prisoners of war. They were a party who had concluded to surrender several weeks ago, but on the way to their camp they met Hypolite Campbell, who gave them whisky, and advised them not to surrender. They, however, agreed to deliver themselves up on the condition that Mr. M'Kenzie should accompany them with trains to carry their children, also a supply of provisions sufficient for the trip; to all of which the Captain agreed.

Whilst thus counselling, Campbell came in and took the liberty of addressing himself first to the Captain and next to the Sioux, but the Sioux declined any further talk until they could send over the river for Mr. Onisime Gyere to interpret for them. Gyere was soon on hand, and after the council was over, Campbell took the Captain into a room to hold a private conversation with him. What took place there Mr. M'Kenzie cannot tell. When they came out of the room the Captain informed M'Kenzie that Campbell would go with him to escort the Indians. Knowing the deceitful character of Campbell, Mr. M'Kenzie said that he wanted also Mr. Gyere, and that himself and Gyere had better be armed to the teeth, to which the Captain readily assented. The arrangement was to start the next morning.

On the next day two friendly Sioux arrived from Pembina with a letter from Major Hatch, remonstrating against receiving any more prisoners, unless the nine principal murderers of Little Six's band were also given up. The Captain suggested that M'Kenzie should take these two friendly Indians to go and see Little Six and the other Sioux chiefs, four in number, then camped about twenty-five miles west of Fort Garry, on the Assiniboine River. He told the Captain that he must have his friend Gyere to accompany him, as he was the only man that could be of any service to him. The Captain then left the matter to M'Kenzie's own judgment, and said if he wanted Gyere he would hire him to go with him, and would recompense him handsomely.

On the night of the 15th inst., M'Kenzie and his true and devoted friend, Mr. Gyere, started for the Sioux camp. The night was mild, but the road was very long, consequently they had ample opportunity of exchanging thoughts and laying plans for the accomplishment of their mission. Saturday, the 16th, they arrived at the Sioux camp. Four Sioux chiefs and about fifty of their leading men were called together at Mr. Lane's trading post to hold a council. Mr. M'Kenzie then and there used all the eloquence and ability he is possessed of in order to induce them to surrender and make peace, but without success. Some of them might have been induced to surrender had it not been for Little Six and Medicine Bottle, who were determined never to surrender. The following are the words then uttered by Little Six:—

"All the Sioux that wanted to shake hands with the Yankees, the Yankees now have; we will never make peace with them. They are all liars, and this letter (the Major's letter) you now have was written by one of them. Do you think I will believe it? And you are

a very

a very little man to talk to a great chief like me. When I want to say anything I say it, and when I do anything I do it. Nobody can stop me."

M'Kenzie then replied, "You have been acquainted with me for a long time. You know I have always been kind to you. Will you come and pay mé a visit?"

To the last proposition they consented.

They (Little Six and Medicine Bottle) then came down with Messrs. M'Kenzie and Gyere. They went to Mr. M'Kenzie's house and stayed there all day Sunday, the 17th. Then Mr. M'Kenzie went to work with whisky, laudanum, and chloroform, and succeeded in getting them drunk and asleep. Aided by Mr. Gyere, he then procured the assistance of some friends in the settlement, whose names he was not allowed to mention. Little Six was seized in Mr. M'Kenzie's house, tied up hand and foot, bound upon a flat train, and off he went, with Messrs. M'Kenzie and Kingsley in charge of him, as a prisoner, while Mr. Gyere was securing Medicine Bottle, which he did in a very few minutes, aided by other persons. About two miles out Gyere overtook Mr. M'Kenzie with his other prey, and they came on together.

They left Fort Garry Sunday night, the 17th, at 11 o'clock, changed horses at Scratching River, and safely arrived at the Pembina stockades, where the two devils are now safely secured, on the ensuing day, the 18th, at 12 o'clock, making a march of over 65 miles in 13 hours.

Mr. Gyere is a French Canadian, aged 22 years, from Contecœur, C.E. Now, you judicious, generous, and liberal Government, come forward and show your hands to these two men, who have exposed their lives, and destroyed a lucrative business for the purpose of delivering up to us these two big savages.

Owing to the sagacity and good military tactics of Major Hatch and his officers, the Government has probably saved several millions of dollars, for this event is looked upon as an assurance that the rest of the red devils will soon give themselves up. The taking of these two chiefs of murderers will make them feel disheartened and discouraged. In fact, many of them would already have given themselves up had it not been for these two devils. The loss of their leaders and their state of starvation will soon bring the balance to terms.

Messrs. M'Kenzie and Gyere deserve to be generously rewarded.

OBSERVATOR.

— No. 4. —

No. 4.
T. Frederick Elliot Esq., to the Right Hon. Sir Edmund Head, Bart.
24 March 1864.

COPY of a LETTER from *T. Frederick Elliot*, Esq., to the Right Honourable Sir *Edmund Head*, Bart.

Sir, Downing-street, 24 March 1864.

I AM directed by the Duke of Newcastle to acquaint you, that he has had before him your letters of the 27th ult. and 4th inst.,* supplying further information respecting the Sioux Indians who are in the Red River Settlement, and forwarding a newspaper with an account of the kidnapping of two of the chiefs of these Indians.

* Pages 5 & 6.

I am desired to express the Duke of Newcastle's acknowledgments for the intelligence furnished to him of the progress of events in connexion with the Sioux Indians, and I am directed to state that his Grace entirely concurs in the propriety of the answer, dated the 26th of February, which has been returned by Mr. Fraser to Governor Dallas, in which he conveys the Company's approval of the Governor's refusing to apply for aid to the American troops stationed at Pembina.

I am, &c.
(signed) *T. Fredk. Elliot.*

— No. 5. —

No. 5.
The Right Hon. Sir Edmund Head, Bart., to the Right Hon. Chichester Fortescue, M.P.
11 April 1864.

COPY of a LETTER from the Right Honourable Sir *Edmund Head*, Bart., to the Right Honourable *Chichester Fortescue*, M.P.

Sir, Hudson's Bay House, 11 April 1864.

I HAVE the honour to forward for the information of the Right Honourable the Secretary of State, two extracts from a letter of Governor Dallas, addressed to the Secretary of the Hudson's Bay Company. You will be aware of the fact that the Peace River is not within the chartered territory of the Company, as it runs into Athabasca Lake.

I also enclose a copy of the "Nor'-Wester" paper, published at Red River, which contains three articles (marked A., B., C.) on the subject of the Sioux Indians, and the agitation which they have caused. The statement in Governor

Dallas's letter, to the effect that the Sioux on the Missouri had consulted him as to their dealings with the Government of the United States, is exceedingly curious.

I am, &c.
(signed) *Edmund Head*, Governor.

Enclosure 1, in No. 5.

Encl. 1, in No. 5. EXTRACT of a LETTER from Governor *Dallas* to *Thomas Fraser*, Esq., Secretary, dated Fort Garry, Red River, 24 February 1864.

THE Sioux are still in the outskirts of the settlement; but, as the weather is unusually mild and open, and they have been very successful in catching jack-fish under the ice on Manitobah Lake, they will very probably soon take their departure to join the rest of their tribe on the plains. To prevent misconception, I may here state that, up to the present time, the Sioux have not been furnished by us with even one charge of ammunition, and that the food we gave them would not have kept them alive more than one week. Several of them have been starved to death, and the survivors have been eking out a wretched subsistence by begging, eating any and every kind of carrion, and by the recent catch of fish. They have carefully abstained from committing any depredations on the settlers, and, though some charges of pilfering have been brought against them, I have been able to substantiate only one case, and that of a very trifling nature. No doubt they have been a great source of annoyance and not unnatural fear to the settlers, many of whom have been pressing upon me to call in the aid of American troops; and Major Hatch, in command of the troops at Pembina, though precluded by his instructions from following the Sioux across the line, has intimated to me his readiness to accede to my invitation to do so; but I have seen no cause yet to justify me in resorting to such an extreme measure.

I am in communication with the chiefs of the Sioux on the Missouri, where they have one camp of 5,000 lodges, in addition to straggling bands. They ask my advice as to whether they ought to make peace with the Americans or not. I have recommended them to do so, or to be prepared for the Americans prosecuting a vigorous war against them next summer. These Sioux on the Missouri are in the midst of buffalo, well supplied with food and other necessaries.

No complaint has been made by the Americans against the Sioux in this settlement, excepting what we read in the newspapers; and, so long as they confine their annoyance to us to begging, I conceive that it would be most impolitic in us to quarrel with them, exposed as all our plain hunters and traders are on an unprotected frontier.

EXTRACT of LETTER from Governor *Dallas* to *Thomas Fraser*, Esq., Secretary, dated Fort Garry, Red River, 24 February 1864.

"GOLD-DIGGERS had found their way from British Columbia to Peace River and its tributaries, where they were obtaining at the rate of six dollars to ten dollars per man per day, which, however, did not satisfy them."

Enclosure 2, in No. 5.

Encl. 2, in No. 5. EXTRACTS from the "Nor' Wester" of 18 February 1864.

(A.)

"NEUTRALITY."

(From the "St. Paul Press," Jan. 20.)

WE admire a neutral foe. Our admiration increases in proportion to the distance which separates us. In fact, we should like to have the distance so great that the neutral institution would never be seen or heard from.

This devout wish cannot, however, be gratified as long as Johnny Bull remains on *terra firma*. He *must* be neutral; it is his nature, and he is not to blame. He has been neutral since the 11th of April 1861, and by reading Major Hatch's Despatches, which appear elsewhere, it will be discovered that he still remains in that nondescript condition.

A band of murderers and outragers of everything which makes life dear visit Johnny in his territory, which joins the nation that has suffered so terribly from their inhuman barbarity. A demand is made upon Johnny for their rendition, under the Ashburton Treaty, but that is refused; and the next we hear is that he has given those murderers one pound of powder and a proportionate quantity of ball each, on condition that they return to the land where they committed their depredations.

How generous! how magnanimous on the part of Johnny! and, we might add, how neutral!

Our foreign indebtedness is largely increased by this action on the part of the British.

In equity, we ought to return to them as much powder and ball as they have bestowed upon

upon the Sioux, and at some future day it may be convenient to make the presentation. It should be prepared with the utmost care before being presented, and for presentation should be encased in perforated metal sheaths labelled "neutral."

(B.)

We copy on another page an article from a late number of the "St. Paul Daily Press," and if our belligerent cotemporary is as well-informed upon other matters as he appears to be on this, we congratulate his subscribers on the amount of useful information with which they must be crammed.

In another column of this paper will be found an advertisement from the "Daily Press," inviting subscribers, upon the ground that "special attention is given to the interests and development of Central British America"—we, however, doubt if the people of this Settlement will view such "special attentions" as those premised above in a very favourable light. Another ground urged on the notice of subscribers is, that as a "medium of news" it is unsurpassed by any paper in the "Nor'-West." To this assertion we give our cordial assent, especially as regards sensation paragraphs.

To be serious, however, we beg now to inform our cotemporary that no demand was ever made by our authorities, under the Ashburton or any other treaty, to deliver up the Sioux Indians; there has not been even a complaint lodged against them. They came to the Settlement as starving refugees and beggars; theyreceived no ammunition, and not enough food to prevent some of them from dying of hunger and cold combined. In the absence of any demand for rendition or accusation against them, surely these people—the bulk of them women and children—could not be allowed to die of absolute starvation in a Christian country.

Among the sins laid at the door of Americans in their treatment of the Indian tribes we have never heard them accused of denying food, even to the worst criminals in their power. To drive the Sioux away was utterly impossible; women and children without food, clothing, or means of transport, could not, and would not, be driven by any force many miles in such a climate as this. There has been no hindrance whatever on our part, we believe, to the Americans coming and relieving us of the unwelcome guests who have been forced upon us.

Our cotemporary cannot have considered the matter when he penned the article we have quoted, and he has certainly been much misled in his statements. It is our misfortune, we fear, to have offended both parties on the score of neutrality, as we believe Little Six to be quite as dissatisfied with our conduct as our cousins across the line—and with, perhaps, better reason.

(C).

PUBLIC MEETING—THE SIOUX.

A MEETING was held in the Court-room, Fort Garry, on Monday the 15th inst., for the purpose of considering a message sent to the people of this section of the settlement by those at the White Horse Plains.

François Bruneau was called to the chair. The object of the meeting having been explained, the resolutions adopted at the White Horse Plain meeting were submitted to a committee, who subsequently reported as follows:—

"Whereas a meeting of the inhabitants of Red River Settlement was called this day, in answer to a request from Mr. Pascal Breland, representing the inhabitants of White Horse Plain and Headingley parishes, we whose names are signed, having been chosen a committee for that purpose, beg leave to make the following report:—

"1. That a meeting, largely attended from different parts of the Lower and Main River Settlement, was this day held in the Court-house, Upper Fort Garry, at 4 p.m.

"2. That the communication from Mr. P. Breland having been read, numerous speakers, representing different parts of the settlement, made remarks upon it, and resolutions having been agreed to, this committee were thus chosen to embody them in a form for transmission to the White Horse Plain:

"1st. Resolved,—That we heartily sympathise with the inhabitants of the White Horse Plains in their present state of great distress, occasioned by the presence of the Sioux.

"2d. Resolved,—That we believe that to drive the Sioux from our borders would only be a temporary suspension of the difficulty—would only gain for us their open enmity, without by any means causing an effectual riddance; and it is our belief that a measure of this kind would not result in any good to ourselves, but rather, on the contrary, aggravate the evil.

"3d. Resolved,—That we strongly advise, and would urge the seizing (forcibly, if necessary) of the Sioux, and the conveying of them to some point at which the Americans can receive them; and we promise that if the resolution be adopted, we will assist and co-operate with the inhabitants of White Horse Plains in effecting this purpose.

"4th. Resolved,—That we will furnish such number of men and of sleighs as shall make up the number deficient, when the inhabitants of White Horse Plains shall have furnished all that they can, and we agree to leave the number to be determined by Mr. Breland, whom we are willing and desirous should direct and organize the necessary force.

"We will now add, for the benefit of those concerned, such information as was brought out upon the occasion of the meeting:

"1. That we need not expect any assistance from Major Hatch; that the position of their officers is such that he cannot and will not cross to this side of the boundary line.

"2. That threats have been made that in case the Red River hunters should show themselves unfriendly to Americans, and drive the Sioux into the open country instead of into their power, that they will exert the power which they certainly possess of preventing our people from crossing the boundary line in the usual annual pursuit of buffalo.

"3. That every inducement is offered by the Americans at Pembina—promises of good treatment, of impartial trial to the Indians, and, we believe, of payment to those who bring them for their time and services, and the probable securing of the right for many years to come of free use of their buffalo hunting grounds.

"4. That permission has been given by the authorities to Major Hatch to come and take the Sioux, should he so wish, but that his orders are so strict that he does not dare to break them by coming into our country.

"We would finally urge that this view be taken by the people of the White Horse Plains, that in delivering the Sioux to the authorities at Pembina we are using the only means of securing permanent safety from the Sioux—that we are doing which is just and right—that it is the cheapest, most effectual, and best way.

(signed) "*A. G. B. Bannatyne.*
Thomas Thomas.
Jno. Schultz.
Alban Fidler."

— No. 6. —

No. 6.
The Right Hon. Sir Edmund Head, Bart., to the Right Hon. Chichester Fortescue, M.P.
28 April 1864.

COPY of a LETTER from the Right Honourable Sir *Edmund Head*, Bart., to the Right Honourable *Chichester Fortescue*, M.P.

Sir, Hudson's Bay House, 28 April 1864.

I HAVE the honour to enclose a copy of a very important letter from Governor Dallas, at Red River, by which it appears that he has felt himself compelled to allow the American troops to cross the frontier.

The enclosures will show the nature of the case and the correspondence which passed between Governor Dallas and Major Hatch commanding the United States troops.

I also enclose an extract from a Montreal paper showing the comments made upon this affair in Canada.

The Secretary of State is already aware of the view taken by the Hudson's Bay Committee of the question to which these papers relate.

It is not for me at the present moment to express any opinion as to the discretion exercised by Governor Dallas, but I feel it my duty, without a moment's delay, to submit the papers for the consideration of the Right Honourable the Secretary of State.

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

Enclosures in No. 6.

Encl. in No 6.

Sir, Fort Garry, Red River, 16 March 1864.

ENCLOSED I beg to transmit copy of correspondence with Major Hatch, commanding the American troops operating against the Sioux, by which the Board will see that I have given him permission to pursue the Sioux across the boundary line.

In addition to the reasons stated in my letter to Major Hatch, there is also the apprehension that the great body of the Sioux may repeat their visit, and effect a permanent settlement in our territory, if they think they can do so in safety from the Americans. The fear of their doing so has been so great that public meetings have been held at various times during the winter, and the wish expressed that I should call in the aid of American troops. This I positively declined to do, but I did not feel justified in refusing the permission requested by Major Hatch, both as it in effect affords us the protection we require against present dangers, and guards against a contingency which would be very embarrassing, viz., the permanent domiciliation of the Sioux with us.

The Sioux chiefs have at various times alluded to old promises of protection made at the close of the American war, and to the whole country having been theirs at one time; hinting also at a desire to come and remain with us. Within the last few days I received a message from the Chiefs of the main body of the Sioux on the Missouri, asking my advice as to whether

whether they ought to make peace with the Americans or not, and expressing an intention of coming to pay us a visit in spring. As the majority of the able men of the settlement are generally absent during the summer, voyaging and hunting on the plains, the appearance of even a very small party of Sioux would cause a complete panic, and I did not hesitate to advise their making peace with the Americans, knowing that this would enable them to retire to their usual haunts and pursuits in American territory. I enclose copy of a letter which I have addressed to General Sibley upon the subject.

Though I anticipate no evil consequences from any operations of American troops beyond the limits of the settlement within our territory, yet the permission granted may possibly be distasteful to the British Government, and may, of course, be revoked at any time. I would, however, recommend that this should not be done till the Sioux war shall be brought to a close, so long as no actual disturbance is caused within the settlement. Irrespective of any opinion of my own, there was danger, had I acted otherwise, that the settlers themselves would have invited the assistance of the American troops, under an impression which has taken strong hold upon them, that they are neglected by the British Government.

The band of Sioux which wintered with us is now gradually dispersing, but a few stragglers still remain, causing great alarm to the outlying settlers, whose fears induce them to give away food which they can ill spare. The appearance even of a few American soldiers would at once relieve us of a burden which was becoming intolerable.

Thomas Fraser, Esq.,
Secretary, Hudson's Bay House, London.

I have, &c.
(signed) *A. G. Dallas.*

Sir, Fort Garry, Red River, 25 February 1864.

I BEG leave to inform you that within the last few days I have received a message from the Sioux Chiefs encamped near the Missouri, begging my advice and opinion as to whether they ought to make peace with the Americans or not, being evidently suspicious that the conciliatory overtures made to them may be intended to entrap them.

I have taken it upon me to advise the Sioux to make peace with the Americans, and enclose copy of my reply to them for your information.

Baptiste Gardupuis, the bearer of the message, assures us that there were 5,000 lodges of Sioux near the Missouri, not reckoning the camp of "Standing Buffalo" and straggling parties; and though I can hardly credit such a number, yet he persisted in his statement.

The band of Sioux which wintered on the Assiniboine are still on the outskirts of the settlement; but as they have of late been catching immense quantities of jack-fish, and the weather being unusually open and mild, I believe they intend taking their departure in a few days to join the rest of their tribe on the plains, to whom they have sent word to meet them by the way with provisions. This contradicts a prevailing idea that the two parties are in opposition. They will most likely both make common cause, and join their fortunes together.

I have, &c.
(signed) *A. G. Dallas,*
Governor in Chief of Rupert's Land.

Major General Sibley, Commanding United States Troops,
acting against the Sioux in Minnesota.

To the Sioux Chiefs, Standing Buffalo, Mah-too-wa-ka, Red Dog, Black Moon, and Wa-na-tah, camped near the Missouri.

Fort Garry, 20 February 1864.

IN answer to your message received this day, my advice to you all is to endeavour to make peace with the Americans, who have assured me they are willing to be friends with all the Sioux who have not actually committed murder upon Americans.

If peace is not made, the Americans intend to follow and make war upon the Sioux with a large force next summer.

(signed) *A. G. Dallas,*
Governor in Chief of Rupert's Land.

COPY LETTER from Major *Hatch* to Governor *Dallas.*

Head Quarters, Independent Battalion, M.V.,
Sir, Pembina, 4 March 1864.

I HAVE the honour to state that a party of murderers, belonging to the Sioux tribe of Indians, to avoid the just punishment for their crimes, have fled from before the Military Forces of the United States Government, and are now supposed to be temporarily located in the vicinity of "Poplar Point," on or near the Assiniboine river.

The near approach of spring, and the danger of their scattering and re-enacting in part the barbarous scenes of 1862 and 1863, urges me to make every effort in my power to secure them. I cannot, however, take any steps which may by any chance place soldiers under my command in such a position that they may appear as trespassers upon British soil.

Therefore, the locality of the 49th parallel never having been officially determined, I do not feel justified in moving in pursuit of these murderers towards the point where they are now encamped, without the consent of your Excellency.

The great desire I have to prevent the murder of innocent women and children upon our frontier induces me to trouble your Excellency with the request that permission may be granted me to pursue and capture these savages with an armed force, wherever they may be found.

I have, &c.

His Excellency A. G. Dallas, (signed) *E. A. C. Hatch*,
Governor of Prince Rupert's Land, &c. Major Commanding.
Fort Garry.

Copy Letter from Governor *Dallas* to Major *Hatch*.

Sir, Fort Garry, Red River, 7 March 1864.

I have the honour to acknowledge the receipt of your letter of 4th instant, delivered to me by Lieutenant Nash, stating that a party of murderers belonging to the Sioux tribe of Indians, fleeing before the military forces of the United States, are now supposed to be temporarily located in the vicinity of Poplar Point, on or near the Assiniboine River, and requesting permission to pursue and capture these savages with an armed force, wherever they may be found.

In reply I beg to state, that the Sioux Indians have been refugees in this territory much against the wishes of the inhabitants, and in the face of every discouragement on our part to their appearance at all on this side of the boundary line.

It being, I believe, of the utmost importance for the safety and well-being of the civilised inhabitants of this part of the world generally, that a powerful tribe of Indians, inhabiting the borders of an undefined and unprotected frontier of large extent, should be disabused of the belief that they can with impunity commit their depredations and murders in one territory, and take refuge in the other, in safety for the time being, ready to renew their operations when it may suit their inclinations to do so. I have no hesitation in complying with your request, stipulating only that, in the event of active operations taking place within the settlements, you will communicate with the authorities, and take such measures as will prevent bloodshed or violence in the houses or inclosures of the settlers, should any of the Sioux Indians take refuge there.

I have, &c.

(signed) *A. G. Dallas*,
Governor in Chief of Rupert's Land.

Major Hatch,
Commanding U. S. Troops at Pembina.

Extracts from a Montreal Newspaper.

The Sioux.

Their whereabouts and Annoyance to the British Settlements.

Indian Invasion of British Territory.

The Red River "Nor'-Wester" is in something of a "quandary" what to do to get rid of the Sioux invaders of that portion of Her Majesty's dominions.

The means taken by the authorities of the settlement to induce their savage visitors to depart, by giving them provisions and ammunition, have thus far failed, and fresh bands are dropping in. The "Nor'-Wester" advises the immediate organization of a home guard for protection against the intruders.

Apropos of this, it says:—

Major Hatch has more than once offered to allow his troops to be placed at the disposal of our authorities to remove the Sioux. But the Major will not come uninvited. If we want the services of his battalion, we must ask for them: and should we do so, there will be no refusal. The Major has offered to allow his men to be commanded by our authorities while on British soil; and further, himself and his officers are willing to promise that should the services of their troops be put in requisition, they will, if needs be, bind themselves not to fire a shot, while carrying off the Sioux, unless in self-defence.

Captain A. T. Chamberlain came down here expressly to make this offer on behalf of Major Hatch; and it seems an extremely liberal one. But it has not been accepted; and hence there is all the more necessity for some military organization amongst ourselves.

Another article is as follows:—

The Sioux were, when we last heard, encamped at Lane's Post, in consequence of the severity of the weather; but whether they will move on, now that the weather has moderated, is, we think, very questionable. In the meantime, they have been living on charity and the proceeds of a little bartering in horses, mules, guns, &c., which they brought in with them.

A number

A number of Sioux and half-breed children have been traded away by them for provisions. At Headingly many children were purchased in this way, a young ox or heifer being an equivalent for a Sioux. Bishop Tache bought several children and adults, and has in all, eleven Sioux at St. Boniface. From one of these, a child who has been training at the Convent a short time, the Bishop lately received a letter in French, which reflects the highest credit on her kind teachers. Another of the Sioux now domiciled at the Convent, is believed to be about 120 years of age. She is decidedly a curiosity; and to look at her one could hardly doubt the story of her great age.

A short time since a party of 41, men, women, and children, went to Pembina, with Lieut. Gerald, to surrender themselves to the troops there, and they are now in good quarters and well fed, comforts to which they were strangers for months before. Mr. A. G. Bannatyne fitted out this party and sent them to Pembina, a service for which he has not received the slightest remuneration, though he certainly deserves thanks, and something more substantial at our hands for ridding us of so much of our burden.

Another batch of 54, 13 men, 19 women, and the balance children, left here on the 16th instant, to give themselves up at Pembina. They went with Capt. Chamberlain and Capt. Grosvenor, who procured the provisions for them, though they expected our authorities would have been so glad to be rid of them, as to furnish the supplies to Pembina.

The Americans offer support and protection to all Sioux who surrender themselves. Those who have been concerned in the massacres will, of course, be tried and punished; but the innocent will be provided for in some way or other. It would be well if our people would second the efforts of the troops by trying to induce the Sioux to surrender themselves. Any who hold out will receive no mercy; but will be hunted down the moment they cross the line. The officers are very confident that this Sioux war will be finished during the ensuing summer, and Major Hatch is concerting plans for the spring operations, when he will act in conjunction with a large cavalry force.

Since writing the above, we learn that the Sioux at the White Horse Plain have divided into two bands, Little Six and most of those concerned in the outbreak being left alone by the main body of the Indians, who say that they will not associate with the chief and his party. Notwithstanding this split in the camp, it does not seem as if the people of the Settlement were any nearer getting rid of either section. A messenger returned from the Sioux on the 17th, and he states that they refuse to surrender themselves to the soldiers. They told him they would not stir; and wanted to hear no more of those frequent messages, asking their surrender.

"Montreal Evening Telegraph and Daily Commercial Advertiser," Wednesday, April 13 1864.

It will be seen from the correspondence published in another column, that Governor Dallas has given permission to the commander of the Federal forces to cross the frontier, and carry on a war of extermination against the Sioux Indians, who have sought refuge in British territory. It is hardly possible to conceive that the Governor of Red River would have assumed so great a responsibility, without instructions from the Imperial Government; yet what can we think of a Government, on the demand of a foreign power, strips itself of the highest attribute of sovereignty, abandons the hitherto sacred right of asylum, virtually hauls down the British flag in the Indian territory, and allows the armed forces of another nation to pursue and murder with its connivance, the miserable remnants of tribes which have placed themselves under the guardianship of our honour. They are called murderers, but no evidence is given that any of them were concerned in the massacres attributed to them; nor can it be forgotten that these massacres were the result of the spoliation and cruelties practised towards an inoffensive people, by the lawless settlers on the American frontier.

The Sioux and the Red River Settlement.

We published the other day a statement taken from an American paper, to the effect that the Governor of the Red River Settlement had given permission to Major Hatch, the commander of the United States troops in Minnesota, to pursue the Sioux Indians across the boundary line. Yesterday we received the "Nor'-Wester," which contains the following information confimatory of that statement:—

A meeting of the Governor and Council of Assiniboine was held on the 12th day of March, 1864.

American troops permitted to cross the boundary line in pursuit of the Sioux.

Governor Dallas informed the Council that his chief object in calling them together was to lay before them a copy of a correspondence with Major Hatch, by which they would observe that he had granted permission to the American troops to follow the Sioux across the boundary line. Knowing that in so doing he had acted in accordance with the repeatedly-expressed

expressed wishes of the people, who had even proposed to invite the presence of the American troops, he had not considered it necessary to consult the Council before sending a reply to Major Hatch. But as the permission granted involved some responsibility he wished the Council to share the responsibility with him by confirming the act. The Council had no hesitation in coming to the conclusion that the Governor, in his whole dealings with the Sioux, and correspondence with the Americans, had only done what was necessary for the general welfare and safety of the Settlement, and had therefore no hesitation in confirming and approving the permission granted to Major Hatch, which they knew to be in accordance with the wishes of the people.

A Message from the Sioux.

The Governor further stated that he had received a message from the main body of the Sioux, on the Missouri, asking his advice as to making peace with the Americans, and hinting at a desire to visit the Settlement in spring. He had returned an answer advising the Sioux to make peace with the Americans, or to be prepared for a prosecution of the war with renewed vigour next summer.

Correspondence with Major Hatch.

The following is the correspondence with Major Hatch :—

LETTER from Major *Hatch* to Governor *Dallas.*

Headquarters, Independent Battalion, No. V. Pembina, D.T.,
March 4, 1864.

His Excellency A. G. Dallas, Governor of Prince Rupert's Land, &c. &c., Fort Garry.

Sir,

I HAVE the honour to state that a party of murderers, belonging to the Sioux tribe of Indians, to avoid the just punishment of their crimes, have fled from before the military forces of the United States Government, and are now supposed to be temporarily located in the vicinity of Poplar Point, on or near the Assiniboine river.

The near approach of spring, and the danger of scattering and re-enacting in part the barbarous scenes of 1862 and '63, urges me to make every effort in my power to secure them. I cannot, however, take any steps which may, by any chance, place soldiers under my command in such a position that they may appear as trespassers on British soil.

Therefore, the locality of the forty-ninth parallel never having been officially determined, I do not feel justified in moving in pursuit of these murderers towards the point where they are now encamped, without the consent of your Excellency.

The great desire I have to prevent the murder of innocent women and children upon our frontier induces me to trouble your Excellency with the request that permission may be granted me to pursue and capture those savages, with an armed force, wherever they may be found.

I have, &c.,
(signed) *E. A. C. Hatch,*
Major Commanding.

LETTER from Governor *Dallas* to Major *Hatch.*

Fort Garry, Red River,
7 March 1864.

To Major *Hatch,* commanding U. S. troops at Pembina.

Sir,

I HAVE the honour to acknowledge the receipt of your letter of the 4th instant, delivered to me by Lieutenant Nash, stating that a party of murderers, belonging to the Sioux tribe of Indians, fleeing before the military forces of the United States, are now supposed to be temporarily located in the vicinity of Poplar Point, on or near the Assiniboine River, requesting permission to pursue and capture these savages, with an armed force, wheraoer they may be found.

In reply, I beg to state that the Sioux Indians have been refugees in this territory, much against the wishes of the inhabitants, and in the face of every discouragement on our part, to their appearance at all on this side of the boundary line.

It being, I believe, of the utmost importance for the safety and well-being of the civilized inhabitants of this part of the world generally, that a powerful tribe of Indians, inhabiting the borders of an undefined and unprotected frontier of large extent, should be disabused of the belief that they can, with impunity, commit their depredations and murders in one territory, and take refuge in the other in safety, for the time being ready to renew their operations when it may suit their inclination to do so. I have no hesitation in complying with

with your request, stipulating only that in the event of active operations taking place within the settlements, you will communicate with the authorities, and take such measures as will prevent bloodshed or violence in the houses or inclosures of the settlers, should any of the Sioux Indians take refuge there.

I have, &c.,
(signed) *A. G. Dallas*,
Governor-in-Chief of Rupert's Land.

— No. 7. —

No. 7.
The Right Hon. Sir Edmund Head, Bart., to the Right Hon. Chichester Fortescue, M.P.
5 May 1864.

COPY of a LETTER from the Right Honourable Sir *Edmund Head*, Bart., to the Right Honourable *Chichester Fortescue*, M. P.

Hudson's Bay House,
Sir, London, 5 May 1864.

I HAVE the honour to enclose, for the information of the Secretary of State for the Colonial Department, an important extract of a letter which I have this day received from Governor Dallas, respecting the Sioux Indians, and a copy of a letter addressed by Govenor Dallas to his Excellency Lord Lyons, on the same subject.

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

Enclosures in No. 7.

Enclosures in No. 7.

EXTRACT of a LETTER from Governor *Dallas* to Sir *Edmund Head*, Bart., dated Fort Garry, Red River, 24 March 1864.

"THE American troops have not yet made a move against the Sioux, and I am in hopes that we have seen the last of the latter.

* * * * * * * * *

My object was to maintain friendly relations with the Sioux, and to interpose the Americans between them and us. The thermometer has ranged, during the past week, at 15° to 25° (below zero) every night, with cutting winds; and ill-provided, and badly mounted troops can do nothing under such circumstances."

COPY of a LETTER addressed by Governor *Dallas* to His Excellency Lord *Lyons*, and forwarded by him to the Governor of the Hudson's Bay Company.

Fort Garry, Red River Settlement,
My Lord, 25 February 1864.

MY attention having been called to a correspondence which has been published in the American papers between your Lordship and the Honourable W. H. Seward, relative to the assistance said to have been rendered to the Sioux Indians, by the authorities of this place, I take the liberty of putting your Lordship in possession of the following facts for your private information, leaving you to make such use of them as you may see fit.

In the beginning of winter this Settlement was visited by a band of about 600 Sioux Indians, who arrived in a state of absolute starvation, destitute of clothing, or any of the necessaries of life. These Indians have remained with us during the winter, eking out a wretched subsistence by begging, eating any and every kind of carrion, and latterly, by an abundant supply of jack-fish, caught under the ice in a neighbouring lake. Several of them have died of starvation during the winter, and the remainder are in wretched plight. Up to the present time, they have not received from the authorities a single charge of ammunition, and not food enough to maintain the band for one week. To drive away starving women and children, destitute of clothing, in a climate with the thermometer ranging from 20° to 40° nightly below zero, and even to 52, was impossible. As they said themselves, they preferred lying down to die where they were, and that we might put their women and children under the ice. They have carefully abstained from committing any depredations on the settlers, and no crime has been charged against them to us, by the American authorities. No doubt they have been a great source of annoyance, and not unnatural fear to the settlers, who have been pressing me to call in the aid of the American troops at Pembina; and Major Hatch, their commander, though precluded by his instructions from following the Sioux across the line, has intimated to me his readiness to accede to my invitation to drive the Sioux away, but I have seen no cause yet to justify me in resorting to such an extreme measure.

So long as the Sioux confine their annoyance to us to mere begging, I conceive that it would be most impolitic in us to quarrel with them, exposed as our traders and plain hunters are on an unprotected frontier. The Sioux tribe is still very numerous, but General Pope's

reason for holding the extradition treaty inoperative is groundless, as there are about 10,000 inhabitants in this settlement, exclusive of our own Indians, Sauteaux, Chippeways, and Crees, who are all hostile to the Sioux. It might, however, be very inconvenient for us if the application* were made, a step which has not yet been taken. There is no Deputy-Governor here, but I suppose the allusion is made to Mr. Mactavish, local Governor of Assiniboia, which comprises a radius of fifty miles round Fort Garry, my own Commission extending over the whole territory of Rupert's Land.

Some of the American papers have been amusing themselves by getting up another "Trent affair," ironically, the origin of which, I take this opportunity of explaining. The principal Sioux chief, "Little Six," and one of his followers, were enticed from their camp to the house of a settler, under false pretences; they were then induced to drink to excess, and were finally drugged with laudanum and chloroform, bound hand and foot, and conveyed in the night, in sledges, to Pembina, about seventy miles distant, and there delivered up to the American authorities, by whom it is presumed the captors were well rewarded. We have, of course, no complaint to make against the Americans, the capture having been effected by British subjects. The whole proceeding is very disgraceful, as "Little Six" was simply a refugee in our Territory, against whom no complaint had been made officially, and his capture may lead to retaliation.

I enclose a copy of our only Newspaper, the "Nor-Wester," which alludes to the affair, and gives a not unfair view of our position.

I have, &c.
(signed) *A. G. Dallas,*
Governor in Chief of Rupert's Land.

— No. 8. —

No. 8.
The Right Hon. Sir Edmund Head, Bart., to the Right Hon. Chichester Fortescue, M.P.
4 June 1864.

COPY of a LETTER from the Right Honourable Sir *Edmund Head*, Bart,. to the Right Honourable *Chichester Fortescue*, M.P.

Sir, Hudson's Bay House, 4 June 1864.

I HAVE the honour to enclose an extract from a letter, just received, from Governor Dallas, with reference to the condition of things on the frontier of the Hudson's Bay Territory and the United States.

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

Enclosure in No. 8.

Encl. in No. 8.

EXTRACT of a LETTER from Governor *Dallas* to *Thomas Fraser*, Esq., dated Fort Garry, Red River, 19 April 1864.

"A FEW days ago, I received an express from the Praire Portage, begging assistance, and intimating that twenty-two lodges of Sioux had arrived and encamped there, and that they were very threatening in their demeanour, demanding provisions and ammunition. I gave instructions that men should be engaged to watch the Indians and protect property, and I have not since heard further. This state of alarm in which we live, will no doubt continue, more or less, until the Americans settle their differences with the Sioux, or we have a local force to protect us. The Indians being utterly destitute, are in a manner compelled to fall back upon us, their great want being ammunition, without which they cannot procure food.

"The Americans have as yet taken no advantage of the leave granted to them to follow the Sioux across the boundary line, and the garrison lately stationed at Pembina, on the frontier, is ordered to retire upon Abercrombie, about one hundred and eighty miles distant, to the south. This will, doubtless, embolden the Sioux, and there being a report that several of the latter are lurking on the road, between this and Pembina, to cut off American travellers, the communication is in consequence partially interrupted."

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* Under the extradition treaty, in regard to such of the Sioux as could be proved guilty. This is referred to in General Pope's letter to Mr. Seward, the former arguing that we had no power or force to act against the Sioux; overlooking, that in the absence of official complaint, we had no justification in making use of what power we had.

SIOUX INDIANS.

COPIES or EXTRACTS of CORRESPONDENCE between the Commanding Officers of the United States Troops in *Minnesota* and the Resident Governor of the Hudson's Bay Company at *Red River*, respecting a Tribe of SIOUX INDIANS who were Refugees within the British Territory; of REPORTS of the Meeting of the Governor and Council of *Assiniboine*, on 12 March 1864, including Copy of the MESSAGE which the Governor is reported to have received from the INDIANS; &c.

(*Mr. Hennessy.*)

Ordered, by The House of Commons, *to be Printed,*
17 *June* 1864.

401.

Under 3 *oz.*

TRANSATLANTIC STEAMERS.

RETURN to an Order of the Honourable The House of Commons, dated 14 March 1864;—*for*,

RETURN, "in Tabular Form, of all TRANSATLANTIC STEAMERS (British or Foreign, and whether Carrying or not Carrying Mails) which, during the Year 1863, left any Port or Ports in the UNITED KINGDOM for any Port or Ports in NORTH AMERICA, arranged in Chronological Order, according to the Dates of their respective Departures; specifying, as far as may be, the Name of each Steamer; the Name or Title of the Firm or Company to which it belonged; the Port of first Departure in the UNITED KINGDOM, the intermediate Port or Ports of Call (if any), and the Port of final Arrival in NORTH AMERICA; the Days and Hours of Departure and Arrival from and at each Port and intermediate Port respectively; the Duration of the entire Voyage between the first and the final Ports, including therein the Delay at any intermediate Port of Call; also (in a distinct Column) the Duration of any such Delay; and specifying likewise the Days and Hours of Despatch and Arrival of Mails by any Steamer from and at *London* and *New York* respectively, with the Time occupied in Transmission of Mails between those Two Places; likewise the registered Tonnage and Power of each Steamer; the Number of its Passengers for the particular Voyage; and the respective Amounts received or earned by it on each Voyage for Ship Letters and for Imperial or Colonial Subsidies:"

"And, similar RETURN as to all TRANSATLANTIC STEAMERS which, during the same Year 1863, left any Port or Ports in NORTH AMERICA for any Port or Ports in the UNITED KINGDOM:"

"Also, a SUMMARY or SUMMARIES from the above RETURNS, showing the Total Number of VOYAGES made each way (Outward and Homeward) in the Year 1863 by each TRANSATLANTIC STEAMER to or from NORTH AMERICA; its Total Number of Passengers each way; and the Total of all Sums received or earned by it each way for Ship Letters and for Imperial or Colonial Subsidies respectively; also showing the Total Number of Voyages made each way in the Year 1863 by all Steamers belonging to each Firm or Company; the Total Number of Passengers each way by the Steamers of each Firm or Company; and the Total Amount received by each Firm or Company for Ship Letters, and for Imperial or Colonial Subsidies respectively; likewise showing the Total Number of all VOYAGES made each way in the Year 1863 by all TRANSATLANTIC STEAMERS to or from NORTH AMERICA; the Total Number of all Passengers each way; and the Total Amount received for Ship Letters, and for Imperial or Colonial Subsidies respectively."

(*Mr. Scully.*)

Ordered, by The House of Commons, *to be Printed*,
8 *June* 1864.

RETURN of all TRANSATLANTIC STEAMERS which, during the Year 1863, left any Port or Ports in the UNITED their Departure respectively; specifying, as far as may be, the Name of each Steamer; the Name or Title of the Port or Ports of Call (if any), and the final Port of Arrival in NORTH AMERICA, with the Days and Hours of its Passengers for the particular Voyage, and the several Amounts received or earned for Ship Letters and for which, during the same Year 1863, left any Port or Ports in NORTH AMERICA for any Port or Ports in the

VESSELS CLEARED FROM PORTS IN THE - - - - - -

NAME of STEAMER.	OWNERS' NAMES.	Port of Departure from the United Kingdom.	Ports of Call (if any).	Port of Arrival in North America.
Jura	Montreal Ocean Steam Ship Company	Liverpool	Moville	Portland
China	British and North American Royal Mail Steam Packet Company.	Queenstown	- -	New York
Hibernian	Montreal Ocean Steam Ship Company	Liverpool	Moville	Portland
Kangaroo	Liverpool, New York, and Philadelphia Steam Ship Company.	- ditto	Queenstown	New York
Arabia	British and North American Royal Mail Steam Packet Company.	Queenstown	- -	Halifax
Edinburgh	Liverpool, New York, and Philadelphia Steam Ship Company.	Liverpool	Queenstown	New York
Norwegian	Montreal Ocean Steam Ship Company	- ditto	Moville	Portland
St. Andrew	- - ditto	Glasgow	Moville, Halifax and Portland.	New York
Australasian	British and North American Royal Mail Steam Packet Company.	Queenstown	- -	- ditto
Bohemian	Montreal Ocean Steam Ship Company	Liverpool	Moville	Portland
City of Manchester	Liverpool, New York, and Philadelphia Steam Ship Company.	- ditto	Queenstown	New York
Khersonese	George Duncan, Shipowner, London	- ditto	Halifax	- ditto
Europa	British and North American Royal Mail Steam Packet Company.	Queenstown	- -	Halifax
North American	Montreal Ocean Steam Ship Company	Liverpool	Moville	Portland
Etna	Liverpool, New York, and Philadelphia Steam Ship Company.	- ditto	Queenstown	New York
Asia	British and North American Royal Mail Steam Packet Company.	Queenstown	- -	- ditto
Nova Scotian	Montreal Ocean Steam Ship Company	Liverpool	Moville	Portland
Glasgow	Liverpool, New York, and Philadelphia Steam Ship Company.	- ditto	Queenstown	New York
Canada	British and North American Royal Mail Steam Packet Company.	Queenstown	- -	Halifax
Damascus	Montreal Ocean Steam Ship Company	Liverpool	- -	New York
Jura	- - ditto	- ditto	Moville	Portland
City of Washington	Liverpool, New York, and Philadelphia Steam Ship Company.	- ditto	Queenstown	New York
Africa	British and North American Royal Mail Steam Packet Company.	Queenstown	- -	- ditto
Kedar	- - ditto	Liverpool	- -	- ditto
Plantagenet	Alfred Holt, Merchant, Liverpool	- ditto	Halifax	- ditto
City of New York	Liverpool, New York, and Philadelphia Steam Ship Company.	- ditto	Queenstown	- ditto
Hibernian	Montreal Ocean Steam Ship Company	- ditto	Moville	Portland
Kangaroo	Liverpool, New York, and Philadelphia Steam Ship Company.	- ditto	- -	New York
Arabia	British and North American Royal Mail Steam Ship Company.	Queenstown	- -	Halifax
Anglo-Saxon	Montreal Ocean Steam Ship Company	Liverpool	Moville	Portland
City of Baltimore	Liverpool, New York, and Philadelphia Steam Ship Company.	- ditto	Queenstown	New York
Australasian	British and North American Royal Mail Steam Packet Company.	Queenstown	- -	- ditto
Shannon	C. R. Stock, Clifford's Inn, London	Liverpool	- -	- ditto
Norwegian	Montreal Ocean Steam Ship Company	- ditto	Moville	Portland
Edinburgh	Liverpool, New York, and Philadelphia Steam Ship Company.	- ditto	Queenstown	New York
St. George	Montreal Ocean Steam Ship Company	Glasgow	Portland	- ditto
Europa	British and North American Royal Mail Steam Packet Company.	Queenstown	- -	Halifax

KINGDOM for any Port or Ports in NORTH AMERICA, arranged in Chronological Order, according to the Dates of Firm or Company to which it belonged; the Port of its first Departure in the United Kingdom; the intermediate Departure, Demurrage, and Arrival respectively; also its Registered Tonnage and Steam Power; the Number of any Imperial or Colonial Subsidies respectively:—And, similar RETURN as to all TRANSATLANTIC STEAMERS UNITED KINGDOM.

- - - - - UNITED KINGDOM TO PORTS IN NORTH AMERICA.

Day and Hour of Departure from the United Kingdom.	Demurrage.	Day and Hour of Arrival in North America.	Registered Tonnage.	Horses-Power.	Number of Passengers for the Voyage.	Amounts received or earned for Ship Letters, or for any Imperial or Colonial Subsidies.
1863: H. M.		1863: H. M.				£. s. d.
1 Jan. - 6 10 p.m.	4 hours - -	13 Jan. - 5 30 p.m.	791	400	101	820 - -
4 Jan. - 4 12 p.m.	- - - -	14 Jan. - 11 20 a.m.	1,539	550	40	
8 Jan. - 1 40 p.m.	11 hrs. 55 mins. -	19 Jan. - 8 50 p.m.	1,888	500	78	820 - -
8 Jan. - 6 20 p.m.	- - - -	20 Jan. - 9 0 p.m.	1,169	300	235	Ocean postage of 8 *d.* per ½ oz. from United States Government.
11 Jan. - 4 5 p.m.	- - - -	20 Jan. - 6 15 a.m.	1,359	900	45	
15 Jan. - 4 12 p.m.	- - - -	29 Jan. - 10 0 a.m.	1,494	450	281	Ocean postage of 8 *d.* per ½ oz. from United States Government.
16 Jan. - 3 25 a.m.	12 hours - -	1 Feb. - 8 30 p.m.	1,888	450	119	820 - -
17 Jan. - 2 45 p.m.	6 days 18 hrs. -	5 Mar. - 8 0 p.m.	1,092	170	21	
18 Jan. - 4 5 p.m.	- - - -	1 Feb. - 5 20 p.m.	1,512	700	57	
22 Jan. - 2 5 p.m.	7 hrs. 40 mins. -	11 Feb. - 4 50 a.m.	1,488	400	122	820 - -
23 Jan. - 2 30 p.m.	- - - -	10 Feb. - 8 23 p.m.	1,296	350	197	Ocean postage of 8 *d.* per ½ oz. from United States Government.
24 Jan. - noon -	- - - -	8 Mar. - - -	1,273	200	-	
25 Jan. - 11 5 p.m.	- - - -	9 Feb. - 6 15 p.m.	1,208	800	69	
29 Jan. - 3 55 p.m.	5 hrs. 25 mins. -	16 Feb. - 4 35 p.m.	1,137	250	84	820 - -
29 Jan. - 10 15 p.m.	- - - -	13 Feb. - 4 50 a.m.	1,494	450	176	Ocean postage of 8 *d.* per ½ oz. from United States Government.
1 Feb. - 5 5 p.m.	- - - -	15 Feb. - 9 50 a.m.	1,214	816	69	
5 Feb. - 12 50 p.m.	25 hrs. 15 mins. -	23 Feb. - 3 25 a.m.	1,488	400	137	820 - -
6 Feb. - 10 0 a.m.	- - - -	27 Feb. - 4 0 p.m.	1,154	400	216	Ocean postage of 8 *d.* per ½ oz. from United States Government.
8 Feb. - 4 20 p.m.	- - - -	21 Feb. - 10 0 a.m.	1,001	698	175	
12 Feb. - 4 30 a.m.	6 hrs. 30 mins. -	27 Feb. - 2 0 p.m.	825	200	-	
12 Feb. - 3 50 p.m.	6 hrs. 50 mins. -	25 Feb. - 10 0 a.m.	791	400	178	820 - -
12 Feb. - 5 20 p.m.	- - - -	25 Feb. - 10 30 p.m.	1,618	460	266	Ocean postage of 8 *d.* per ½ oz. from United States Government.
15 Feb. - 5 5 p.m.	- - - -	28 Feb. - 9 0 a.m.	1,216	650	61	
16 Feb. - 9 40 a.m.	- - - -	2 Mar. - 4 40 p.m.	1,212	250	-	
17 Feb. - 5 30 p.m.	- - - -	21 Mar. - 4 0 p.m.	472	70	-	
19 Feb. - 8 0 p.m.	- - - -	5 Mar. - 8 0 a.m.	1,679	550	431	Ocean postage of 8 *d.* per ½ oz. from United States Government.
19 Feb. - 10 0 p.m.	12 hrs. 45 mins. -	4 Mar. - 6 0 p.m.	1,888	500	248	820 - -
21 Feb. - 1 34 p.m.	- - - -	11 Mar. - 11 55 p.m.	1,169	300	-	Ocean postage of 8 *d.* per ½ oz. from United States Government.
22 Feb. - 4 15 p.m.	- - - -	6 Mar. - 5 30 a.m.	1,359	900	71	
26 Feb. - 4 0 p.m.	4 hrs. 30 mins. -	12 Mar. - 3 10 p.m.	1,165	250	224	820 - -
26 Feb. - 4 20 p.m.	- - - -	11 Mar. - 11 55 p.m.	1,224	500	451	Ocean postage of 8 *d.* per ½ oz. from United States Government.
1 Mar. - 5 5 p.m.	- - - -	13 Mar. - 5 30 p.m.	1,512	700	66	
2 Mar. - - -	- - - -	No information given	1,161	450	-	
5 Mar. - 11 40 a.m.	20 hours - -	20 Mar. - 2 0 p.m.	1,888	450	270	820 - -
5 Mar. - 4 25 p.m.	- - - -	21 Mar. - 8 17 p.m.	1,494	450	420	Ocean postage of 8 *d.* per ½ oz. from United States Government.
6 Mar. - 1 15 a.m.	2 days - -	31 Mar. - 3 0 p.m.	1,128	165	14	
8 Mar. - 4 25 p.m.	- - - -	22 Mar. - 11 2 a.m.	1,208	800	68	

VESSELS CLEARED FROM PORTS IN THE UNITED KINGDOM - - - - -

NAME of STEAMER.	OWNERS' NAMES.	Port of Departure from the United Kingdom.	Ports of Call (if any).	Port of Arrival in North America.
City of Manchester	Liverpool, New York, and Philadelphia Steam Ship Company.	Liverpool	Queenstown	New York
Isis	William M. Moss, Merchant, Liverpool	ditto		ditto
Bohemian	Montreal Ocean Steam Ship Company	ditto	Moville	Portland
Etna	Liverpool, New York, and Philadelphia Steam Ship Company.	ditto	Queenstown	New York
Asia	British and North American Royal Mail Steam Packet Company.	Queenstown		ditto
Nova Scotian	Montreal Ocean Steam Ship Company	Liverpool	Moville	Portland
City of Washington	Liverpool, New York, and Philadelphia Steam Ship Company.	ditto	Queenstown	New York
Louisiana	National Steam Navigation Company	ditto	ditto	ditto
Canada	British and North American Royal Mail Steam Ship Company.	Queenstown		Halifax
City of Cork	Liverpool, New York, and Philadelphia Steam Ship Company.	Liverpool	Queenstown	New York
North American	Montreal Ocean Steam Ship Company	ditto	Moville	Portland
Glasgow	Liverpool, New York, and Philadelphia Steam Ship Company.	ditto	Queenstown	New York
Corsica	British and North American Royal Mail Steam Ship Company.	ditto		Halifax
Africa	ditto	Queenstown		New York
Agia Sophia	G. M. Papayanni, Merchant, Liverpool	Liverpool	Crookhaven & Queenstown.	ditto
Damascus	Montreal Ocean Steam Ship Company	ditto		ditto
Hibernian	ditto	ditto	Moville	Portland
City of New York	Liverpool, New York, and Philadelphia Steam Ship Company.	ditto	Queenstown	New York
Kangaroo	ditto	ditto	ditto	ditto
Arabia	British and North American Royal Mail Steam Packet Company.	Queenstown		Halifax
St. Andrew	Montreal Ocean Steam Ship Company	Glasgow	Dublin and Maine, U. S.	New York
Jura	ditto	Liverpool	Moville	Portland
City of Baltimore	Liverpool, New York, and Philadelphia Steam Ship Company.	ditto	Queenstown	New York
United Kingdom	Anchor Line of American Steam Packet Ships	Glasgow		Quebec
Persia	British and North American Royal Mail Steam Packet Company.	Queenstown		New York
Anglo-Saxon	Montreal Ocean Steam Ship Company	Liverpool	Moville	Quebec
Edinburgh	Liverpool, New York, and Philadelphia Steam Ship Company.	ditto	Queenstown	New York
Alpha	Sir Samuel Cunard, Bart., Kensington, London	Glasgow		Halifax
City of Manchester	Liverpool, New York, and Philadelphia Steam Ship Company.	Liverpool	Queenstown	New York
Europa	British and North American Royal Mail Steam Packet Company.	Queenstown		Halifax
Norwegian	Montreal Ocean Steam Ship Company	Liverpool	Moville	Quebec
Etna	Liverpool, New York, and Philadelphia Steam Ship Company.	ditto	Queenstown	New York
Australasian	British and North American Royal Mail Steam Packet Company.	Queenstown		ditto
Bohemian	Montreal Ocean Steam Ship Company	Liverpool	Moville	Quebec
City of Washington	Liverpool, New York, and Philadelphia Steam Ship Company.	ditto	Queenstown	New York
City of Cork	ditto	ditto	ditto	ditto
America	British and North American Royal Mail Steam Packet Company.	Queenstown		Halifax
North American	Montreal Ocean Steam Ship Company	Liverpool	Moville	Quebec
City of New York	Liverpool, New York, and Philadelphia Steam Ship Company.	ditto	Queenstown	New York
China	British and North American Royal Mail Steam Packet Company.	Queenstown		ditto
St. George	Montreal Ocean Steam Ship Company	Glasgow		Quebec
Hibernian		Liverpool	Moville	ditto
City of Baltimore	Liverpool, New York, and Philadelphia Steam Ship Company.	ditto	Queenstown	New York
Great Eastern	Great Ship Company	ditto		ditto

- - - - - - - TO PORTS IN NORTH AMERICA—*continued.*

Day and Hour of Departure from the United Kingdom.	Demurrage.	Day and Hour of Arrival in North America.	Registered Tonnage.	Horses-Power.	Number of Passengers for the Voyage.	Amounts received or earned for Ship Letters, or for any Imperial or Colonial Subsidies.
1863: H. M.		1863: H. M.				£. s. d.
9 Mar. - 12 10 a.m.	- - - -	21 Mar. - 1 50 p.m.	1,296	350	263	Ocean postage of 8 *d.* per ½ oz. from United States Government.
11 Mar. - - -	- - - -	30 Mar. - - -	1,436	250	–	
12 Mar. - 3 45 p.m.	7 hrs. 40 mins. -	27 Mar. - 9 5 a.m.	1,488	400	314	820 – –
12 Mar. - 5 36 p.m.	- - - -	26 Mar. - 4 0 a.m.	1,494	450	462	Ocean postage of 8 *d.* per ½ oz. from United States Government.
15 Mar. - 4 50 p.m.	- - - -	28 Mar. - 10 45 a.m.	1,214	816	35	
19 Mar. - 12 45 p.m.	19 hours - -	4 Apr. - 4 0 a.m.	1,488	400	284	820 – –
19 Mar. - 5 0 p.m.	- - - -	31 Mar. - 11 40 a.m.	1,618	460	726	Ocean postage of 8 *d.* per ½ oz. from United States Government.
21 Mar. - - -	- - - -	No information given	1,642	300	96	
22 Mar. - 5 6 p.m.	- - - -	3 Apr. - 3 30 p.m.	1,001	698	75	
23 Mar. - 3 55 p.m.	- - - -	6 Apr. - 7 50 a.m.	1,082	200	261	Ocean postage of 8 *d.* per ½ oz. from United States Government.
26 Mar. - 3 55 p.m.	17 hrs. 10 mins. -	11 Apr. - 7 50 p.m.	1,137	250	354	820 – –
26 Mar. - 7 0 p.m.	- - - -	11 Apr. - 9 35 a.m.	1,154	400	448	Ocean postage of 8 *d.* per ½ oz. from United States Government.
28 Mar. - 3 20 p.m.	- - - -	11 Apr. - 11 35 a.m.	681	200	–	– 1 3
29 Mar. - 4 15 p.m.	- - - -	11 Apr. - 11 20 a.m.	1,216	450	38	
30 Mar. - 1 30 p.m.	15 days - -	17 Apr. - 11 15 a.m.	977	200	1	
1 Apr. - 10 45 a.m.	- - - -	17 Apr. - 9 0 p.m.	825	200	–	
2 Apr. - 5 40 p.m.	26 hours - -	18 Apr. - 6 20 a.m.	1,888	500	318	820 – –
2 Apr. - 11 0 p.m.	- - - -	14 Apr. - 10 15 a.m.	1,679	550	663	Ocean postage of 8 *d.* per ½ oz. from United States Government.
4 Apr. - 8 40 p.m.	- - - -	21 Apr. - 6 0 a.m.	1,169	300	534	- - ditto.
5 Apr. - 4 35 p.m.	- - - -	16 Apr. - 6 30 p.m.	1,359	900	232	
9 Apr. - 2 10 p.m.	2 dys. 5 hrs. 45 mins.	2 May - 4 0 p.m.	1,092	170	274	
9 Apr. - 3 20 p.m.	8 hrs. 55 mins. -	21 Apr. - 11 30 a.m.	791	400	461	820 – –
9 Apr. - 4 20 p.m.	- - - -	21 Apr. - 5 55 a.m.	1,224	500	669	Ocean postage of 8 *d.* per ½ oz. from United States Government.
10 Apr. - 3 20 p.m.	- - - -	5 May - 7 30 p.m.	1,067	300	415	
12 Apr. - 4 12 p.m.	- - - -	22 Apr. - 11 58 a.m.	2,079	900	144	
16 Apr. - 5 30 p.m.	Wrecked off Cape Race 27th April.	- - - -	1,165	250	352	820 – –
16 Apr. - 8 0 p.m.	- - - -	29 Apr. - 6 40 p.m.	1,494	450	779	Ocean postage of 8 *d.* per ½ oz. from United States Government.
16 Apr. - - -	- - - -	27 Apr. - - -	513	112	–	
18 Apr. - 6 0 p.m.	- - - -	1 May - 1 15 p.m.	1,296	350	724	Ocean postage of 8 *d.* per ½ oz. from United States Government.
19 Apr. - 4 19 p.m.	- - - -	30 Apr. - 11 25 a.m.	1,208	800	239	
23 Apr. - 3 0 p.m.	59 hrs. 25 mins. -	8 May - 1 15 a.m.	1,888	450	500	820 – –
23 Apr. - 4 22 p.m.	- - - -	4 May - 1 30 p.m.	1,494	450	560	Ocean postage of 8 *d.* per ½ oz. from United States Government.
26 Apr. - 4 25 p.m.	- - - -	6 May - 8 15 a.m.	1,512	700	87	
30 Apr. - 4 45 p.m.	23 hrs. 40 mins. -	14 May - 5 20 p.m.	1,488	400	507	820 – –
30 Apr. - 5 45 p.m.	- - - -	11 May - 12 midngt.	1,618	460	822	Ocean postage of 8 *d.* per ½ oz. from United States Government.
2 May - 9 48 p.m.	- - - -	15 May - 10 30 a.m.	1,082	200	540	- - ditto.
3 May - 4 15 p.m.	- - - -	14 May - 10 20 a.m.	984	600	80	
7 May - 2 40 p.m.	18 hrs. 55. mins. -	22 May - 4 30 p.m.	1,137	250	434	820 – –
7 May - 4 10 p.m.	- - - -	17 May - 10 20 a.m.	1,679	550	782	Ocean postage of 8 *d.* per ½ oz. from United States Government.
10 May - 4 30 p.m.	- - - -	22 May - 7 5 a.m.	1,539	550	62	
12 May - 9 0 p.m.	- - - -	26 May - 1 25 p.m.	1,128	165	423	
14 May - 6 10 p.m.	5 hrs. 20 mins. -	25 May - 4 25 p.m.	1,888	500	452	820 – –
14 May - 7 42 p.m.	- - - -	26 May - 12 32 a.m.	1,224	500	721	Ocean postage of 8 *d.* per ½ oz. from United States Government.
15 May - - -	- - - -	No information given	13,343	2,600	–	

VESSELS CLEARED FROM PORTS IN THE UNITED KINGDOM - - - - -

NAME of STEAMER.	OWNERS' NAMES.	Port of Departure from the United Kingdom.	Ports of Call (if any).	Port of Arrival in North America.
Kangaroo	Liverpool, New York, and Philadelphia Steam Ship Company.	Liverpool	Queenstown	New York
Asia	British and North American Royal Mail Steam Ship Company.	Queenstown	-	Halifax
Sidon	- - ditto - - - - - - - - -	Liverpool	Queenstown	New York
Jura	Montreal Ocean Steam Ship Company - - -	- ditto	Moville	Quebec
Edinburgh	Liverpool, New York, and Philadelphia Steam Ship Company.	- ditto	Queenstown	New York
St. Patrick	Bryce Allan, Esq., Liverpool - - - - - -	- ditto	- ditto	Quebec
Persia	British and North American Royal Mail Steam Packet Company.	Queenstown	-	New York
Louisiana	National Steam Navigation Company - - - -	Liverpool	Queenstown	- ditto
Melbourne	F. Sewell, Esq., Leadenhall-street, London - - -	- ditto	-	- ditto
Nova Scotian	Montreal Ocean Steam Ship Company - - -	- ditto	Moville	Quebec
Glasgow	Liverpool, New York, and Philadelphia Steam Ship Company.	- ditto	Queenstown	New York
City of Limerick	- - ditto - - - - - - - - -	- ditto	- ditto	- ditto
Mersey	C. R. Stock, Clifford's Inn, London - - - -	- ditto	-	Halifax
Africa	British and North American Royal Mail Steam Packet Company.	Queenstown	-	- ditto
Olympus	- - ditto - - - - - - - - -	Liverpool	Queenstown	New York
United Kingdom	Anchor Line of American Steam Packet Ships - -	Glasgow	-	Quebec
City of Manchester	Liverpool, New York, and Philadelphia Steam Ship Company.	Liverpool	-	New York
Norwegian	Montreal Ocean Steam Ship Company - - -	- ditto	Moville	Quebec
St. Andrew	- - ditto - - - - - - - - -	Glasgow	-	- ditto
Scotia	British and North American Royal Mail Steam Packet Company.	Queenstown	-	New York
City of New York	Liverpool, New York, and Philadelphia Steam Ship Company.	Liverpool	Queenstown	- ditto
Bohemian	Montreal Ocean Steam Ship Company - - -	- ditto	Moville	Quebec
Shannon	C. R. Stock, Clifford's Inn, London - - - -	- ditto	- ditto	New York
City of Cork	Liverpool, New York, and Philadelphia Steam Ship Company.	- ditto	Queenstown	- ditto
Canada	British and North American Royal Mail Steam Packet Company.	Queenstown	-	Halifax
Hecla	- - ditto - - - - - - - - -	Liverpool	Queenstown	New York
North American	Montreal Ocean Steam Ship Company - - -	- ditto	Moville	Quebec
City of Baltimore	Liverpool, New York, and Philadelphia Steam Ship Company.	- ditto	Queenstown	New York
China	British and North American Royal Mail Steam Packet Company.	Queenstown	-	- ditto
Hibernian	Montreal Ocean Steam Ship Company - - -	Liverpool	Moville	Quebec
City of Washington	Liverpool, New York, and Philadelphia Steam Ship Company.	- ditto	Queenstown	New York
Kangaroo	- - ditto - - - - - - - - -	- ditto	- ditto	- ditto
Asia	British and North American Royal Mail Steam Packet Company.	Queenstown	-	Halifax
Great Eastern	The Great Ship Company - - - - - - -	Liverpool	-	New York
Sidon	British and North American Royal Mail Steam Packet Company.	- ditto	Queenstown	- ditto
Jura	Montreal Ocean Steam Ship Company - - -	- ditto	Moville	Quebec
Edinburgh	Liverpool, New York, and Philadelphia Steam Ship Company.	- ditto	Queenstown	New York
St. George	Montreal Ocean Steam Ship Company - - -	Glasgow	-	Quebec
Persia	British and North American Royal Mail Steam Packet Company.	Queenstown	-	New York
Britannia	Anchor Line of American Steam Packet Ships - -	Glasgow	-	Quebec
Nova Scotian	Montreal Ocean Ship Company - - - - -	Liverpool	Moville	- ditto
City of London	Liverpool, New York, and Philadelphia Steam Ship Company.	- ditto	Queenstown	New York
City of Limerick	- - ditto - - - - - - - - -	- ditto	- ditto	- ditto
Cella	Malcolmson, Brothers, Portlaw, Waterford - - -	- ditto	- ditto	- ditto
Africa	British and North American Royal Mail Steam Packet Company.	Queenstown	-	Halifax
Olympus	- - ditto - - - - - - - - -	Liverpool	Queenstown	New York
Damascus	Montreal Ocean Steam Ship Company - - -	- ditto	Moville	Quebec
St. Patrick	Bryce Allan, Liverpool - - - - - - -	Glasgow	Queenstown	- ditto

- - - - - - - TO PORTS IN NORTH AMERICA—*continued.*

Day and Hour of Departure from the United Kingdom.	Demurrage.	Day and Hour of Arrival in North America.	Registered Tonnage.	Horses-Power.	Number of Passengers for the Voyage.	Amounts received or earned for Ship Letters, or for any Imperial or Colonial Subsidies.
1863: H. M.		1863: H. M.				£. s. d.
16 May - 9 0 p.m.	- - - -	28 May - 8 0 p.m.	1,169	300	626	Ocean postage of 8 *d.* per ½ oz. from United States Government.
17 May - 4 15 p.m.	- - - -	25 May - 8 0 p.m.	1,214	816	70	
19 May - 12 0 noon	9 hrs. 50 mins. -	31 May - 3 26 p.m.	1,267	250	382	- - 7
21 May - 1 45 p.m.	12 hrs. 50 mins. -	1 June - 6 30 p.m.	791	400	514	820 - -
21 May - 4 12 p.m.	- - - -	3 June - 7 15 a.m.	1,494	450	743	Ocean postage of 8 *d.* per ½ oz. from United States Government.
22 May - 1 0 p.m.	52 hours - -	8 June - 9 30 a.m.	880	250	346	
24 May - 4 20 p.m.	- - - -	3 June - 6 30 a.m.	2,079	900	137	
25 May - - -	- - - -	No information given	1,642	300	469½	
25 May - - -	- - - -	- - ditto - -	898	260	-	
28 May - 7 0 p.m.	30 hours - -	12 June - 6 0 a.m.	1,488	400	543	820 - -
28 May - 8 0 p.m.	- - - -	11 June - 1 35 p.m.	1,154	400	594	Ocean postage of 8 *d.* per ½ oz. from United States Government.
30 May - 8 40 p.m.	- - - -	13 June - 7 30 a.m.	1,151	256	540	- - ditto.
30 May - - -	- - - -	No information given	1,305	450	-	
31 May - 4 10 p.m.	- - - -	9 June - 2 44 p.m.	1,216	650	110	
2 June - 11 40 a.m.	5 hrs. 5 mins. -	16 June - 9 0 p.m.	1,219	250	482	- 2 8
3 June - 4 45 p.m.	- - - -	19 June - 10 30 p.m.	1,067	300	523	
4 June - 4 30 p m.	- - - -	17 June - 10 48 p.m.	1,296	350	613	Ocean postage of 8 *d.* per ½ oz. from United States Government.
4 June - 4 30 p.m.	Wrecked on St. Paul's Island - -		1,888	450	324	820 - -
6 June - 3 45 p.m.	- - - -	23 June - 6 0 a.m.	1,128	165	427	
7 June - 4 35 p.m.	- - - -	16 June - 8 20 a.m.	2,358	1,000	171	
11 June - 4 10 p.m.	- - - -	21 June - 1 25 p.m.	1,679	550	709	Ocean postage of 8 *d.* per ½ oz. from United States Government.
11 June - 4 30 p.m.	15 hrs. 50 mins. -	23 June - 9 30 a.m.	1,488	400	271	820 - -
12 June - - -	- - - -	No information given	1,161	450	-	
13 June - 7 25 p.m.	- - - -	27 June - 11 15 p.m.	1,082	200	229	Ocean postage of 8 *d.* per ½ oz. from United States Government.
14 June - 3 55 p.m.	- - - -	24 June - 3 26 p.m.	1,001	698	78	
16 June - 11 52 a.m.	6 hrs. 26 mins. -	29 June - 10 18 a.m.	1,213	250	571	- 2 2
18 June - 1 0 p.m.	34 hrs. 30 mins. -	1 July - 8 0 p.m.	1,137	250	218	820 - -
18 June - 4 35 p.m.	- - - -	30 June - 1 20 p.m.	1,224	500	762	Ocean postage of 8 *d.* per ½ oz. from United States Government.
21 June - 4 15 p.m.	- - - -	1 July - 3 45 p.m.	1,539	550	82	
25 June - 3 50 p.m.	27 hrs. 27 mins. -	7 July - 8 50 a.m.	1,888	500	352	820 - -
25 June - 4 28 p.m.	- - - -	6 July - 11 34 a.m.	1,618	460	714	Ocean postage of 8 *d.* per ½ oz. from United States Government.
28 June - 12 12 a.m.	- - - -	11 July - 7 10 a.m.	1,169	300	641	- - ditto.
28 June - 4 17 p.m.	- - - -	7 July - 8 13 a.m.	1,214	816	66	
29 June - - -	- - - -	No information given	13,343	2,600	-	
30 June - 6 45 p.m.	1 hr. 50 mins. -	13 July - 12 45 p.m.	1,267	250	448	- 4 10
2 July - 2 40 p.m.	46 hrs. 50 mins. -	16 July - 7 20 a.m.	791	400	301	820 - -
2 July - 4 50 p.m.	- - - -	15 July - 3 5 p.m.	1,494	450	717	Ocean postage of 8 *d.* per ½ oz. from United States Government.
4 July - 5 45 p.m.	- - - -	18 July - 8 0 p.m.	1,128	165	454	
5 July - 4 5 p.m.	- - - -	14 July - 8 55 p.m.	2,079	900	121	
9 July - 4 0 p.m.	- - - -	21 July - 7 30 p.m.	1,117	360	471	
9 July - 5 0 p.m.	17 hrs. 35 mins. -	22 July - 8 0 a.m.	1,488	400	293	820 - -
9 July - 6 25 p.m.	- - - -	19 July - 2 45 p.m.	1,678	550	730	Ocean postage of 8 *d.* per ½ oz. from United States Government.
11 July - 3 5 p.m.	- - - -	23 July - 7 10 a.m.	1,151	256	195	- - ditto.
11 July - - -	- - - -	25 July - - -	1,685	300	74	
12 July - 4 13 p.m.	- - - -	20 July - 5 10 p.m.	1,216	650	91	
14 July - 6 10 p.m.	3 hrs. 30 mins. -	26 July - 8 10 p.m.	1,219	250	384	- 5 5
16 July - 12 30 p.m.	22 hrs. 10 mins. -	29 July - 6 0 a.m.	825	200	278	820 - -
16 July - 4 30 p.m.	12 hours - -	31 July - 5 0 a.m.	880	250	239	

VESSELS CLEARED FROM PORTS IN THE UNITED KINGDOM - - - - -

NAME of STEAMER.	OWNERS' NAMES.	Port of Departure from the United Kingdom.	Ports of Call (if any).	Port of Arrival in North America.
City of New York	Liverpool, New York, and Philadelphia Steam Ship Company.	Liverpool -	Queenstown -	New York -
United Kingdom	Anchor Line of American Steam Packet Ships - -	Glasgow -	- -	Quebec -
Scotia - -	British and North American Royal Mail Steam Packet Company.	Queenstown -	- -	New York -
Louisiana - -	National Steam Navigation Company - - - -	Liverpool -	Queenstown -	- ditto -
City of Manchester	Liverpool, New York, and Philadelphia Steam Ship Company.	- ditto -	- ditto -	- ditto -
City of Cork -	- - ditto - - - - - - - - - -	- ditto -	- ditto -	- ditto -
Arabia - -	British and North American Royal Mail Steam Packet Company.	Queenstown -	- -	Halifax -
Hecla - -	- - ditto - - - - - - - - -	Liverpool -	Queenstown -	New York -
Bohemian - -	Montreal Ocean Steam Ship Company - - -	- ditto -	Moville -	Quebec -
Glasgow - -	Liverpool, New York, and Philadelphia Steam Ship Company.	- ditto -	Queenstown -	New York -
St. Andrew -	Montreal Ocean Steam Ship Company - - -	Glasgow -	St. John's, Newfoundland.	Quebec -
China - -	British and North American Royal Mail Steam Packet Company.	Queenstown -	- -	New York -
Virginia - -	National Steam Navigation Company - - - -	Liverpool -	Queenstown -	- ditto -
Hibernian - -	Montreal Ocean Steam Ship Company - - -	- ditto -	Moville -	Quebec -
City of Washington	Liverpool, New York, and Philadelphia Steam Ship Company.	- ditto -	Queenstown -	New York -
Kangaroo - -	- - ditto - - - - - - - - -	- ditto -	- ditto -	- ditto -
Asia - - -	British and North American Royal Mail Steam Packet Company.	Queenstown -	- -	Halifax -
Sidon - -	- - ditto - - - - - - - - -	Liverpool -	Queenstown -	New York -
Great Eastern -	Great Ship Company - - - - - - - -	- ditto -	- -	- ditto -
Saladin - -	Alfred Holt - - - - - - - - -	- ditto -	St. John's, Newfoundland, and Sydney, Cape Breton.	- ditto -
North American -	Montreal Ocean Steam Ship Company - - -	- ditto -	Moville -	Quebec -
City of Baltimore	Liverpool, New York, and Philadelphia Steam Ship Company.	- ditto -	Queenstown -	New York -
George Olympius	George Gilbert, London - - - - - - - -	- ditto -	- -	Quebec -
Regas Ferreos -	- - ditto - - - - - - - - -	- ditto -	- -	- ditto -
Persia - -	British and North American Royal Mail Steam Packet Company.	Queenstown -	- -	New York -
Hibernia - -	Atlantic Royal Mail Steam Navigation Company - -	Liverpool .	Galway -	St. John's, Newfoundland.
Shannon - -	C. R. Stock, Clifford's Inn, London - - - -	- ditto -	- -	New York -
Jura - - -	Montreal Ocean Steam Ship Company - - -	- ditto -	Moville -	Quebec -
City of London -	Liverpool, New York, and Philadelphia Steam Ship Company.	- ditto -	Queenstown -	New York -
City of Limerick	- - ditto - - - - - - - - -	- ditto -	- -	- ditto -
St. George -	Montreal Ocean Steam Ship Company - - -	Glasgow -	- -	Quebec -
Britannia - -	Anchor Line of American Steam Packet Ships - -	- ditto -	- -	- ditto -
Africa - -	British and North American Royal Mail Steam Packet Company.	Queenstown -	- -	Halifax -
Olympus - -	- - ditto - - - - - - - - -	Liverpool -	Queenstown -	New York -
Nova Scotian -	Montreal Ocean Steam Ship Company - - -	- ditto -	Moville -	Quebec -
City of New York	Liverpool, New York, and Philadelphia Steam Ship Company.	- ditto -	Queenstown -	New York -
Scotia - -	British and North American Royal Mail Steam Packet Company.	Queenstown -	- -	- ditto -
Adriatic - -	Atlantic Royal Mail Steam Navigation Company - -	Galway -	- -	- ditto -
Cella - -	Malcolmson, Brothers, Waterford - - - -	London -	Havre - -	- ditto -
City of Manchester	Liverpool, New York, and Philadelphia Steam Ship Company.	Liverpool -	Queenstown -	- ditto -
Damascus - -	Montreal Ocean Steam Ship Company - - -	- ditto -	Moville -	Quebec -
St. Patrick -	Bryce Allan, Liverpool - - - - - - -	- ditto -	- -	- ditto -
United Kingdom	Anchor Line of American Steam Packet Ships - -	Glasgow -	- -	- ditto -
Arabia - -	British and North American Royal Mail Steam Packet Company.	Queenstown -	- -	Halifax -
City of Cork -	Liverpool, New York, and Philadelphia Steam Ship Company.	Liverpool -	Queenstown -	New York -
Hecla - -	British and North American Royal Mail Steam Packet Company.	- ditto -	- ditto -	- ditto -

- - - - - - - TO PORTS IN NORTH AMERICA—*continued.*

Day and Hour of Departure from the United Kingdom.	Demurrage.	Day and Hour of Arrival in North America.	Registered Tonnage.	Horses-Power.	Number of Passengers for the Voyage.	Amounts received or earned for Ship Letters, or for any Imperial or Colonial Subsidies.
1863: H. M.		1863: H. M.				£. s. d.
16 July - 4 40 p.m.	- - - -	25 July - 3 35 p.m.	1,679	550	679	Ocean postage of 8 *d.* per ½ oz. from United States Government.
18 July - 5 40 p.m.	- - - -	3 Aug. - 4 0 p.m.	1,067	300	374	
19 July - 4 7 p.m.	- - - -	27 July - 9 0 p.m.	2,358	1,000	160	
21 July - - -	- - - -	7 Aug. - 4 45 p.m.	1,642	300	483½	
23 July - 4 44 p.m.	- - - -	4 Aug. - 10 35 a.m.	1,296	350	425	Ocean postage of 8 *d.* per ½ oz. from United States Government.
25 July - 4 0 p.m.	- - - -	6 Aug. - 8 0 a.m.	1,082	200	164	- - ditto.
26 July - 4 15 p.m.	- - - -	3 Aug. - 4 20 p.m.	1,359	900	81	
28 July - 5 15 p.m.	2 hrs. 40 mins. -	9 Aug. - 2 20 a.m.	1,213	250	521	- - 6
30 July - 11 30 a.m.	12 hrs. 35 mins. -	11 Aug. - 5 0 a.m.	1,488	400	265	820 - -
30 July - 6 10 p.m.	- - - -	12 Aug. - 6 55 a.m.	1,154	400	307	Ocean postage of 8 *d.* per ½ oz. from United States Government.
1 Aug. - 2 5 p.m.	17 hrs. 30 mins. -	18 Aug. - 1 0 a.m.	1,092	170	159	
2 Aug. - 4 24 p.m.	- - - -	11 Aug. - 3 48 p.m.	1,539	550	106	
4 Aug. - 3 20 p.m.	- - - -	19 Aug. - 11 0 p.m.	2,418	350	791	
6 Aug. - 4 0 p.m.	14 hours - -	18 Aug. - 12 30 a.m.	1,888	500	291	820 - -
6 Aug. - 4 35 p.m.	- - - -	17 Aug. - 6 48 p.m.	1,618	460	435	Ocean postage of 8 *d.* per ½ oz. from United States Government.
8 Aug. - 10 45 p.m.	- - - -	21 Aug. - 2 30 p.m.	1,169	300	55	- - ditto.
9 Aug. - 4 20 p.m.	- - - -	18 Aug. - 2 0 p.m.	1,214	816	114	
11 Aug. - 5 40 p.m.	1 hr. 45 mins. -	24 Aug. - 9 20 a.m.	1,267	250	476	- 1 5
11 Aug. - - -	- - - -	No information given	13,343	2,600	-	
12 Aug. - 10 0 a.m.	- - - -	6 Sept. - 5 0 p.m.	347	60	1	
13 Aug. - 11 30 a.m.	- - - -	27 Aug. - 12 15 p.m.	1,137	250	237	820 - -
13 Aug. - 3 15 p.m.	- - - -	24 Aug. - 11 8 p.m.	1,224	500	434	Ocean postage of 8 *d.* per ½ oz. from United States Government.
15 Aug. - - -	- - - -	No information given	226	45	-	
15 Aug. - - -	- - - -	- - ditto - -	234	60	-	
16 Aug. - 4 13 p.m.	- - - -	26 Aug. - 9 5 a.m.	2,079	900	174	
18 Aug. - 2 30 p.m.	- - - -	30 Aug. - - -	1,569	800	196	1,435 - -
18 Aug. - - -	- - - -	No information given	1,161	450	-	
20 Aug. - 3 5 p.m.	26 hrs. 37 mins. -	2 Sept. - 6 50 a.m.	791	400	163	820 - -
20 Aug. - 4 23 p.m.	- - - -	31 Aug. - 5 40 p.m.	1,678	550	517	Ocean postage of 8*d.* per ½ oz. from United States Government.
22 Aug. - 1 23 p.m.	- - - -	5 Sept. - 11 58 a.m.	1,151	256	96	- - ditto.
22 Aug. - 2 33 p.m.	- - - -	5 Sept. - 5 0 a.m.	1,128	165	198	
22 Aug. - 2 45 p.m.	- - - -	2 Sept. - 11 45 p.m.	1,117	360	185	
23 Aug. - 4 15 p.m.	- - - -	1 Sept. - 12 noon -	1,216	650	119	
25 Aug. - 3 50 p.m.	2 hours - -	7 Sept. - 6 48 a.m.	1,219	250	567	- 4 4
27 Aug. - 10 20 a.m.	14 hrs. 15 mins. -	10 Sept. - 5 30 p.m.	1,488	400	291	820 - -
27 Aug. - 4 30 p.m.	- - - -	6 Sept. - 2 15 a.m.	1,679	550	631	Ocean postage of 8 *d.* per ½ oz. from United States Government.
30 Aug. - 4 5 p.m.	- - - -	8 Sept. - 1 5 p.m.	2,358	1,000	231	
1 Sept. - 2 30 p.m.	- - - -	11 Sept. - - -	1,737	1,400	718	1,447 10 -
1 Sept. - - -	- - - -	23 Sept. - - -	1,635	300	44	
3 Sept. - 2 40 p.m.	- - - -	15 Sept. - 6 50 p.m.	1,296	350	339	Ocean postage of 8 *d.* per ½ oz. from United States Government.
3 Sept. - 3 25 p.m.	22 hrs. 45 mins. -	18 Sept. - 6 15 a.m.	825	200	279	820 - -
5 Sept. - 4 10 p.m.	- - - -	24 Sept. - 11 30 a.m.	880	250	20	
5 Sept. - 4 20 p.m.	- - - -	24 Sept. - 3 0 p.m.	1,067	300	139	
6 Sept. - 4 10 p.m.	- - - -	15 Sept. - 7 24 a.m.	1,359	900	146	
7 Sept. - 2 15 p.m.	- - - -	19 Sept. - 3 10 p.m.	1,082	200	549	Ocean postage of 8 *d.* per ½ oz. from United States Government.
8 Sept. - 4 50 p.m	3 hrs. 14 mins. -	21 Sept. - 7 30 a.m.	1,213	250	578	- 1 11

VESSELS CLEARED FROM PORTS IN THE UNITED KINGDOM - - - - - - -

NAME of STEAMER.	OWNERS' NAMES.	Port of Departure from the United Kingdom.	Ports of Call (if any).	Port of Arrival in North America.
Etna	Liverpool, New York, and Philadelphia Steam Ship Company.	Liverpool	Queenstown	New York
China	British and North American Royal Mail Steam Packet Company.	Queenstown	-	ditto
Louisiana	National Steam Navigation Company	Liverpool	Queenstown	ditto
Anglia	Atlantic Royal Mail Steam Navigation Company	Galway	-	Boston
St. Andrew	Montreal Ocean Steam Ship Company	Glasgow	Liverpool and Queenstown.	Quebec
Bohemian	ditto	Liverpool	Moville	ditto
City of Washington.	Liverpool, New York, and Philadelphia Steam Ship Company.	ditto	Queenstown	New York
Europa	British and North American Royal Mail Steam Packet Company.	Queenstown	-	Halifax
Glasgow	Montreal Ocean Steam Ship Company	Liverpool	Queenstown	New York
Sidon	British and North American Royal Mail Steam Packet Company.	ditto	ditto	ditto
North American	Montreal Ocean Steam Ship Company	ditto	Moville	Quebec
City of London	Liverpool, New York, and Philadelphia Steam Ship Company.	ditto	Queenstown	New York
Bellona	Malcomson Brothers, Waterford	London	Havre	ditto
Persia	British and North American Royal Mail Steam Packet Company.	Queenstown	-	ditto
Virginia	National Steam Navigation Company	Liverpool	Queenstown	ditto
Columbia	Atlantic Royal Mail Steam Navigation Company	Galway	-	New York
Jura	Montreal Ocean Steam Ship Company	Liverpool	Moville	Portland
City of Baltimore	Liverpool, New York, and Philadelphia Steam Ship Company.	ditto	Queenstown	New York
Britannia	Anchor Line of American Steam Packet Ships	Glasgow	-	Quebec
St. George	Montreal Ocean Steam Ship Company	ditto	Queenstown	ditto
Africa	British and North American Royal Mail Steam Packet Company.	Queenstown	-	St. John's, Newfoundland.
City of Limerick	Liverpool, New York, and Philadelphia Steam Ship Company.	Liverpool	Queenstown	New York
Olympus	British and North American Royal Mail Steam Packet Company.	ditto	ditto	ditto
City of New York	Liverpool, New York, and Philadelphia Steam Ship Company.	ditto	ditto	ditto
Hibernian	Montreal Ocean Steam Ship Company	ditto	Moville	Quebec
Kangaroo	Liverpool, New York, and Philadelphia Steam Ship Company.	ditto	Queenstown	New York
Scotia	British and North American Royal Mail Steam Packet Company.	Queenstown	-	ditto
Hibernia	Atlantic Royal Mail Steam Navigation Company	Galway	St. John's Newfoundland.	Boston
Damascus	Montreal Ocean Steam Ship Company	Liverpool	Moville	Quebec
Etna	Liverpool, New York, and Philadelphia Steam Ship Company.	ditto	Queenstown	New York
Canada	British and North American Royal Mail Steam Packet Company.	Queenstown	-	Halifax
City of Cork	Liverpool, New York, and Philadelphia Steam Ship Company.	Liverpool	Queenstown	New York
Hecla	British and North American Royal Mail Steam Packet Company.	ditto	ditto	ditto
Nova Scotia	Montreal Ocean Steam Ship Company	ditto	Moville	Portland
City of Washington.	Liverpool, New York, and Philadelphia Steam Ship Company.	ditto	Queenstown	New York
United Kingdom	Anchor Line of American Steam Packet Ships	Glasgow	-	Quebec
China	British and North American Royal Mail Steam Packet Company.	Queenstown	-	New York
Adriatic	Atlantic Royal Mail Steam Navigation Company	Galway	St. John's, Newfoundland.	ditto
Bohemian	Montreal Ocean Steam Ship Company	Liverpool	Moville	Quebec
Edinburgh	Liverpool, New York, and Philadelphia Steam Ship Company.	ditto	Queenstown	New York
Asia	British and North American Royal Mail Steam Packet Company.	Queenstown	-	Halifax
Glasgow	Liverpool, New York, and Philadelphia Steam Ship Company.	Liverpool	Queenstown	New York

- - - - - - - TO PORTS IN NORTH AMERICA—*continued.*

Day and Hour of Departure from the United Kingdom.	Demurrage.	Day and Hour of Arrival in North America.	Registered Tonnage.	Horses-Power.	Number of Passengers for the Voyage.	Amounts Received or Earned for Ship Letters, or for any Imperial or Colonial Subsidies.
1863: H. M.		1863: H. M.				£. *s.* *d.*
10 Sept. - 4 45 p.m.	- - - -	22 Sept. - 11 55 a.m.	1,494	450	499	Ocean postage of 8*d.* per ½ oz. from United States Government.
13 Sept. - 4 5 p.m.	- - - -	23 Sept. - 9 35 a.m.	1,539	550	113	
14 Sept. - - -	- - - -	2 Oct. - - -	1,642	300	538	
15 Sept. - 2 30 p.m.	- - - -	26 Sept. - - -	1,659	1,000	429	1,335 - -
16 Sept. - 1 40 p.m.	5 days, 2 hrs., 30 mins.	11 Oct. - 6 30 p.m.	1,092	170	140	
17 Sept. - 2 20 p.m.	9 hrs. 25 mins. -	1 Oct. - 11 0 p.m.	1,488	400	209	820 - -
17 Sept. - 4 32 p.m.	- - - -	29 Sept. - 9 0 p.m.	1,618	460	694	Ocean postage of 8*d.* per ½ oz. from United States Government.
20 Sept. - 7 5 p.m.	- - - -	1 Oct. - 7 38 a.m.	1,208	800	76	
21 Sept. - 3 45 p.m.	- - - -	4 Oct. - 11 30 a.m.	1,154	400	558	Ocean postage of 8*d.* per ½ oz. from United States Government.
22 Sept. - 3 15 p.m.	4 hrs. 20 mins. -	5 Oct. - 4 35 p.m.	1,267	250	563	- 4 10
24 Sept. - 5 0 p.m.	9 hours - -	9 Oct. - 10 10 p.m.	1,137	250	167	820 - -
25 Sept. - 4 0 p.m.	- - - -	5 Oct. - 4 5 a.m.	1,678	550	653	Ocean postage of 8*d.* per ½ oz. from United States Government.
26 Sept. - - -	- - - -	26 Oct. - - -	1,589	300	14	
27 Sept. - 4 23 p.m.	- - - -	7 Oct. - 10 0 a.m.	2,079	900	144	
29 Sept. - 12 30 p.m.	- - - -	14 Oct. - 9 35 a.m.	2,418	350	626	
29 Sept. - 2 35 p.m.	- - - -	12 Oct. - 11 50 p.m.	1,615	1,000	889	1,010 - -
1 Oct. - 2 10 p.m.	9 hrs. 15 mins. -	13 Oct. - 10 0 a.m.	791	400	212	820 - -
1 Oct. - 4 30 p.m.	- - - -	12 Oct. - 8 0 p.m.	1,224	500	575	Ocean postage of 8*d.* per ½ oz. from United States Government.
3 Oct. - 2 30 p.m.	- - - -	17 Oct. - 10 0 p.m.	1,117	360	52	
3 Oct. - 6 30 p.m.	1 day 6 hrs. -	23 Oct. - 8 30 p.m.	1,128	165	204	
4 Oct. - 4 0 p.m.	Struck on Cape Race, 12th October.	- - - -	1,216	650	-	
5 Oct. - 1 0 p.m.	- - - -	21 Oct. - 7 52 a.m.	1,151	256	392	Ocean postage of 8*d.* per ½ oz. from United States Government.
6 Oct. - 3 30 p.m.	2 hrs. 10 mins. -	22 Oct. - 3 30 a.m.	1,219	250	595	
8 Oct. - 4 30 p.m.	- - - -	19 Oct. - 2 10 p.m.	1,679	550	635	Ocean postage of 8*d.* per ½ oz. from United States Government.
8 Oct. - 8 0 p.m.	9 hours - -	18 Oct. - 8 50 p.m.	1,888	500	301	820 - -
10 Oct. - 5 20 p.m.	- - - -	23 Oct. - 8 0 p.m.	1,169	300	418	Ocean postage of 8*d.* per ½ oz. from United States Government.
11 Oct. - 4 10 p.m.	- - - -	21 Oct. - 3 52 a.m.	2,358	1,000	248	
13 Oct. - 2 30 p.m.	- - - -	23 Oct. - 10 0 p.m.	1,569	800	522½	1,500 - -
15 Oct. - 12 50 p.m.	9 hrs. 45 mins. -	28 Oct. - 11 30 a.m.	825	200	233	820 - -
15 Oct. - 5 50 p.m.	- - - -	26 Oct. - 8 50 p.m.	1,494	450	477	Ocean postage of 8*d.* per ½ oz. from United States Government.
19 Oct. - 8 25 a.m.	- - - -	28 Oct. - 6 30 a.m.	1,001	698	109	
19 Oct. - 2 40 p.m.	- - - -	30 Oct. - 10 45 a.m.	1,082	200	368	Ocean postage of 8*d.* per ½ oz. from United States Government.
20 Oct. - 2 42 p.m.	3 hrs. 57 mins. -	1 Nov. - 11 0 a.m.	1,213	250	583	- - 8
22 Oct. - 4 0 p.m.	21 hours - -	9 Nov. - 3 30 a.m.	1,488	400	259	820 - -
22 Oct. - 4 5 p.m.	- - - -	2 Nov. - 3 0 p.m.	1,618	460	527	Ocean postage of 8*d.* per ½ oz. from United States Government.
23 Oct. - 11 30 p.m.	- - - -	13 Nov. - 2 0 a.m.	1,067	300	150	
25 Oct. - 4 25 p.m.	- - - -	4 Nov. - 8 25 a.m.	1,539	550	145	
27 Oct. - 2 30 p.m.	- - - -	10 Nov. - 2 0 p.m.	1,737	1,400	734	1,500 - -
29 Oct. - 1 20 p.m.	7 hrs. 20 mins. -	13 Nov. - 3 45 p.m.	1,488	400	111	820 - -
29 Oct. - 9 50 p.m.	- - - -	15 Nov. - 2 20 p.m.	1,494	450	466	Ocean postage of 8*d.* per ½ oz. from United States Government.
1 Nov. - 7 50 p.m.	- - - -	13 Nov. - 12 42 a.m.	1,214	816	85	
2 Nov. - 1 50 p.m.	- - - -	17 Nov. - 9 40 a.m.	1,154	400	431	Ocean postage of 8*d.* per ½ oz. from United States Government.

VESSELS CLEARED FROM PORTS IN THE UNITED KINGDOM - - - - - - -

NAME of STEAMER.	OWNERS' NAMES.	Port of Departure from the United Kingdom.	Ports of Call (if any).	Port of Arrival in North America.
Sidon - -	British and North American Royal Mail Steam Packet Company.	Liverpool -	Queenstown -	New York -
North American -	Montreal Ocean Steam Ship Company - - - -	- ditto -	Moville -	Portland -
City of London -	Liverpool, New York, and Philadelphia Steam Ship Company.	- ditto -	Queenstown -	New York -
Cella - - -	Malcomson Brothers, Waterford - - - - -	London -	Havre - -	- ditto -
Persia - -	British and North American Royal Mail Steam Packet Company.	Queenstown -	- -	- ditto -
Louisiana - -	National Steam Navigation Company - - - -	Liverpool -	Queenstown -	- ditto -
City of Baltimore	Liverpool, New York, and Philadelphia Steam Ship Company.	- ditto -	- ditto -	- ditto -
St. Andrew -	Montreal Ocean Steam Ship Company - - - -	Glasgow -	Portland -	- ditto -
Britannia - -	Anchor Line of American Steam Packet Ships - -	- ditto -	- -	- ditto -
City of Limerick	Liverpool, New York, and Philadelphia Steam Ship Company.	Queenstown -	- -	- ditto -
Arabia - -	British and North American Royal Mail Steam Packet Company.	- ditto -	- -	- ditto -
Kedar - -	- - ditto - - - - - - - - - -	Liverpool -	Queenstown and Halifax.	- ditto -
City of New York	Liverpool, New York, and Philadelphia Steam Ship Company.	- ditto -	Queenstown -	- ditto -
Hibernian - -	Montreal Ocean Steam Ship Company - - - -	- ditto -	Moville -	Portland -
Scotia - -	British and North American Royal Mail Steam Packet Company.	Queenstown -	- -	New York -
Columbia - -	Atlantic Royal Mail Steam Navigation Company - -	Galway -	- -	- ditto -
Virginia - -	National Steam Navigation Company - - - -	Liverpool -	Queenstown -	- ditto -
Damascus - -	Montreal Ocean Steam Ship Company - - - -	- ditto -	Moville -	Portland -
Etna - - -	Liverpool, New York, and Philadelphia Steam Ship Company.	- ditto -	Queenstown -	New York -
Canada - -	British and North American Royal Mail Steam Packet Company.	Queenstown -	- -	Halifax -
City of Cork -	Liverpool, New York, and Philadelphia Steam Ship Company.	Liverpool -	Queenstown -	New York -
Hecla - -	British and North American Royal Mail Steam Packet Company.	- ditto -	- ditto -	- ditto -
City of Washington.	Liverpool, New York, and Philadelphia Steam Ship Company.	- ditto -	- ditto -	- ditto -
St. George - -	Montreal Ocean Steam Ship Company - - - -	Glasgow -	Portland and St. John's, Newfoundland.	- ditto -
Nova Scotian -	- - ditto - - - - - - - - -	Liverpool -	Moville -	Portland -
Australasian -	British and North American Royal Mail Steam Packet Company.	Queenstown -	- -	New York -
Hibernia - -	Atlantic Royal Mail Steam Navigation Company - -	Galway -	St. John's, Newfoundland.	Boston - -
Jura - - -	Montreal Ocean Steam Ship Company - - -	Liverpool -	Moville -	Portland -
Edinburgh - -	Liverpool, New York, and Philadelphia Steam Ship Company.	- ditto -	Queenstown -	New York -
Caledonia - -	Anchor Line of American Steam Packet Ships - -	Glasgow -	- -	Portland -
Asia - - -	British and North American Royal Mail Steam Packet Company.	Queenstown -	- -	Halifax -
Kangaroo - -	Liverpool, New York, and Philadelphia Steam Ship Company.	Liverpool -	Queenstown -	New York -
Olympus - -	British and North American Royal Mail Steam Packet Company.	- ditto -	- ditto -	- ditto -
North American -	Montreal Ocean Steam Ship Company - - -	- ditto -	Moville -	Portland -
City of Manchester.	Liverpool, New York, and Philadelphia Steam Ship Company.	- ditto -	Queenstown -	New York -
Persia - -	British and North American Royal Mail Steam Packet Company.	Queenstown -	- -	- ditto -
Adriatic - -	Atlantic Royal Mail Steam Navigation Company - -	Galway -	St. John's, Newfoundland.	- ditto -
Bohemian - -	Montreal Ocean Steam Ship Company - - -	Liverpool -	Moville -	Portland -
City of Baltimore	Liverpool, New York, and Philadelphia Steam Ship Company.	- ditto -	Queenstown -	New York -

- - - - - - - TO PORTS IN NORTH AMERICA—*continued.*

Day and Hour of Departure from the United Kingdom.	Demurrage.	Day and Hour of Arrival in North America.	Registered Tonnage.	Horses-Power.	Number of Passengers for the Voyage.	Amounts Received or Earned for Ship Letters, or for any Imperial or Colonial Subsidies.
1863: H. M.		1863: H. M.				£. s. d.
3 Nov. - 3 15 p.m.	8 hrs. 35 mins. -	18 Nov. - 11 15 a.m.	1,267	250	492	- 4 7
5 Nov. - 3 30 p.m.	10 hours - -	19 Nov. - 5 30 p.m.	1,137	250	163	820 - -
5 Nov. - 5 0 p.m.	- - - -	16 Nov. - 7 0 p.m.	1,678	550	460	Ocean postage of 8 *d.* per ½ oz. from United States Government.
6 Nov. - - -	- - - -	2 Dec. - - -	1,685	300	17	
8 Nov. - 5 55 p.m.	- - - -	19 Nov. - 10 0 a.m.	2,079	900	129	
10 Nov. - - -	- - - -	30 Nov. - - -	1,642	300	427	
12 Nov. - 4 20 p.m.	- - - -	24 Nov. - 5 47 a.m.	1,224	500	595	Ocean postage of 8 *d.* per ½ oz. from United States Government.
13 Nov. - 12 30 p.m.	2 dys. 2 hrs. 5 mins.	12 Dec. - 3 0 a.m.	1,092	170	39	
14 Nov. - 3 0 p.m.	- - - -	1 Dec. - 2 0 p.m.	1,117	360	110	
14 Nov. - - -	- - - -	3 Dec. - 10 18 a.m.	1,151	256	270	Ocean postage of 8 *d.* per ½ oz. from United States Government.
15 Nov. - 4 7 p.m.	- - - -	25 Nov. - 7 50 p.m.	1,359	900	48	
17 Nov. - 2 10 p.m.	1 day 4 hours -	9 Dec. - 2 30 a.m.	1,212	250	345	- 2 2
19 Nov. - 4 0 p.m.	- - - -	30 Nov. - 11 50 p.m.	1,679	550	501	Ocean postage of 8 *d.* per ½ oz. from United States Government.
19 Nov. - 4 30 p.m.	7 hrs. 30 mins. -	3 Dec. - 12 0 p.m.	1,898	500	270	820 - -
22 Nov. - 10 50 p.m.	- - - -	4 Dec. - 1 55 a.m.	2,358	1,000	160	
24 Nov. - 2 30 p.m.	- - - -	11 Dec. - 10 0 p.m.	1,615	1,000	500	1,150 - -
24 Nov. - 5 0 p.m.	- - - -	12 Dec. - 11 0 a.m.	2,418	350	396	
26 Nov. - 11 30 a.m.	10 hours - -	13 Dec. - 2 0 a.m.	825	200	135	820 - -
26 Nov. - 3 34 p.m.	- - - -	10 Dec. - 7 35 a.m.	1,494	450	306	Ocean postage of 8 *d.* per ½ oz. from United States Government.
29 Nov. - 4 25 p.m.	- - - -	11 Dec. - 3 30 p.m.	1,001	698	48	
30 Nov. - 11 25 p.m.	- - - -	17 Dec. - 6 0 p.m.	1,082	200	155	Ocean postage of 8 *d.* per ½ oz. from United States Government.
1 Dec. - 2 0 p.m.	1 hr. 45. mins. -	20 Dec. - 10 0 a.m.	1,213	250	418	- 6 10
3 Dec. - 12 0 p.m.	- - - -	18 Dec. - 9 30 a.m.	1,618	460	406	Ocean postage of 8 *d.* per ½ oz. from United States Government.
3 Dec. - 2 30 p.m.	3 days - - -	29 Dec. - 4 0 p.m.	1,128	165	19	
4 Dec. - 1 35 p.m.	2 hrs. 25 mins. -	22 Dec. - 8 30 a.m.	1,488	400	84	820 - -
6 Dec. - 5 8 p.m.	- - - -	18 Dec. - 5 0 p.m.	1,512	700	69	
8 Dec. - 2 30 p.m.	- - - -	20 Dec. - - -	1,569	800	461	1,150 - -
10 Dec. - 11 25 a.m.	17 hrs. 15 mins. -	23 Dec. - 1 40 a.m.	791	400	112	820 - -
10 Dec. - 6 32 p.m.	- - - -	23 Dec. - 4 55 p.m.	1,494	450	352	Ocean postage of 8 *d.* per ½ oz. from United States Government.
12 Dec. - 4 30 p.m.	- - - -	26 Dec. - 2 15 p.m.	1,119	360	77	
13 Dec. - 4 20 p.m.	- - - -	23 Dec. - 1 50 a.m.	1,214	816	66	
13 Dec. - 11 20 p.m.	- - - -	26 Dec. - 11 30 a.m.	1,169	300	178	Ocean postage of 8 *d.* per ½ oz. from United States Government.
15 Dec. - 1 52 p.m.	3 hrs. 5 mins. -	27 Dec. - 12 0 p.m.	1,219	250	405	- - 5
17 Dec. - 3 45 p.m.	8 hours - -	30 Dec. - 9 10 p.m.	1,137	250	106	820 - -
17 Dec. - 10 18 p.m.	- - - -	29 Dec. - 6 0 p.m.	1,296	350	259	Ocean postage of 8 *d.* per ½ oz. from United States Government.
20 Dec. - 4 20 p.m.	- - - -	31 Dec. - 9 58 a.m.	2,079	900	85	
		1864:				
22 Dec. - 2 30 p.m.	- - - -	3 Jan. - 4 0 p.m.	1,737	1,400	324	1,500 - -
24 Dec. - 11 25 a.m.	18 hrs. 15 mins. -	9 Jan. - 5 20 a.m.	1,488	400	83	820 - -
24 Dec. - 4 5 p.m.	- - - -	7 Jan. - 3 30 p.m.	1,224	500	242	Ocean postage of 8 *d.* per ½ oz. from United States Government.

VESSELS CLEARED FROM PORTS IN THE UNITED KINGDOM - - - - - - -

NAME of STEAMER.	OWNERS' NAMES.	Port of Departure from the United Kingdom.	Ports of Call (if any).	Port of Arrival in North America.
Bellona	Messrs. Malcomson Brothers, Waterford	London	Havre	New York
Glasgow	Liverpool, New York, and Philadelphia Steam Ship Company.	Liverpool	Queenstown	ditto
United Kingdom	Anchor Line of American Steam Packet Ships	Glasgow	-	Portland
Africa	British and North American Royal Mail Steam Packet Company.	Queenstown	-	Halifax
Sidon	ditto	Liverpool	Queenstown	New York
Hibernian	Montreal Ocean Steam Ship Company	ditto	Moville	Portland
City of London	Liverpool, New York, and Philadelphia Steam Ship Company.	ditto	Queenstown	New York

VESSELS ENTERED AT PORTS IN THE - - - - - -

NAME of STEAMER.	OWNERS' NAMES.	Port of Departure from North America.	Ports of Call (if any).	Port of Arrival in the United Kingdom.
Kangaroo	Liverpool, New York, and Philadelphia Steam Ship Company.	New York	Queenstown	Liverpool
Arabia	British and North American Royal Mail Steam Packet Company.	Halifax	-	Queenstown
St. Andrew	Montreal Ocean Steam Ship Company	New York	-	Liverpool
Norwegian	ditto	Portland	Moville	ditto
Edinburgh	Liverpool, New York, and Philadelphia Steam Ship Company.	New York	Queenstown	ditto
Etna	ditto	ditto	ditto	ditto
Bohemian	Montreal Ocean Steam Ship Company	Portland	Moville	ditto
Europa	British and North American Royal Mail Steam Packet Company.	Halifax	-	Queenstown
Great Eastern	Great Ship Company	New York	-	Liverpool
William Cory	J. Galsworthy, Old Jewry, London	ditto	-	London
Glasgow	Liverpool, New York, and Philadelphia Steam Ship Company.	ditto	Queenstown	Liverpool
Anglo-Saxon	Montreal Ocean Steam Ship Company	Portland	Moville	ditto
Asia	British and North American Royal Mail Steam Packet Company.	New York	-	Queenstown
City of Washington	Liverpool, New York, and Philadelphia Steam Ship Company.	ditto	Queenstown	Liverpool
Nova Scotian	Montreal Ocean Steam Ship Company	Portland	Moville	ditto
Africa	British and North American Royal Mail Steam Packet Company.	Halifax	-	Queenstown
Jura	Montreal Ocean Steam Ship Company	Portland	Moville	Liverpool
City of Baltimore	Liverpool, New York, and Philadelphia Steam Ship Company.	New York	Queenstown	ditto
Damascus	Montreal Ocean Steam Ship Company	ditto	St. John's, Newfoundland, and Queenstown.	ditto
Hibernian	ditto	Portland	Moville	ditto
Kangaroo	Liverpool, New York, and Philadelphia Steam Ship Company.	New York	Queenstown	ditto
China	British and North American Royal Mail Steam Packet Company.	ditto	-	Queenstown
Arabia	ditto	Halifax	-	ditto
Edinburgh	Liverpool, New York, and Philadelphia Steam Ship Company.	New York	Queenstown	Liverpool
St. George	Montreal Ocean Steam Ship Company	ditto	-	ditto
United Kingdom	Anchor Line of American Steam Packet Ships	ditto	-	ditto
Norwegian	Montreal Ocean Steam Ship Company	Portland	Moville	ditto
Australasian	British and North American Royal Mail Steam Packet Company.	New York	-	Queenstown
City of Manchester	Liverpool, New York, and Philadelphia Steam Ship Company.	ditto	Queenstown	Liverpool

- - - - - - - TO PORTS IN NORTH AMERICA—*continued.*

Day and Hour of Departure from the United Kingdom.	Demurrage.	Day and Hour of Arrival in North America.	Registered Tonnage.	Horses-Power.	Number of Passengers for the Voyage.	Amounts Received or Earned for Ship Letters, or for any Imperial or Colonial Subsidies.
1863: H. M.		1864: H. M.				£. s. d.
24 Dec. - - -	- - - -	2 Feb. - - -	1,589	300	22	
26 Dec. - 9 28 p.m.	- - - -	14 Jan. - 10 15 a.m.	1,154	400	–	Ocean postage of 8 *d.* per ½ oz. from United States Government.
27 Dec. - 9 30 a.m.	- - - -	18 Jan. - 5 0 p.m.	1,067	300	64	
27 Dec. - 4 0 p.m.	- - - -	7 Jan. - 7 15 p.m.	1,216	650	35	
29 Dec. - 12 50 p.m.	2 hrs. 50 mins. -	15 Jan. - 10 0 a.m.	1,267	250	202	- 11 9
31 Dec. - 3 0 p.m.	12 hrs. 10 mins. -	14 Jan. - 3 45 a.m.	1,888	500	118	820 - -
31 Dec. - 4 35 p.m.	- - - -	14 Jan. - 12 30 p.m.	1,678	550	252	Ocean postage of 8 *d.* per ½ oz. from United States Government.

- - - - - UNITED KINGDOM FROM PORTS IN NORTH AMERICA.

Day and Hour of Departure from North America.	Demurrage.	Day and Hour of Arrival in the United Kingdom.	Registered Tonnage.	Horses-Power.	Number of Passengers for the Voyage.	Amounts Received or Earned for Ship Letters, or for any Imperial or Colonial Subsidies.
1862: H. M.		1863: H. M.				£. s. d.
20 Dec. - 12 35 p.m.	- - - -	1 Jan. - 2 25 a.m. at Queenstown	1,169	300	69	
26 Dec. - 11 0 a.m.	- - - -	3 Jan. - 10 45 a.m.	1,359	900	46	
21 Dec. - 7 20 p.m.	- - - -	4 Jan. - 8 55 a.m.	1,092	170	10	
27 Dec. - 4 0 p.m.	1 hour - -	7 Jan. - 4 0 a.m.	1,888	450	39	820 - -
27 Dec. - 12 12 p.m.	- - - -	7 Jan. - 10 17 a.m.	1,494	450	63	Ocean postage of 8 *d.* per ½ oz. from United States Government.
1863:						
3 Jan. - 12 35 p.m.	- - - -	13 Jan. - 4 40 p.m.	1,494	450	87	
3 Jan. - 4 0 p.m.	25 hours - -	16 Jan. - 1 30 a.m.	1,488	400	26	820 - -
9 Jan. - 1 46 a.m.	- - - -	17 Jan. - 3 12 p.m.	1,208	800	71	
No information given	- - - -	17 Jan. - - -	13,343	2,600	–	
- ditto - - -	- - - -	20 Jan. - - -	918	120	–	
10 Jan. - 12 43 p.m.	- - - -	23 Jan. - 3 10 p.m.	1,154	400	68	
11 Jan. - 6 0 a.m.	22 hrs. 30 mins. -	24 Jan. - 11 0 a.m.	1,165	250	48	820 - -
16 Jan. - 11 55 a.m.	- - - -	28 Jan. - 6 50 a.m.	1,214	816	52	
17 Jan. - 3 5 p.m.	- - - -	28 Jan. - 11 0 p.m. at Queenstown	1,618	460	89	Ocean postage of 8 *d.* per ½ oz. from United States Government.
17 Jan. - 10 25 a.m.	- - - -	31 Jan. - 2 40 a.m.	1,488	400	28	820 - -
23 Jan. - 9 15 a.m.	- - - -	2 Feb. - 8 27 a.m.	1,216	650	33	
25 Jan. - 1 0 a.m.	went slow through ice	3 Feb. - 9 20 p.m.	791	400	35	820 - -
24 Jan. - 12 15 p.m.	- - - -	4 Feb. - 7 5 a.m.	1,224	500	72	
23 Jan. - 1 0 p.m.	21 hrs. 30 mins. -	8 Feb. - 5 30 a.m.	825	200	–	820 - -
31 Jan. - 8 0 p.m.	6 hrs. 10 mins. -	11 Feb. - 1 10 p.m.	1,888	500	32	820 - -
31 Jan. - 12 25 p.m.	- - - -	12 Feb. - 11 0 a.m.	1,169	300	75	Ocean postage of 8 *d.* per ½ oz. from United States Government.
29 Jan. - 11 0 a.m.	- - - -	12 Feb. - 4 30 p.m.	1,539	550	54	
6 Feb. - 7 25 a.m.	- - - -	15 Feb. - 5 9 p.m.	1,359	900	51	
7 Feb. - 12 15 p.m.	- - - -	18 Feb. - 11 0 p.m.	1,494	450	79	Ocean postage of 8 *d.* per ½ oz. from United States Government.
2 Feb. - 11 30 a.m.	15 hours - -	19 Feb. - 4 30 p.m.	1,128	165	7	
30 Jan. - 1 0 p.m.	- - - -	20 Feb. - 10 0 a.m.	1,067	300	5	
9 Feb. - 5 45 a.m.	2 hours - -	21 Feb. - 9 45 a.m.	1,888	450	40	820 - -
11 Feb. - 11 50 a.m.	- - - -	21 Feb. - 11 45 a.m.	1,512	700	23	
14 Feb. - 12 40 p.m.	- - - -	25 Feb. - 1 10 a.m.	1,296	350	95	

VESSELS ENTERED AT PORTS IN THE UNITED KINGDOM - - - - - - -

NAME of STEAMER.	OWNERS' NAMES.	Port of Departure from North America.	Ports of Call (if any).	Port of Arrival in the United Kingdom.
Bohemian	Montreal Ocean Steam Ship Company	Portland	Moville	Liverpool
Europa	British and North American Royal Mail Steam Packet Company.	Halifax	- -	Queenstown
Etna	Liverpool, New York, and Philadelphia Steam Ship Company.	New York	Queenstown	Liverpool
North American	Montreal Ocean Steam Ship Company	Portland	Moville	- ditto
Asia	British and North American Royal Mail Steam Packet Company.	New York	- -	Queenstown
City of Washington	Liverpool, New York, and Philadelphia Steam Ship Company.	- ditto	Queenstown	Liverpool
Nova Scotian	Montreal Ocean Steam Ship Company	Portland	Moville	- ditto
Canada	British and North American Royal Mail Steam Packet Company.	Halifax	- -	Queenstown
Jura	Montreal Ocean Steam Ship Company	Portland	Moville	Liverpool
Glasgow	Liverpool, New York, and Philadelphia Steam Ship Compauy.	New York	Queenstown	- ditto
Damascus	Montreal Ocean Steam Ship Company	- ditto	- -	- ditto
Africa	British and North American Royal Mail Steam Packet Company.	- ditto	- -	Queenstown
City of New York	Liverpool, New York, and Philadelphia Steam Ship Company.	- ditto	Queenstown	Liverpool
Hibernian	Montreal Ocean Steam Ship Company	Portland	Moville	- ditto
Kedar	British and North American Royal Mail Steam Packet Company.	New York	- -	- ditto
St. Andrew	Montreal Ocean Steam Ship Company	- ditto	- -	- ditto
Arabia	British and North American Royal Mail Steam Packet Company.	Halifax	- -	Queenstown
Kangaroo	Liverpool, New York, and Philadelphia Steam Ship Company.	New York	- -	Liverpool
City of Baltimore	- - ditto - - - - - - - - - -	- ditto	Queenstown	- ditto
Anglo-Saxon	Montreal Ocean Steam Ship Company	Portland	Moville	- ditto
Australasian	British and North American Royal Mail Steam Packet Company.	New York	- -	Queenstown
Khersonese	G. Duncan, Esq., London	- ditto	- -	Liverpool
Edinburgh	Liverpool, New York, and Philadelphia Steam Ship Company.	- ditto	Queenstown	- ditto
Norwegian	Montreal Ocean Steam Ship Company	Portland	Moville	- ditto
City of Manchester	Liverpool, New York, and Philadelphia Steam Ship Company.	New York	- -	- ditto
Europa	British and North American Royal Mail Steam Packet Company.	Halifax	- -	Queenstown
Etna	Liverpool, New York, and Philadelphia Steam Ship Company.	New York	Queenstown	Liverpool
Bohemian	Montreal Ocean Steam Ship Company	Portland	Moville	- ditto
Asia	British and North American Royal Mail Steam Packet Company.	New York	- -	Queenstown
St. George	Montreal Ocean Steam Ship Company	- ditto	- -	Liverpool
City of Washington	Liverpool, New York, and Philadelphia Steam Ship Company.	- ditto	Queenstown	- ditto
City of Cork	- - ditto - - - - - - - - - -	- ditto	- -	- ditto
Nova Scotian	Montreal Ocean Steam Ship Company	Portland	Moville	- ditto
Canada	British and North American Royal Mail Steam Packet Company.	Halifax	- -	Queenstown
City of New York	Liverpool, New York, and Philadelphia Steam Ship Company.	New York	Queenstown	Liverpool
North American	Montreal Ocean Steam Ship Company	Portland	Moville	- ditto
Africa	British and North American Royal Mail Steam Packet Company.	Halifax	- -	Queenstown
Isis	W. M. Moss, Liverpool	New York	- -	Liverpool
City of Baltimore	Liverpool, New York, and Philadelphia Steam Ship Company.	- ditto	Queenstown	- ditto
Shannon	C. R. Stock, Clifford's Inn, London	- ditto	- -	- ditto
Hibernian	Montreal Ocean Steam Ship Company	Portland	Moville	- ditto
Louisiana	National Steam Navigation Company	New York	Queenstown	- ditto
British Queen	British and North American Royal Mail Steam Packet Company.	- ditto	- -	- ditto
Damascus	Montreal Ocean Steam Ship Company	- ditto	- -	- ditto
Arabia	British and North American Royal Mail Steam Packet Company.	Halifax	- -	Queenstown

- - - - - - - FROM PORTS IN NORTH AMERICA—*continued.*

Day and Hour of Departure from North America.	Demurrage.	Day and Hour of Arrival in the United Kingdom.	Registered Tonnage.	Horses-Power.	Number of Passengers for the Voyage.	Amounts Received or Earned for Ship Letters, or for any Imperial or Colonial Subsidies.
1863: H. M.		1863: H. M.				£. s. d.
14 Feb. - 12 0 p.m.	1 hour - -	26 Feb. - 1 0 a.m.	1,488	400	21	820 - -
20 Feb. - 7 35 p.m.	- - - -	3 Mar. - 4 25 p.m.	1,208	800	71	
21 Feb. - 12 40 p.m.	- - - -	4 Mar. - 10 15 p.m.	1,494	450	92	Ocean postage of 8 *d.* per ½ oz. from United States Government.
22 Feb. - 3 30 a.m.	2 hrs. 30 mins. -	7 Mar. - 2 20 a.m.	1,137	250	24	820 - -
25 Feb. - 12 15 p.m.	- - - -	8 Mar. - 6 20 p.m.	1,214	816	67	
28 Feb. - 6 0 p.m.	- - - -	11 Mar. - 7 15 a.m.	1,618	460	73	Ocean postage of 8 *d.* per ½ oz. from United States Government.
28 Feb. - 10 20 a.m.	1 hour - -	14 Mar. - 10 0 p.m.	1,488	400	27	820 - -
6 Mar. - 7 2 a.m.	- - - -	15 Mar. - 2 30 p.m.	1,001	698	45	
8 Mar. - 10 25 a.m.	7 hours - -	19 Mar. - 9 0 p.m.	791	400	26	820 - -
7 Mar. - 1 0 p.m.	- - - -	20 Mar. - 4 27 a.m.	1,154	400	101	Ocean postage of 8 *d.* per ½ oz. from United States Government.
8 Mar. - 8 40 a.m.	- - - -	21 Mar. - 10 20 a.m.	825	200	-	
11 Mar. - 11 45 a.m.	- - - -	22 Mar. - 12 15 a.m.	1,216	650	40	
14 Mar. - 12 20 p.m.	- - - -	24 Mar. - 8 52 a.m.	1,679	550	126	Ocean postage of 8 *d.* per ½ oz. from United States Government.
15 Mar. - 6 30 a.m.	1 hr. 30 mins. -	26 Mar. - 3 30 a.m.	1,888	500	16	820 - -
13 Mar. - 1 30 p.m.	- - - -	26 Mar. - 8 0 a.m.	1,212	250	-	- 8 4½
12 Mar. - 12 40 p.m.	- - - -	27 Mar. - 1 30 p.m.	1,092	170	3	
20 Mar. - 2 20 a.m.	- - - -	28 Mar. - 9 10 a.m.	1,359	900	26	
18 Mar. - 12 35 p.m.	- - - -	31 Mar. - 4 55 p.m.	1,169	300	-	Ocean postage of 8 *d.* per ½ oz. from United States Government.
21 Mar. - 12 40 p.m.	- - - -	1 April - 1 0 a.m.	1,224	500	120	- - ditto.
22 Mar. - 10 0 a.m.	1 hr. 28 mins. -	2 April - 11 0 p.m.	1,165	250	40	820 - -
26 Mar. - 11 40 a.m.	- - - -	4 April - 3 50 p.m.	1,512	700	50	
21 Mar. - - -	- - - -	6 April - - -	1,273	200	-	
28 Mar. - 12 30 p.m.	- - - -	8 April - 3 30 p.m.	1,494	450	173	Ocean postage of 8 *d.* per ½ oz. from United States Government.
29 Mar. - 4 0 a.m.	9 hrs. 15 mins. -	9 April - 8 30 a.m.	1,888	450	27	820 - -
28 Mar. - 11 45 a.m.	- - - -	9 April - 5 14 p.m.	1,296	350	-	Ocean postage of 8 *d.* per ½ oz. from United States Government.
3 April - 1 30 a.m.	- - - -	12 April - 3 57 p.m.	1,208	800	65	
4 April - 12 15 p.m.	- - - -	15 April - 7 5 p.m.	1,494	450	87	Ocean postage of 8 *d.* per ½ oz. from United States Government.
5 April - 9 40 a.m.	1 hr. 25 mins. -	18 April - 2 10 a.m.	1,488	400	38	820 - -
8 April - 10 30 a.m.	- - - -	18 April - 7 40 p.m.	1,214	816	74	
5 April - 6 20 a.m.	- - - -	20 April - 10 30 p.m.	1,128	165	4	
11 April - 12 40 p.m.	- - - -	23 April - 2 30 a.m.	1,618	460	191	Ocean postage of 8 *d.* per ½ oz. from United States Government.
21 Mar. - 3 38 p.m.	- - - -	23 April - 12 48 p.m.	1,082	200	-	- - ditto.
12 April - 3 0 a.m.	50 minutes - -	25 April - 5 10 a.m.	1,488	400	56	820 - -
17 April - 4 35 a.m.	- - - -	25 April - 10 35 p.m.	1,001	698	54	
18 April - 4 20 p.m.	- - - -	29 April - 7 50 a.m.	1,679	550	141	Ocean postage of 8 *d.* per ½ oz. from United States Government.
19 April - 9 15 a.m.	1 hour - -	1 May - 3 30 p.m.	1,137	250	27	820 - -
22 April - 10 10 a.m.	- - - -	3 May - 1 40 a.m.	1,216	650	83	
18 April - - -	- - - -	4 May - - -	1,436	250	16	
28 April - 12 40 p.m.	- - - -	5 May - 4 15 p.m.	1,224	500	106	Ocean postage of 8 *d.* per ½ oz. from United States Government.
No information given	- - - -	5 May - - -	1,161	450	-	
25 April - 6 55 p.m.	13 hrs. 5 mins. -	6 May - 1 0 p.m.	1,888	500	65	820 - -
No information given	- - - -	8 May - - -	1,642	300	-	
23 April - 3 55 p.m.	- - - -	8 May - 12 40 p.m.	565	180	-	
26 April - 6 0 a.m.	- - - -	9 May - 4 0 a.m.	825	200	-	
1 May - 5 35 a.m.	- - - -	9 May - 7 10 a.m.	1,359	900	74	

VESSELS ENTERED AT PORTS IN THE UNITED KINGDOM - - - - - -

NAME of STEAMER.	OWNERS' NAMES.	Port of Departure from North America.	Ports of Call (if any).	Port of Arrival in the United Kingdom.
Kangaroo - -	Liverpool, New York, and Philadelphia Steam Ship Company.	New York -	- -	Liverpool -
Edinburgh - -	- - ditto - - - - - - - - -	- ditto -	Queenstown -	- ditto -
Agia Sophia -	G. M. Papayanni, Liverpool - - - - - - -	- ditto -	- -	- ditto -
Jura - - -	Montreal Ocean Steam Ship Company - - - -	Portland -	St. John's, Newfoundland, and Moville.	- ditto -
Persia - -	British and North American Royal Mail Steam Packet Company.	New York -	- -	Queenstown -
City of Manchester	Liverpool, New York, and Philadelphia, Steam Ship Company.	- ditto -	Queenstown -	Liverpool -
Glasgow - -	- - ditto - - - - - - - - -	- ditto -	- -	- ditto -
Europa - -	British and North American Royal Mail Steam Packet Company.	Halifax -	- -	Queenstown -
United Kingdom -	Anchor Line of American Steam Packet Company - -	Quebec - -	- -	Glasgow -
Norwegian - -	Montreal Ocean Steam Ship Company - - - -	- ditto -	Moville -	Liverpool -
St. Andrew -	- - ditto - - - - - - - - -	Portland -	- ditto -	- ditto -
City of Washington	Liverpool, New York, and Philadelphia Steam Ship Company.	New York -	Queenstown -	- ditto -
Australasian -	British and North American Royal Mail Steam Packet Company.	- ditto -	- -	Queenstown -
City of New York	Liverpool, New York, and Philadelphia Steam Ship Company.	- ditto -	Queenstown -	Liverpool -
City of Cork -	- - ditto - - - - - - - - -	- ditto -	- -	- ditto -
Bohemian - -	Montreal Ocean Steam Ship Company - - - -	Quebec - -	Moville -	- ditto -
America - -	British and North American Royal Mail Steam Packet Company.	Halifax -	- -	Queenstown -
City of Baltimore	Liverpool, New York, and Philadelphia Steam Ship Company.	New York -	Queenstown -	Liverpool
North American -	Montreal Ocean Steam Ship Company - - - -	Quebec - -	Moville -	- ditto -
China - -	British and North American Royal Mail Steam Packet Company.	New York -	- -	Queenstown -
Kangaroo - -	Liverpool, New York, and Philadelphia Steam Ship Company.	- ditto -	Queenstown	Liverpool -
Etna - - -	- - ditto - - - - - - - - -	- ditto -	- ditto	- ditto
Hibernian - -	Montreal Ocean Steam Ship Company - - - -	Quebec - -	Moville -	- ditto -
Great Eastern -	Great Ship Company - - - - - - - -	New York -	- -	- ditto -
Asia - - -	British and North American Royal Mail Steam Packet Company.	Halifax -	- -	Queenstown -
St. George - -	Montreal Ocean Steam Ship Company - - - -	Quebec - -	- -	Glasgow -
Sidon - -	British and North American Royal Mail Steam Packet Company.	New York -	Queenstown	Liverpool -
Jura - - -	Montreal Ocean Steam Ship Company - - - -	Quebec - -	Moville	- ditto -
Edinburgh - -	Liverpool, New York, and Philadelphia Steam Ship Company.	New York -	Queenstown	- ditto -
Persia - -	British and North American Royal Mail Steam Packet Company.	- ditto -	- -	Queenstown -
Nova Scotian -	Montreal Ocean Steam Ship Company - - - -	Quebec - -	Moville	Liverpool -
Glasgow - -	Liverpool, New York, and Philadelphia Steam Ship Company.	New York -	Queenstown -	- ditto -
Africa - -	British and North American Royal Mail Steam Packet Company.	Halifax - -	- -	Queenstown -
City of Limerick -	Liverpool, New York, and Philadelphia Steam Ship Company.	New York -	- -	Liverpool -
St. Patrick - -	Bryce Allan, Liverpool - - - - - - - -	Quebec - -	St. John's, Newfoundland, and Moville.	Glasgow -
City of New York	Liverpool, New York, and Philadelphia Steam Ship Company.	New York -	Queenstown -	Liverpool -
Olympus - -	British and North American Royal Mail Steam Packet Company.	- ditto -	- -	- ditto -
Sheldrake - -	West Hartlepool Steam Navigation Company - - -	- ditto -	Queenstown -	- ditto -
Louisiana - -	The National Steam Navigation Company - - -	- ditto -	- ditto -	- ditto -
Scotia - -	British and North American Royal Mail Steam Packet Company.	- ditto -	- -	Queenstown -
United Kingdom -	The Anchor Line of American Steam Packet Ships -	Quebec - -	- -	Glasgow -
St. Andrew -	Montreal Ocean Steam Ship Company - - - -	- ditto -	Moville -	- ditto -
City of Cork -	Liverpool, New York, and Philadelphia Steam Ship Company.	New York -	Queenstown -	Liverpool -

- - - - - - - FROM PORTS IN NORTH AMERICA—*continued.*

Day and Hour of Departure from North America.	Demurrage.	Day and Hour of Arrival in the United Kingdom.	Registered Tonnage.	Horses-Power.	Number of Passengers for the Voyage.	Amounts Received or Earned for Ship Letters, or for any Imperial or Colonial Subsidies.
1863: H. M.		1863: H. M.				£. s. d.
25 April - 6 18 a.m.	- - - -	9 May - 3 23 p.m.	1,169	300	–	Ocean postage of 8 *d.* per ½ oz. from United States Government.
2 May - 12 10 p.m.	- - - -	13 May - 3 10 p.m.	1,494	450	154	- - ditto.
29 April - 2 40 p.m.	- - - -	13 May - 7 40 p.m.	977	200	58	
2 May - 4 10 p.m.	25 hrs. 25 mins. -	14 May - 3 30 a.m.	791	400	52	820 - -
6 May - 9 32 a.m.	- - - -	16 May - 2 28 a.m.	2,079	900	229	
9 May - 12 10 p.m.	- - - -	22 May - 7 30 p.m.	1,296	350	156	Ocean postage of 8 *d.* per ½ oz. from United States Government.
7 May - 7 25 a.m.	- - - -	23 May - 12 10 a.m.	1,154	400	–	- - ditto.
15 May - 8 32 a.m.	- - - -	25 May - 4 58 a.m.	1,208	800	80	
12 May - 1 30 p.m.	- - - -	28 May - 10 0 a.m.	1,067	300	5	
16 May - 9 45 a.m.	25 hours - -	28 May - 1 10 p.m.	1,888	450	79	820 - -
11 May - 5 0 a.m.	- - - -	28 May - 6 0 p.m.	1,092	170	46	820 - -
16 May - 12 50 p.m.	- - - -	29 May - 2 45 a.m.	1,618	460	164	Ocean postage of 8 *d.* per ½ oz. from United States Government.
20 May - 9 10 a.m.	- - - -	29 May - 5 20 p.m.	1,512	700	143	
23 May - 12 15 p.m.	- - - -	2 June - 7 40 a.m.	1,679	550	289	Ocean postage of 8 *d.* per ½ oz. from United States Government.
20 May - 6 20 p.m.	- - - -	2 June - 1 57 p.m.	1,082	200	–	- - ditto.
23 May - 10 0 a.m.	1 hr. 30 mins. -	3 June - 1 0 p.m.	1,488	400	74	820 - -
29 May - 7 30 a.m.	- - - -	7 June - 12 15 a.m.	984	600	98	
30 May - 12 30 p.m.	- - - -	10 June - 12 22 a.m.	1,224	500	218	Ocean postage of 8 *d.* per ½ oz. from United States Government.
30 May - 12 30 p.m.	12 hours - -	11 June - 11 30 a.m.	1,137	250	225	820 - -
3 June - 3 25 p.m.	- - - -	12 June - 5 40 p.m.	1,539	550	119	
3 June - 4 10 p.m.	- - - -	16 June - 4 15 p.m.	1,169	300	5	Ocean postage of 8 *d.* per ½ oz. from United States Government.
6 June - 12 10 p.m.	- - - -	16 June - 5 50 p.m.	1,494	450	207	- - ditto.
6 June - 9 45 a.m.	25 hrs. 15 mins. -	18 June - 1 0 p.m.	1,188	500	79	820 - -
No information given	- - - -	18 June - - -	13,343	2,600	–	
11 June - 10 30 p.m.	- - - -	20 June - 9 55 a.m.	1,214	816	117	
6 June - 9 0 a.m.	- - - -	20 June - 7 0 p.m.	1,128	165	50	
10 June - 12 10 p.m.	30 minutes - -	23 June - 2 25 p.m.	1,267	250	37	- 9 6
13 June - 9 55 a.m.	2 hrs. 35 mins. -	24 June - 1 50 a.m.	791	400	86	820 - -
13 June - 12 35 p.m.	- - - -	24 June - 5 55 p.m.	1,494	450	200	Ocean postage of 8 *d.* per ½ oz. from United States Government.
17 June - 4 20 p.m.	- - - -	29 June - 1 25 a.m.	2,079	900	200	
20 June - 10 0 a.m.	2 hrs. 30 mins. -	2 July - 6 30 p.m.	1,488	400	193	820 - -
20 June - 12 30 p.m.	- - - -	3 July - 2 40 p.m.	1,154	400	161	Ocean postage of 8 *d.* per ½ oz. from United States Government.
26 June - 3 30 a.m.	- - - -	4 July - 7 30 a.m.	1,216	650	179	
20 June - 12 35 p.m.	- - - -	4 July - 1 8 p.m.	1,151	256	1	Ocean postage of 8 *d.* per ½ oz. from United States Government.
19 June - 4 0 a.m.	6 hours - -	5 July - 6 30 a.m.	880	250	41	
27 June - 7 0 p.m.	- - - -	7 July - 7 15 a.m.	1,679	550	176	Ocean postage of 8 *d.* per ½ oz. from United States Government.
24 June - 12 50 p.m.	- - - -	7 July - 6 30 p.m.	1,219	250	27	- 5 7½
18 June - 4 10 p.m.	- - - -	9 July - 5 0 a.m.	580	100	–	
No information given	- - - -	9 July - - -	1,642	300	–	
1 July - 4 15 p.m.	- - - -	10 July - 12 noon	2,358	1,000	200	
27 June - 9 30 p.m.	- - - -	11 July - 10 40 a.m.	1,067	300	37	
27 June - 11 0 a.m.	- - - -	12 July - 6 0 p.m.	1,092	170	65	820 - -
2 July - 10 40 a.m.	- - - -	16 July - 5 45 a.m.	1,082	200	60	Ocean postage of 8 *d.* per ½ oz. from United States Government.

VESSELS ENTERED AT PORTS IN THE UNITED KINGDOM - - - - -

NAME of STEAMER.	OWNERS' NAMES.	Port of Departure from North America.	Ports of Call (if any).	Port of Arrival in the United Kingdom.
City of Manchester	Liverpool, New York, and Philadelphia Steam Ship Company.	New York	Queenstown	Liverpool
Bohemian	Montreal Ocean Steam Ship Company	Quebec	Moville	ditto
Canada	British and North American Royal Mail Steam Packet Company.	Halifax	-	Queenstown
Hecla	ditto	New York	Queenstown	Liverpool
Melbourne	F. Sewell, Leadenhall-street, London	ditto	-	London
City of Baltimore	Liverpool, New York, and Philadelphia Steam Ship Company.	ditto	Queenstown	Liverpool
North American	Montreal Ocean Steam Ship Company	Quebec	Moville	ditto
China	British and North American Royal Mail Steam Packet Company.	New York	-	Queenstown
Mersey	C. R. Stock, Clifford's Inn, London	ditto	-	Liverpool
Shannon	ditto	ditto	-	ditto
City of Washington	Liverpool, New York, and Philadelphia Steam Ship Company.	ditto	Queenstown	ditto
Hibernian	Montreal Ocean Steam Ship Company	Quebec	Moville	ditto
Kangaroo	Liverpool, New York, and Philadelphia Steam Ship Company.	New York	Queenstown	ditto
Asia	British and North American Royal Mail Steam Packet Company.	Halifax	-	Queenstown
Great Eastern	The Great Ship Company	New York	-	London
Sidon	British and North American Royal Mail Steam Packet Company.	ditto	-	Liverpool
Edinburgh	Liverpool, New York, and Philadelphia Steam Ship Company.	ditto	Queenstown	ditto
Jura	Montreal Ocean Steam Ship Company	Quebec	Moville	ditto
Persia	British and North American Royal Mail Steam Packet Company.	New York	-	Queenstown
City of Limerick	Liverpool, New York, and Philadelphia Steam Ship Company.	ditto	Queenstown	Liverpool
City of London	ditto	ditto	ditto	ditto
St. George	Montreal Ocean Steam Ship Company	Quebec	-	Glasgow
Britannia	The Anchor Line of American Steam Packet Ships	ditto	-	ditto
Nova Scotian	Montreal Ocean Steam Ship Company	ditto	Moville	Liverpool
Africa	British and North American Royal Mail Steam Packet Company.	Halifax	-	Queenstown
Olympus	ditto	New York	-	Liverpool
City of New York	Liverpool, New York, and Philadelphia Steam Ship Company.	ditto	Queenstown	ditto
Damascus	Montreal Ocean Steam Ship Company	Quebec	Moville	ditto
Scotia	British and North American Royal Mail Steam Packet Company.	New York	-	Queenstown
St. Patrick	Bryce Allan, Liverpool	Quebec	St. John's, Newfoundland, and Moville.	Glasgow
City of Cork	Liverpool, New York, and Philadelphia Steam Ship Company.	New York	Queenstown	Liverpool
Cella	Messrs. Malcomson, Brothers, Waterford	ditto	-	London
City of Manchester	Liverpool, New York, and Philadelphia Steam Ship Company.	ditto	Queenstown	Liverpool
United Kingdom	The Anchor Line of American Steam Packet Ships	Quebec	-	Glasgow
Arabia	British and North American Royal Mail Steam Packet Company.	Halifax	-	Queenstown
Louisiana	National Steam Navigation Company	New York	Queenstown	Liverpool
Hecla	British and North American Royal Mail Steam Packet Company.	ditto	-	ditto
Bohemian	Montreal Ocean Steam Ship Company	Quebec	Moville	ditto
Glasgow	Liverpool, New York, and Philadelphia Steam Ship Company.	ditto	Queenstown	ditto
China	British and North American Royal Mail Steam Packet Company.	New York	-	Queenstown
Hibernian	Montreal Ocean Steam Ship Company	Quebec	Moville	Liverpool
City of Washington	Liverpool, New York, and Philadelphia Steam Ship Company.	New York	Queenstown	ditto
Kangaroo	ditto	ditto	ditto	ditto
St. Andrew	Montreal Ocean Steam Ship Company	Quebec	-	Glasgow
Virginia	National Steam Navigation Company	New York	Queenstown	Liverpool
Asia	British and North American Royal Mail Steam Packet Company.	Halifax	-	Queenstown

- - - - - - - FROM PORTS IN NORTH AMERICA—*continued.*

Day and Hour of Departure from North America.	Demurrage.	Day and Hour of Arrival in the United Kingdom.	Registered Tonnage.	Horses-Power.	Number of Passengers for the Voyage.	Amounts Received or Earned for Ship Letters, or for any Imperial or Colonial Subsidies.
1863: H. M.		1863: H. M.				£. s. d.
4 July - 12 10 p.m.	- - - -	16 July - 7 30 p.m.	1,296	350	125	Ocean postage of 8 *d.* per ½ oz. from United States Government.
4 July - 10 30 a.m.	18 hours - -	16 July - 12 30 p.m.	1,488	400	129	820 - -
10 July - 10 24 a.m.	- - - -	19 July - 5 24 a.m.	1,001	698	110	
8 July - 1 5 p.m.	10 minutes - -	20 July - 12 10 p.m.	1,213	250	49	- 10 1
No information given	- - - -	22 July - - -	898	260	-	
11 July - 12 40 p.m.	- - - -	23 July - 6 50 p.m.	1,224	500	234	Ocean postage of 8 *d.* per ½ oz. from United States Government.
11 July - 9 50 a.m.	6 hrs. 55 mins. -	23 July - 12 0 p.m.	1,137	250	44	820 - -
16 July - 5 0 a.m.	- - - -	25 July - 7 32 p.m.	1,539	550	83	
No information given	- - - -	25 July - - -	1,305	450	-	
- ditto - - -	- - - -	27 July - - -	1,161	450	-	
18 July - 2 12 p.m.	- - - -	28 July - 5 28 p.m.	1,618	460	167	Ocean postage of 8 *d.* per ½ oz. from United States Government.
18 July - 10 0 a.m.	9 hrs. 18 mins. -	29 July - 6 20 a.m.	1,888	500	84	820 - -
16 July - 3 30 p.m.	- - - -	29 July - 7 0 a.m.	1,169	300	118	Ocean postage of 8 *d.* per ½ oz. from United States Government.
24 July - 3 35 p.m.	- - - -	1 Aug. - 9 8 p.m.	1,214	816	128	
No information received	- - - -	3 Aug. - - -	13,343	2,600	-	
22 July - 12 20 p.m.	- - - -	4 Aug. - 12 10 a.m.	1,267	250	85	- 17 1½
25 July - 12 20 p.m.	- - - -	5 Aug. - 11 25 a.m.	1,494	450	145	Ocean postage of 8 *d.* per ½ oz. from United States Government.
25 July - 9 45 a.m.	32 hours - -	5 Aug. - 7 40 p.m.	791	400	65	820 - -
29 July - 3 10 p.m.	- - - -	7 Aug. - 11 32 p.m.	2,079	900	91	
1 Aug. - 12 0 noon	- - - -	11 Aug. - 5 0 a.m.	1,151	256	52	Ocean postage of 8 *d.* per ½ oz. from United States Government.
1 Aug. - 12 0 noon	- - - -	11 Aug. - 9 40 a.m.	1,678	550	131	- - ditto.
29 July - 8 30 a.m.	- - - -	11 Aug. - 10 30 a.m.	1,128	165	20	
1 Aug. - 10 30 a.m.	- - - -	14 Aug. - 3 0 a.m.	1,117	360	46	
1 Aug. - 9 45 a.m.	15 hours - -	14 Aug. - 11 40 p.m.	1,488	400	54	820 - -
7 Aug. - 6 37 a.m.	- - - -	15 Aug. - 8 37 p.m.	1,216	650	92	
5 Aug. - 11 30 a.m.	- - - -	18 Aug. - 2 15 p.m.	1,219	250	38	- 6 4
8 Aug. - 3 30 p.m.	- - - -	18 Aug. - 3 5 p.m.	1,679	550	158	Ocean postage of 8 *d.* per ½ oz. from United States Government.
8 Aug. - 10 0 a.m.	- - - -	20 Aug. - 4 0 a.m.	825	200	43	820 - -
12 Aug. - 2 17 p.m.	- - - -	21 Aug. - 6 10 a.m.	2,358	1,000	117	
12 Aug. - 9 0 a.m.	- - - -	24 Aug. - 7 20 a.m.	880	250	3	
13 Aug. - 12 40 p.m.	- - - -	24 Aug. - 6 5 p.m.	1,082	200	74	Ocean postage of 8 *d.* per ½ oz. from United States Government.
8 Aug. - - -	- - - -	26 Aug. - - -	1,685	300	69	
15 Aug. - 2 0 p.m.	- - - -	27 Aug. - 7 41 a.m.	1,296	350	184	Ocean postage of 8 *d.* per ½ oz. from United States Government.
15 Aug. - 2 0 p.m.	- - - -	28 Aug. - 7 15 a.m.	1,067	300	19	
21 Aug. - 2 25 a.m.	- - - -	28 Aug. - 8 30 p.m.	1,359	900	111	
15 Aug. - - -	- - - -	30 Aug. - 2 0 a.m.	1,642	300	-	
19 Aug. - 11 20 a.m.	- - - -	31 Aug. - 11 5 a.m.	1,213	250	90	- 3 11
22 Aug. - 9 30 a.m.	17 hrs. 20 mins. -	2 Sept. - 3 20 p.m.	1,488	400	52	820 - -
22 Aug. - 12 55 p.m.	- - - -	3 Sept. - 1 50 p.m.	1,154	400	116	Ocean postage of 8 *d.* per ½ oz. from United States Government.
26 Aug. - 2 40 p.m.	- - - -	4 Sept. - 6 24 p.m.	1,539	550	60	
29 Aug. - 9 55 a.m.	5 hrs. 41 mins. -	7 Sept. - 10 30 p.m.	1,888	500	80	820 - -
29 Aug. - 12 20 p.m.	- - - -	8 Sept. - 1 0 p.m.	1,618	460	164	Ocean postage of 8 *d.* per ½ oz. from United States Government.
27 Aug. - 10 40 a.m.	- - - -	8 Sept. - 3 40 p.m.	1,169	300	70	- - ditto.
26 Aug. - 12 15 p.m.	- - - -	9 Sept. - 7 0 a.m.	1,092	170	10	
29 Aug. - 4 0 p.m.	- - - -	11 Sept. - 11 0 p.m.	2,418	350	-	
4 Sept. - 9 45 a.m.	- - - -	12 Sept. - 6 10 p.m.	1,214	816	87	

Vessels entered at Ports in the United Kingdom - - - - - -

NAME of STEAMER.	OWNERS' NAMES.	Port of Departure from North America.	Ports of Call (if any).	Port of Arrival in the United Kingdom.
Sidon - -	British and North American Royal Mail Steam Packet Company.	New York -	Queenstown -	Liverpool -
North American -	Montreal Ocean Steam Ship Company - - - -	Quebec -	Moville -	- ditto -
City of London -	Liverpool, New York, and Philadelphia Steam Ship Company.	New York -	Queenstown -	- ditto -
Persia - -	British and North American Royal Mail Steam Packet Company.	- ditto -	- -	Queenstown -
Hibernia - -	Atlantic Royal Mail Steam Navigation Company - -	Boston - -	- -	Galway -
Jura - - -	Montreal Ocean Steam Ship Company - - - -	Quebec -	Moville -	Liverpool -
Great Eastern -	Great Ship Company - - - - - - - -	New York -	- -	- ditto -
City of Baltimore	Liverpool, New York, and Philadelphia Steam Ship Company.	- ditto -	Queenstown -	- ditto -
City of Limerick	- - ditto - - - - - - - - - -	- ditto -	- ditto -	- ditto -
Africa - -	British and North American Royal Mail Steam Packet Company.	Halifax -	- -	Queenstown -
Britannia - -	Anchor Line of American Steam Packet Ships - -	Quebec -	- -	Glasgow -
City of New York	Liverpool, New York, and Philadelphia Steam Ship Company.	New York -	Queenstown -	Liverpool -
St. George - -	Montreal Ocean Steam Ship Company - - - -	Quebec -	- -	Glasgow -
Olympus - -	British and North American Royal Mail Steam Packet Company.	New York -	- -	Liverpool -
Nova Scotian -	Montreal Ocean Steam Ship Company - - - -	Quebec -	Moville -	- ditto -
Shannon - -	C. R. Stock, Clifford's Inn - - - - - -	New York -	- -	- ditto -
Scotia - -	British and North American Royal Mail Steam Packe t Company.	- ditto -	- -	Queenstown -
Adriatic - -	Atlantic Royal Mail Steam Navigation Company - -	- ditto -	St. John's, Newfoundland.	Galway -
Etna - - -	Liverpool, New York, and Philadelphia Steam Ship Company.	- ditto -	Queenstown -	Liverpool -
City of Cork -	- - ditto - - - - - - - - -	- ditto -	- ditto -	- ditto -
Damascus - -	Montreal Ocean Steam Ship Company - - - -	Quebec -	Moville -	- ditto -
Arabia - -	British and North American Royal Mail Steam Packet Company.	Halifax -	- -	Queenstown -
Hecla - -	- - ditto - - - - - - - - -	New York -	Queenstown -	Liverpool -
City of Washington	Liverpool, New York, and Philadelphia Steam Ship Company.	- ditto -	- ditto -	- ditto -
Plantagenet -	Alfred Holt, Liverpool - - - - - - - -	- ditto -	- -	- ditto -
United Kingdom -	Anchor Line of American Steam Packet Ships - -	Quebec -	- -	Glasgow -
St. Patrick -	Bryce Allan, Liverpool - - - - - - - -	- ditto -	St. John's, Newfoundland, and Moville.	- ditto -
China - -	British and North American Royal Mail Steam Packet Company.	New York -	- -	Queenstown -
Anglia - -	Atlantic Royal Mail Steam Navigation Company - -	Boston - -	St. John's, New foundland.	Galway -
Glasgow - -	Liverpool, New York, and Philadelphia Steam Ship Company.	New York -	Queenstown -	Liverpool -
City of Manchester	- - ditto - - - - - - - - -	- ditto -	- ditto -	- ditto -
Bohemian - -	Montreal Ocean Steam Ship Company - - - -	Quebec -	Moville -	- ditto -
Louisiana - -	National Steam Navigation Company - - - -	New York -	Queenstown -	- ditto -
Europa - -	British and North American Royal Mail Steam Packet Company.	Halifax -	- -	Queenstown -
Sidon - -	- - ditto - - - - - - - - -	New York -	Queenstown -	Liverpool -
City of London -	Liverpool, New York, and Philadelphia Steam Ship Company.	- ditto -	- ditto -	- ditto -
North American -	Montreal Ocean Steam Ship Company - - - -	Quebec -	Moville -	- ditto -
Cella - - -	Malcolmson, Brothers, Waterford - - - - -	New York -	- -	London -
Persia - -	British and North American Royal Mail Steam Packet Company	- ditto -	- -	Queenstown -
Columbia - -	Atlantic Royal Mail Steam Navigation Company - -	- ditto -	St. John's, Newfoundland.	Galway -
Jura - - -	Montreal Ocean Steam Ship Company - - - -	Quebec -	Moville -	Liverpool -
Africa - -	British and North American Royal Mail Steam Packet Company.	St. John's, Newfoundland.	- -	- ditto -
City of Baltimore	Liverpool, New York, and Philadelphia Steam Ship Company.	New York -	Queenstown -	- ditto -
St. Andrew -	Montreal Ocean Steam Ship Company - - - -	Quebec -	- -	Glasgow -
Britannia - -	Anchor Line of American Steam Packet Ships - -	- ditto -	- -	- ditto -
City of New York	Liverpool, New York, and Philadelphia Steam Ship Company.	New York -	Queenstown -	Liverpool -
City of Limerick	- - ditto - - - - - - - - -	- ditto -	- -	- ditto -

- - - - - - - FROM PORTS IN NORTH AMERICA—*continued.*

Day and Hour of Departure from North America.	Demurrage.	Day and Hour of Arrival in the United Kingdom.	Registered Tonnage.	Horses-Power.	Number of Passengers for the Voyage.	Amounts Received or Earned for Ship Letters, or for any Imperial or Colonial Subsidies.
1863: H. M.		1863: H. M.				£. s. d.
2 Sept. - 10 30 a.m.	- - - -	14 Sept. - 11 0 p.m.	1,267	250	106	- 7 5
5 Sept. - 9 45 a.m.	1 hour 20 mins. -	15 Sept. - 12 30 p.m.	1,137	250	63	820 - -
5 Sept. - 12 45 p.m.	- - - -	15 Sept. - 1 25 p.m.	1,678	550	158	Ocean postage of 8 *d.* per ½ oz. from United States Government.
9 Sept. - 12 45 p.m.	- - - -	19 Sept. - 2 5 p.m.	2,079	900	72	
12 Sept. - - -	- - - -	19 Sept. - - -	1,569	800	40	1,435 - -
12 Sept. - 9 45 a.m.	5 hrs. 25 mins. -	22 Sept. - 6 15 a.m.	791	400	54	820 - -
No information given	- - - -	22 Sept. - - -	13,343	2,600	-	
12 Sept. - 12 45 p.m.	- - - -	23 Sept. - 1 0 a.m.	1,224	500	119	Ocean postage of 8 *d.* per ½ oz. from United States Government.
10 Sept. - 2 5 p.m.	- - - -	23 Sept. - 11 50 a.m.	1,151	256	49	- - ditto.
17 Sept. - 10 45 p.m.	- - - -	25 Sept. - 8 53 p.m.	1,216	650	118	
15 Sept. - 10 0 a.m.	- - - -	26 Sept. - 1 30 p.m.	1,117	360	8	
19 Sept. - 12 20 p.m.	- - - -	28 Sept. - 4 15 a.m.	1,679	550	116	Ocean postage of 8 *d.* per ½ oz. from United States Government.
16 Sept. - 9 45 a.m.	- - - -	28 Sept. - 10 0 a.m.	1,128	165	20	
16 Sept. - 4 0 p.m.	- - - -	29 Sept. - 4 35 a.m.	1,219	250	75	- 7 7
19 Sept. - 9 30 a.m.	3 hours - -	30 Sept. - 11 0 a.m.	1,488	400	57	820 - -
No information given	- - - -	1 Oct. - - -	1,161	450	-	
23 Sept. - 1 0 p.m.	- - - -	2 Oct. - 5 8 a.m.	2,358	1,000	121	
22 Sept. -	- - - -	4 Oct. - - -	1,737	1,400	61	1,447 10 -
26 Sept. - 12 15 p.m.	- - - -	7 Oct. - 3 14 a.m.	1,494	450	92	Ocean postage of 8 *d.* per ½ oz. from United States Government.
25 Sept. - 12 35 p.m.	- - - -	7 Oct. - 7 25 a.m.	1,082	200	67	- - ditto.
26 Sept. - 9 45 a.m.	- - - -	7 Oct. - 5 0 p.m.	825	200	38	820 - -
2 Oct. - 3 19 a.m.	- - - -	10 Oct. - 5 27 a.m.	1,359	900	87	
30 Sept. - 10 48 a.m.	13 minutes - -	12 Oct. - 10 30 a.m.	1,213	250	68	- 7 5
3 Oct. - 12 30 p.m.	- - - -	14 Oct. - 6 30 a.m.	1,618	460	145	Ocean postage of 8 *d.* per ½ oz. from United States Government.
26 Sept. - 4 0 p.m.	- - - -	15 Oct. - 12 midngt.	472	70	-	
1 Oct. - 12 30 p.m.	- - - -	16 Oct. - 4 55 p.m.	1,067	300	29	
4 Oct. - 1 0 a.m.	- - - -	16 Oct. - 5 15 p.m.	880	250	20	
7 Oct. - 12 10 p.m.	- - - -	16 Oct. - 11 25 p.m.	1,539	550	87	
6 Oct. - - -	- - - -	16 Oct. - - -	1,659	1,000	52	1,335 - -
8 Oct. - 12 45 p.m.	- - - -	20 Oct. - 8 30 p.m.	1,154	400	51	Ocean postage of 8 *d.* per ½ oz. from United States Government.
10 Oct. - 12 20 p.m.	- - - -	22 Oct. - 4 40 a.m.	1,296	350	116	- - ditto.
10 Oct. - 10 0 a.m.	10 hrs. 35 mins. -	22 Oct. - 12 30 p.m.	1,488	400	51	820 - -
9 Oct. - 11 50 a.m.	- - - -	24 Oct. - 2 15 a.m.	1,642	300	-	
16 Oct. - 2 6 a.m.	- - - -	25 Oct. - 9 53 a.m.	1,208	800	94	
14 Oct. - 3 0 p.m.	- - - -	27 Oct. - 3 0 p.m.	1,267	250	73	- 11 9
17 Oct. - 12 17 p.m.	- - - -	27 Oct. - 11 25 p.m.	1,678	550	148	Ocean postage of 8 *d.* per ½ oz. from United States Government.
17 Oct. - 10 45 a.m.	27 hrs. 40 mins. -	28 Oct. - 8 5 a.m.	1,137	250	65	820 - -
8 Oct. - - -	- - - -	28 Oct. - - -	1,685	300	70	
21 Oct. - 12 35 p.m.	- - - -	31 Oct. - 9 26 a.m.	2,079	900	173	
20 Oct. - 10 0 a.m.	- - - -	2 Nov. - 2 20 p.m.	1,615	1,000	61	1,010 - -
24 Oct. - 12 35 p.m.	1 hour - -	3 Nov. - 4 45 a.m.	791	400	97	820 - -
27 Oct. - 10 0 a.m.	- - - -	4 Nov. - 9 50 a.m.	1,216	650	-	
24 Oct. - 1 25 p.m.	- - - -	5 Nov. - 7 30 a.m.	1,224	500	130	Ocean postage of 8 *d.* per ½ oz. from United States Government.
24 Oct. - 4 0 p.m.	- - - -	7 Nov. - 9 0 a.m.	1,092	170	6	
27 Oct. - 10 0 a.m.	- - - -	8 Nov. - 7 0 p.m.	1,117	360	40	
31 Oct. - 12 30 p.m.	- - - -	10 Nov. - 4 15 a.m.	1,679	550	198	Ocean postage of 8 *d.* per ½ oz. from United States Government.
24 Oct. - 2 0 p.m.	- - - -	10 Nov. - 8 47 a.m.	1,151	256	-	- - ditto.

VESSELS ENTERED AT PORTS IN THE UNITED KINGDOM - - - - - -

NAME of STEAMER.	OWNERS' NAMES.	Port of Departure from North America.	Ports of Call (if any).	Port of Arrival in the United Kingdom.
Olympus - -	British and North American Royal Mail Steam Packet Company.	New York -	Boston, Halifax, and Queenstown.	Liverpool -
Hibernian - -	Montreal Ocean Steam Ship Company - - - -	Quebec - -	Moville -	- ditto -
Kangaroo - -	Liverpool, New York, and Philadelphia Steam Ship Company.	New York -	- -	- ditto -
Scotia - -	British and North American Royal Mail Steam Packet Company.	- ditto -	- -	Queenstown -
Virginia - -	National Steam Navigation Company - - - -	- ditto -	Queenstown -	Liverpool -
Hibernia - -	Atlantic Royal Mail Steam Navigation Company - -	Boston - -	St. John's, Newfoundland.	Galway -
City of Cork -	Liverpool, New York, and Philadelphia Steam Ship Company.	New York -	Queenstown -	Liverpool -
St. George - -	Montreal Ocean Steam Ship Company - - - -	Quebec - -	- -	Glasgow -
Etna - - -	Liverpool, New York, and Philadelphia Steam Ship Company.	New York -	Queenstown -	Liverpool -
Damascus - -	Montreal Ocean Steam Ship Company - - - -	Quebec - -	Moville -	- ditto -
Canada - -	British and North American Royal Mail Steam Packet Company.	Halifax -	- -	Queenstown -
Hecla - -	- - ditto - - - - - - - - - -	New York -	- -	Liverpool -
City of Washington	Liverpool, New York, and Philadelphia Steam Ship Company.	- ditto -	Queenstown -	- ditto -
Nova Scotian -	Montreal Ocean Steam Ship Company - - - -	Quebec - -	Moville -	- ditto -
Adriatic - -	Atlantic Royal Mail Steam Navigation Company - -	New York -	St. John's, Newfoundland.	Galway -
China - -	British and North American Royal Mail Steam Packet Company.	- ditto -	- -	Queenstown -
Edinburgh - -	Liverpool, New York, and Philadelphia Steam Ship Company.	- ditto -	Queenstown -	Liverpool -
Bohemian - -	Montreal Ocean Steam Ship Company - - - -	Quebec - -	Moville -	- ditto -
United Kingdom -	Anchor Line of American Steam Packet Ships - -	- ditto -	- -	Glasgow -
Bellona - -	Malcolmson, Brothers, Waterford - - - - -	New York -	- -	London -
Asia - - -	British and North American Royal Mail Steam Packet Company.	Halifax -	- -	Queenstown -
Glasgow - -	Liverpool, New York, and Philadelphia Steam Ship Company.	New York -	- -	Liverpool -
Sidon - -	British and North American Royal Mail Steam Packet Company.	- ditto -	Queenstown -	- ditto -
City of London -	Liverpool, New York, and Philadelphia Steam Ship Company.	- ditto -	- ditto -	- ditto -
North American -	Montreal Ocean Steam Ship Company - - - -	Portland -	Moville -	ditto -
Persia - -	British and North American Royal Mail Steam Packet Company.	New York -	- -	Queenstown -
City of Baltimore	Liverpool, New York, and Philadelphia Steam Ship Company.	- ditto -	Queenstown -	Liverpool -
Arabia - -	British and North American Royal Mail Steam Packet Company.	Halifax -	- -	Queenstown -
City of New York	Liverpool, New York, and Philadelphia Steam Ship Company.	New York -	Queenstown -	Liverpool -
City of Limerick -	- - ditto - - - - - - - - - -	- ditto -	- ditto -	- ditto -
Britannia - -	Anchor Line of American Steam Packet Ships - -	- ditto -	- -	- ditto -
Hibernian - -	Montreal Ocean Steam Ship Company - - - -	Portland -	Moville -	- ditto -
Scotia - -	British and North American Royal Mail Steam Packet Company.	New York -	- -	Queenstown -
Louisiana - -	National Steam Navigation Company - - - -	- ditto -	Queenstown -	Liverpool -
Columbia - -	Atlantic Royal Mail Steam Navigation Company - -	- ditto -	St. John's, Newfoundland.	Galway -
Kedar - -	British and North American Royal Mail Steam Packet Company.	- ditto -	- -	Liverpool -
Etna - - -	Liverpool, New York, and Philadelphia Steam Ship Company.	- ditto -	Queenstown -	- ditto -
Hibernia - -	Atlantic Royal Mail Steam Navigation Company - -	Boston - -	- -	- ditto -
Cella - - -	Malcomson, Brothers, Waterford - - - - -	New York -	- -	London -

General Register and Record Office of Shipping and Seamen,
London, 2 June 1864.

\- - - - - - - FROM PORTS IN NORTH AMERICA—*continued.*

Day and Hour of Departure from North America.	Demurrage.	Day and Hour of Arrival in the United Kingdom.	Registered Tonnage.	Horses-Power.	Number of Passengers for the Voyage.	Amounts Received or Earned for Ship Letters, or for any Imperial or Colonial Subsidies.
1863: H. M.		1863: H. M.				£. s. d.
26 Oct. - 7 20 a.m.	6 hrs. 21 mins. -	10 Nov. - 8 54 p.m.	1,219	250	20	
31 Oct. - 10 25 a.m.	13 hrs. 51 mins. -	11 Nov. - 8 5 a.m.	1,888	500	89	820 - -
30 Oct. - 11 20 a.m.	- - - -	12 Nov. - 10 0 a.m.	1,169	300	78	Ocean postage of 8 *d.* per ½ oz. from United States Government.
4 Nov. - 12 30 p.m.	- - - -	13 Nov. - 3 35 a.m.	2,358	1,000	162	
25 Oct. - 4 20 p.m.	- - - -	13 Nov. - 10 13 a.m.	2,418	350	-	
7 Nov. - - -	- - - -	14 Nov. 4 40 p.m.	1,569	800	44	1,500 - -
6 Nov. - 7 30 p.m.	- - - -	17 Nov. - 8 50 p.m.	1,082	200	80	Ocean postage of 8 *d.* per ½ oz. from United States Government.
4 Nov. - 8 30 a.m.	- - - -	17 Nov. - 10 0 p.m.	1,128	165	12	
7 Nov. - 12 35 p.m.	- - - -	18 Nov. - 12 50 a.m.	1,494	450	107	Ocean postage of 8 *d.* per ½ oz. from United States Government.
7 Nov. - 9 45 a.m.	3 hrs. 40 mins. -	18 Nov. - 2 0 p.m.	825	200	32	820 - -
13 Nov. - 3 20 a.m.	- - - -	23 Nov. - 8 47 a.m.	1,001	698	122	
11 Nov. - 4 0 p.m.	- - - -	24 Nov. - 2 34 a.m.	1,213	250	83	- 10 1
14 Nov. - 10 10 p.m.	- - - -	25 Nov. - 12 midnight	1,618	460	121	Ocean postage of 8 *d.* per ½ oz. from United States Government.
14 Nov. - 11 0 a.m.	15 hrs. 10 mins. -	27 Nov. - 10 45 a.m.	1,488	400	35	820 - -
17 Nov. - 11 30 a.m.	- - - -	28 Nov. - - -	1,737	1,400	91	1,500 - -
18 Nov. - 12 16 p.m.	- - - -	29 Nov. - 9 13 a.m.	1,539	550	60	
21 Nov - 5 30 p.m.	- - - -	2 Dec. - 2 35 p.m.	1,494	450	173	Ocean postage of 8 *d.* per ½ oz. from United States Government.
21 Nov. - 9 45 a.m.	4 hours - -	3 Dec. - 2 0 a.m.	1,488	400	42	820 - -
22 Nov. - 12 20 p.m.	- - - -	4 Dec. - 2 40 p.m.	1,067	300	28	
4 Nov. - - -	Several days at sea, through damage to rudder.	4 Dec. - - -	1,589	300	35	
26 Nov. - 11 45 p.m.	- - - -	5 Dec. - 7 20 a.m.	1,214	816	66	
24 Nov. - 12 7 a.m.	- - - -	7 Dec. - 11 38 a.m.	1,154	400	-	Ocean postage of 8 *d.* per ½ oz. from United States Government.
25 Nov. - 3 0 p.m.	- - - -	7 Dec. - 12 30 p.m.	1,267	250	81	- 18 4
29 Nov. - 7 20 p.m.	- - - -	8 Dec. - 12 25 p.m.	1,678	550	149	Ocean postage of 8 *d.* per ½ oz. from United States Government.
28 Nov. - 4 30 p.m.	7 hrs. 20 mins. -	9 Dec. - 10 30 a.m.	1,137	250	47	820 - -
2 Dec. - 11 45 a.m.	- - - -	11 Dec. - 8 50 p.m.	2,079	900	101	
5 Dec. - 12 30 p.m.	- - - -	17 Dec. - 10 0 a.m.	1,224	500	172	Ocean postage of 8 *d.* per ½ oz. from United States Government.
11 Dec. - 1 45 p.m.	- - - -	20 Dec. - 2 0 a.m.	1,359	900	69	
12 Dec. - 10 0 a.m.	- - - -	21 Dec. - 11 30 p.m.	1,679	550	143	Ocean postage of 8 *d.* per ½ oz. from United States Government.
9 Dec. - 12 25 p.m.	- - - -	22 Dec. - 2 45 a.m.	1,151	256	22	- - ditto.
6 Dec. - 9 0 a.m.	- - - -	22 Dec. - 5 0 a.m.	1,117	360	25	
12 Dec. - 5 10 p.m.	2 hrs. 50 mins. -	23 Dec. - 1 45 a.m.	1,888	500	47	820 - -
16 Dec. - 11 0 a.m.	- - - -	24 Dec. - 9 4 p.m.	2,358	1,000	132	
11 Dec. - - -	- - - -	24 Dec. - - -	1,642	300	-	
21 Dec. - 3 45 p.m.	- - - -	28 Dec. - 7 7 p.m.	1,615	1,000	54	1,150 - -
16 Dec. - 10 0 a.m.	- - - -	29 Dec. - 2 30 a.m.	1,212	250	84	- - 11
19 Dec. - 1 12 p.m.	- - - -	30 Dec. - 5 36 p.m.	1,494	450	110	Ocean postage of 8 *d.* per ½ oz. from United States Government.
29 Dec. - 1 25 p.m.	- - - -	8 Jan. 1864 - -	1,569	800	26	1,250 - -
23 Dec. - - -	- - - -	10 Jan. - - -	1,685	300	40	

John J. Mayo,
Registrar General of Shipping and Seamen.

SYNOPSIS.

COMPANIES AND OWNERS.	VOYAGES FROM THE UNITED KINGDOM TO NORTH AMERICA.				
	Total Number of Voyages.	Total Number of Passengers.	Average Amount Received or Earned for any Imperial or Colonial Subsidies, per Voyage.	Total Amount Received or Earned for Ship Letters, or for any Imperial or Colonial Subsidies.	REMARKS.
			£. s. d.	£. s. d.	
British and North American Royal Mail Steam Ship Company.	71	13,342	- - -	2 16 4	Seventeen voyages, for which the sum of 2 *l.* 16 *s.* 4 *d.* was received for ship letters; and 54 voyages for which no particulars are rendered by the Company.
Liverpool, New York, and Philadelphia Steam Ship Company.	76	34,840	- - -	- - -	Ocean postage of 8 *d.* per ½ oz. received from the United States Government.
Montreal Ocean Steam Ship Company	64	15,092	820 - -	41,000 - -	Fifty voyages upon subsidy, and 14 without subsidy or ship letters.
Atlantic Royal Mail Steam Navigation Company.	9	4,373	1,336 7 9	12,027 10 -	Nine voyages upon subsidy.
Anchor Line of Transatlantic Steam Packet Ships.	11	2,560	- Nil -	- Nil.	
National Steam Navigation Company	8	3,827	- Nil -	- Nil.	
The Great Ship Company - -	3	- -	- -	- - -	Particulars not obtainable.
West Hartlepool Steam Navigation Company.	Nil	Nil	- Nil -	- Nil.	
Malcomson, Brothers, Portlaw, Waterford.	5	171	- Nil -	- Nil.	
Wm. M. Moss, Merchant, Liverpool -	1	Nil	- Nil -	- Nil.	
Bryce Allan, Merchant, Liverpool - -	3	605	- Nil -	- Nil.	
G. M. Papayanni, Merchant, Liverpool	1	1	- Nil -	- Nil.	
G. Duncan, Esq., 2, East India Avenue, London.	1	Nil	- Nil -	- Nil.	
Geo. G. Gilbert, Esq., 3, Abchurch-lane, London.	2	Nil	- Nil -	- Nil.	
Alfred Holt, Shipowner, Liverpool -	2	1	- Nil -	- Nil.	
Sir Samuel Cunard, 26, Princes-gardens, London.	1	Nil	- Nil -	- Nil.	
J. Galsworthy, Esq., Old Jewry Chambers, London.	Nil	Nil	- Nil -	- Nil.	
C. R. Stock, Esq., Clifford's Inn, London.	4	- -	- -	- - -	Information not received.
F. Sewell, Esq., 27, Leadenhall-street, London.	1	- -	- -	- - -	Information not received.

General Register and Record Office of Shipping and Seamen,
London, 2 June 1864.

SYNOPSIS.

COMPANIES AND OWNERS.	VOYAGES FROM NORTH AMERICA TO THE UNITED KINGDOM.				
	Total Number of Voyages.	Total Number of Passengers.	Average Amount Received or Earned for any Imperial or Colonial Subsidies, per Voyage.	Total Amount Received or Earned for Ship Letters, or for any Imperial or Colonial Subsidies.	REMARKS.
			£. s. d.	£. s. d.	
British and North American Royal Mail Steam Ship Company.	67	5,587	- -	6 4 5½	Fourteen voyages, for which the sum of 6 *l.* 4 *s.* 5½ *d.* was received for ship letters; and 53 voyages for which no particulars are rendered by the Company.
Liverpool, New York, and Philadelphia Steam Ship Company.	74	7,980	- -	- - -	Ocean postage of 8 *d.* per ½ oz. received from the United States Government.
Montreal Ocean Steam Ship Company	61	2,924	820 - -	39,360 - -	Forty-eight voyages upon subsidy, and 13 voyages without subsidy or ship letters.
Atlantic Royal Mail Steam Navigation Company.	8	429	1,336 7 9	10,691 2 2	Eight voyages upon subsidy.
Anchor Line of Transatlantic Steam Packet Ships.	10	291	- Nil -	- Nil.	
National Steam Navigation Company	7	Nil	- Nil -	- Nil.	
The Great Ship Company - -	4	- -	- -	- - -	Particulars not obtained.
West Hartlepool Steam Navigation Company.	1	Nil	- Nil -	- Nil.	
Malcomson, Brothers, Portlaw, Waterford.	4	214	- Nil -	- Nil.	
Wm. M. Moss, Merchant, Liverpool -	1	16	- Nil -	- Nil.	
Bryce Allan, Merchant, Liverpool -	3	64	- Nil -	- Nil.	
G. M. Papayanni, Merchant, Liverpool	1	58	- Nil -	- Nil.	
G. Duncan, Esq., 2, East India Avenue, London.	1	Nil	- Nil -	- Nil.	
Geo. G. Gilbert, Esq., 3, Abchurch-lane, London.	Nil	Nil	- Nil -	- Nil.	
Alfred Holt, Shipowner, Liverpool -	1	Nil	- Nil -	- Nil.	
Sir Samuel Cunard, 26, Princes-gardens, London.	Nil	Nil	- Nil -	- Nil.	
J. Galsworthy, Esq., Old Jewry Chambers, London.	1	Nil	- Nil -	- Nil.	
C. R. Stock, Esq., Clifford's Inn, London.	4	- -	- -	- - -	Information not received.
F. Sewell, Esq., 27, Leadenhall-street, London.	1	- -	- -	- - -	Information ot received.

John J. Mayo,
Registrar General of Shipping and Seamen.

RETURN FROM THE POST OFFICE - - - - - - -

RETURN of all STEAMERS carrying MAILS between the *United Kingdom* and *North America*, with their Arrival of the Mails by each Steamer from and at *London* and *New York* respectively, with the Time Companies they belonged, and whether subsidized or carrying Mails for Postage, from the 1st day of January

Note.—This Return relates only to such Steamers as were Mail Packets; the Post Office possesses no means of furnishing the

OUTWARD MAILS - - - - - - - -

1. Dispatch of Packet.		2.	3.	4.	5.	6.	7. Date of Arrival at Ports of Call.	
Day.	Hour.	Name of Packet.	To what Company Packet belonged.	Whether British or United States.	Port of Departure.	Ports of Call.	Day.	Hour.
1863:	H. M.						1863:	H. M.
1 Jan.	6 30 p.m.	Jura - - -	Montreal Ocean - - - -	British - -	Liverpool -	Londonderry	2 Jan.	1 15 p.m.
3 ,,	9 55 a.m.	China - - -	Cunard - - - - -	ditto - -	- ditto -	Queenstown	4 ,,	8 28 a.m.
7 ,,	0 45 p.m.	Kangaroo - -	Liverpool, New York, and Philadelphia.	United States -	- ditto -	- ditto -	8 ,,	3 30 p.m.
8 ,,	1 25 ,,	Hibernian - -	Montreal Ocean - - - -	British - -	- ditto -	Londonderry	9 ,,	7 0 a.m.
10 ,,	11 15 a.m.	Arabia - - -	Cunard - - - - -	ditto - -	- ditto -	Queenstown Halifax -	11 ,, 20 ,,	10 30 ,, 6 15 ,,
14 ,,	2 0 p.m.	Saxonia - - -	Hamburg American - - -	United States -	Southampton	- -	–	- -
14 ,,	1 30 ,,	Edinburgh - -	Liverpool, New York, and Philadelphia.	- ditto - -	Liverpool -	Queenstown	15 ,,	1 0 p.m.
16 ,,	3 0 a.m.	Norwegian - -	Montreal Ocean - - - -	British - -	- ditto -	Londonderry	17 ,,	1 0 a.m.
17 ,,	8 55 ,,	Australasian - -	Cunard - - - - -	ditto - -	- ditto -	Queenstown	18 ,,	9 0 ,,
21 ,,	1 30 p.m.	City of Manchester -	Liverpool, New York, and Philadelphia.	United States -	- ditto -	- ditto -	23 ,,	8 30 ,,
22 ,,	1 30 ,,	Hansa - - -	North German Lloyd - - -	- ditto - -	Southampton	- -	–	- -
22 ,,	2 0 ,,	Bohemian - -	Montreal Ocean - - - -	British - -	Liverpool -	Londonderry	23 ,,	9 30 a.m.
24 ,,	0 8 ,,	Europa - - -	Cunard - - - - -	ditto - -	- ditto -	Queenstown Halifax -	25 ,, 9 Feb.	10 8 p.m. 6 25 ,,
28 ,,	2 15 ,,	Etna - - -	Liverpool, New York, and Philadelphia.	United States -	- ditto -	Queenstown	29 Jan.	9 0 ,,
29 ,,	3 30 ,,	North American -	Montreal Ocean - - - -	British - -	- ditto -	Londonderry	30 ,,	noon
31 ,,	9 0 a.m.	Asia - - -	Cunard - - - - -	ditto - -	- ditto -	Queenstown	1 Feb.	1 40 p.m.
4 Feb.	11 40 a.m.	Glasgow - - -	Liverpool, New York, and Philadelphia.	United States -	- ditto -	- ditto -	5 ,,	11 0 ,,
5 ,,	0 10 ,,	Nova Scotia - -	Montreal Ocean - - - -	British - -	- ditto -	Londonderry	6 ,,	9 0 a.m.
7 ,,	11 34 ,,	Canada - - -	Cunard - - - - -	ditto - -	- ditto -	Queenstown Halifax -	8 ,, 21 ,,	0 36 p.m. 10 0 a.m.
11 ,,	2 0 p.m.	City of Washington -	Liverpool, New York, and Philadelphia.	United States -	- ditto -	Queenstown	12 ,,	1 0 p.m.
11 ,,	2 0 ,,	Borussia - - -	Hamburg American - - -	- ditto - -	Southampton	- -	–	- -
12 ,,	4 5 ,,	Jura - - -	Montreal Ocean - - - -	British - -	Liverpool -	Londonderry	13 ,,	9 55 a.m.
14 ,,	3 45 ,,	Africa - - -	Cunard - - - - -	ditto - -	- ditto -	Queenstown	15 ,,	4 35 p.m.
18 ,,	noon	City of New York -	Liverpool, New York, and Philadelphia.	United States -	- ditto -	- ditto -	19 ,,	5 30 ,,
19 ,,	11 0 a.m.	New York - -	North German Lloyd - - -	- ditto - -	Southampton	- -	–	- -
19 ,,	0 10 p.m.	Hibernian - -	Montreal Ocean - - - -	British - -	Liverpool -	Londonderry	20 ,,	8 16 a.m.
21 ,,	11 30 a.m.	Arabia - - -	Cunard - - - - -	ditto - -	- ditto -	Queenstown Halifax -	22 ,, 6 Mar.	0 45 p.m. 5 30 a.m.
25 ,,	1 45 p.m.	City of Baltimore -	Liverpool, New York, and Philadelphia.	United States -	- ditto -	Queenstown	26 Feb.	11 40 ,,
26 ,,	4 7 ,,	Anglo Saxon - -	Montreal Ocean - - - -	British - -	- ditto -	Londonderry	27 ,,	noon
28 ,,	3 55 ,,	Australasian - -	Cunard - - - - -	ditto - -	- ditto -	Queenstown	1 Mar.	3 45 p.m.
4 Mar.	11 30 a.m.	Edinburgh - -	Liverpool, New York, and Philadelphia.	United States -	- ditto -	Queenstown	5 ,,	noon
5 ,,	noon	Norwegian - -	Montreal Ocean - - - -	British - -	- ditto -	Londonderry	6 ,,	5 0 a.m.
7 ,,	11 25 a.m.	Europa - - -	Cunard - - - - -	ditto - -	- ditto -	Queenstown Halifax -	8 ,, 22 ,,	3 26 p.m. 11 2 a.m.
11 ,,	1 0 p.m.	Etna - - -	Liverpool, New York, and Philadelphia.	United States -	- ditto -	Queenstown	12 ,,	11 45 ,,
11 ,,	2 0 ,,	Saxonia - - -	Hamburgh American - - -	ditto - -	Southampton	- -	–	- -
12 ,,	3 50 ,,	Bohemian - -	Montreal Ocean - - - -	British - -	Liverpool -	Londonderry	13 ,,	9 50 a.m.
14 ,,	2 15 ,,	Asia - - -	Cunard - - - - -	ditto - -	- ditto -	Queenstown	15 ,,	4 20 p.m.
18 ,,	11 25 a.m.	City of Washington -	Liverpool, New York, and Philadelphia.	United States -	- ditto	- ditto -	19 ,,	10 0 a.m.
18 ,,	2 0 p.m.	Hansa - - -	North German Lloyd - - -	- ditto - -	Southampton	- -	–	- -
19 ,,	11 40 a.m.	Nova Scotian - -	Montreal Ocean - - - -	British - -	Liverpool -	Londonderry	20 ,,	8 25 a.m.
21 ,,	11 15 a.m.	Canada - - -	Cunard - - - - -	ditto - -	- ditto -	Queenstown Halifax -	22 ,, 3 Apr.	0 9 p.m. 3 30 ,,

RETURN FROM THE POST OFFICE.

PORTS of DEPARTURE, CALL, and ARRIVAL, and DURATION of PASSAGE, showing the Dispatch and occupied in Transmission, distinguishing between the *British* and *United States* Packets, and showing to which to the 31st day of December 1863.

information called for in respect to any Steamer which sailed during the period of the Return, but was not a Mail Packet.

OUTWARD MAILS.

8. Date of Departure from Ports of Call.		9. Port of Arrival.	10. Date of Arrival of Packet.		11. Duration of Passage.	12. Total Stoppages at Intermediate Ports.	13. Mails Despatched from London.		14. Mails arrived at New York.		15. Time occupied in Transmission of Mails.	16. Whether Packet Subsidized, or Carrying Mails for Postage.
Day.	Hour.		Day.	Hour.			Day.	Hour.	Day.	Hour.		
1863:	H. M.		1863:	H. M.	D. H.	HOURS.	1863:	H. M.	1863:	H. M.	D. H.	
2 Jan.	6 0 p.m.	Portland -	13 Jan.	5 30 p.m.	11 23	4¾	1 Jan.	8 0 p.m.	14 Jan.	11 0 p.m.	13 3	Subsidized.
4 ,,	4 12 ,,	New York -	14 ,,	11 0 a.m.	11 1	7¾	3 ,,	8 0 ,,	14 ,,	11 0 a.m.	10 15	- ditto.
8 ,,	6 30 ,,	- ditto -	20 ,,	11 45 p.m.	13 11	1	7 ,,	8 0 ,,	20 ,,	11 45 p.m.	13 3¾	For postage.
9 ,,	5 25 ,,	Portland -	19 ,,	9 0 ,,	11 7½	10½	8 ,,	8 0 ,,	20 ,,	11 0 ,,	12 3	Subsidized.
11 ,,	4 5 ,,	Boston -	21 ,,	3 10 ,,	11 4	9½	10 ,,	8 0 ,,	22 ,,	6 20 a.m.	11 10¼	- ditto.
20 ,,	10 0 a.m,											
-	- -	New York -	27 ,,	2 5 ,,	13 0	- -	14 ,,	9 45 a.m.	27 ,,	2 5 p.m.	13 4¼	For postage.
15 ,,	4 30 p.m.	- ditto -	29 ,,	11 55 a.m.	14 21½	3½	14 ,,	8 0 p.m.	29 ,,	11 5 a.m.	14 15	- ditto.
17 ,,	6 0 a.m.	Portland -	1 Feb.	9 0 p.m.	16 18	5	15 ,,	8 0 ,,	2 Feb.	11 25 p.m.	18 3½	Subsidized.
18 ,,	4 5 p.m.	New York -	1 ,,	5 20 ,,	15 8½	7	17 ,,	8 0 ,,	1 ,,	5 20 ,,	14 21¼	- ditto.
23 ,,	2 30 ,,	- ditto -	10 ,,	not stated.	-	6	21 ,,	8 0 ,,	10 ,,	not stated	- -	For postage.
-	- -	- ditto -	8 ,,	9 0 a.m.	16 19½	- -	21 ,,	9 45 a.m.	8 ,,	9 0 a.m.	17 23¼	- ditto.
23 ,,	5 15 p.m.	Portland -	11 ,,	5 0 a.m.	19 15	7¾	22 ,,	8 0 ,,	11 ,,	11 5 p.m.	20 3	Subsidized.
25 ,,	11 5 ,,	Boston -	11 ,,	3 0 p.m.	18 3	4¾	24 ,,	8 0 ,,	12 ,,	11 55 ,,	19 4	- ditto.
9 Feb.	10 15 ,,											
29 Jan.	10 0 ,,	New York -	13 ,,	6 10 a.m.	15 16	1	28 ,,	8 0 ,,	13 ,,	6 10 a.m.	15 10¼	For postage.
30 ,,	5 45 ,,	Portland -	16 ,,	4 30 p.m.	18 1	5¾	29 ,,	8 0 ,,	17 ,,	11 0 p.m.	19 3	Subsidized.
1 Feb.	5 5 ,,	New York -	15 ,,	10 0 a.m.	15 1	3½	31 ,,	8 0 ,,	15 ,,	10 0 a.m.	14 14	- ditto.
6 ,,	9 30 a.m.	- ditto .	26 ,,	6 30 ,,	21 18¾	10½	4 Feb.	8 0 ,,	26 ,,	6 30 ,,	21 10½	For postage.
6 ,,	5 10 p.m.	Portland -	23 ,,	3 30 ,,	18 3¼	8¼	5 ,,	8 0 ,,	23 ,,	11 55 p.m.	18 4	Subsidized.
8 ,,	4 20 ,,	Boston -	23 ,,	9 45 ,,	15 22¼	8	7 ,,	8 0 ,,	23 ,,	6 30 a.m.	15 10½	- ditto.
21 ,,	2 15 ,,											
12 ,,	5 25 ,,	New York -	25 ,,	11 45 p.m.	14 9¾	4½	11 ,,	8 0 ,,	25 ,,	11 45 p.m.	14 3¾	For postage.
-	- -	- ditto -	25 Feb.	11 0 p.m.	14 9	- -	11 ,,	9 45 a.m.	25 ,,	11 0 ,,	14 13¼	For postage.
13 ,,	5 0 p.m.	Portland -	25 ,,	10 0 a.m.	12 18	7	12 ,,	8 0 p.m.	26 ,,	6 30 a.m.	13 10½	Subsidized.
15 ,,	5 18 ,,	New York -	28 ,,	9 0 ,,	13 17¼	0¾	14 ,,	8 0 ,,	28 ,,	9 0 ,,	13 13	- ditto.
19 ,,	8 0 ,,	- ditto -	5 Mar.	9 25 ,,	14 21½	2½	18 ,,	8 0 ,,	5 Mar.	9 25 ,,	14 13½	For postage.
-	- -	- ditto -	5 ,,	9 0 p.m.	14 10	- -	18 ,,	9 45 a.m.	5 ,,	9 0 p.m.	15 11¼	- ditto.
20 ,,	5 18 p.m.	Portland -	4 ,,	6 30 ,,	12 6¼	9	19 ,,	8 0 p.m.	5 ,,	11 10 ,,	14 3¼	Subsidized.
22 ,,	4 15 ,,	Boston -	8 ,,	9 0 a.m.	14 21¾	10¾	21 ,,	8 0 ,,	9 ,,	9 40 a.m.	15 13¾	- ditto.
6 Mar.	0 40 ,,											
26 Feb.	3 50 ,,	New York -	12 ,,	1 50 ,,	14 12	4¼	25 ,,	8 0 ,,	12 ,,	1 50 ,,	14 5¾	For postage.
27 ,,	5 40 ,,	Portland -	12 ,,	3 15 p.m.	13 23¼	5¾	26 ,,	8 0 ,,	14 ,,	6 25 a.m.	15 10½	Subsidized.
1 Mar.	5 23 ,,	New York -	13 ,,	5 30 ,,	13 1½	1½	28 ,,	8 0 ,,	13 ,,	5 30 p.m.	12 21½	ditto.
5 ,,	5 10 ,,	- ditto -	21 ,,	10 35 ,,	17 11	5¼	4 Mar.	8 0 ,,	21 ,,	10 35 ,,	17 2½	For postage.
6 ,,	5 0 ,,	Portland -	20 ,,	2 15 ,,	15 2¼	12	5 ,,	8 0 ,,	21 ,,	11 0 ,,	16 3	Subsidized.
8 ,,	4 25 ,,	Boston -	24 ,,	6 16 a.m.	16 8¾	6¼	7 ,,	8 0 ,,	24 ,,	5 20 ,,	16 21¼	- ditto.
22 ,,	4 17 ,,											
12 ,,	5 0 ,,	New York -	26 ,,	6 45 ,,	14 17¾	5¼	11 ,,	8 0 ,,	26 ,,	6 45 a.m.	14 10¾	For postage.
-	- -	- ditto -	26 ,,	1 55 p.m.	15 0	- -	11 ,,	9 45 a.m.	26 ,,	1 55 p.m.	15 3¼	- ditto.
13 ,,	5 0 p.m.	Portland -	27 ,,	9 45 a.m.	14 18	7¼	12 ,,	8 0 p.m.	26 ,,	5 45 a.m.	13 9¾	Subsidized.
15 ,,	4 50 ,,	New York -	28 ,,	10 45 ,,	13 20½	0½	14 ,,	8 0 ,,	28 ,,	10 45 ,,	13 14¾	- ditto.
19 ,,	4 0 ,,	ditto -	1 Apr.	0 45 ,,	13 13¼	6	18 ,,	8 0 ,,	1 Apr.	0 45 ,,	13 4¾	For postage.
-	- -	- ditto -	31 Mar.	4 35 p.m.	13 2½	- -	18 ,,	9 45 a.m.	31 Mar.	4 35 p.m.	13 6¾	- ditto.
21 ,,	3 20 a.m.	Portland -	4 Apr.	4 0 ,,	16 4¼	19	19 ,,	8 0 p.m.	6 Apr.	11 30 ,,	18 3½	Subsidized.
22 ,,	5 6 p.m.	Boston -	5 ,,	10 24 a.m.	14 23¼	8¼	21 ,,	8 0 ,,	6 ,,	4 30 a.m.	15 8½	- ditto.
3 April	6 46 ,,											

OUTWARD MAILS—*continued.*

1. Dispatch of Packet. Day.	1. Dispatch of Packet. Hour.	2. Name of Packet.	3. To what Company Packet belonged.	4. Whether British or United States.	5. Port of Departure.	6. Ports of Call.	7. Date of Arrival at Ports of Call. Day.	7. Date of Arrival at Ports of Call. Hour.
1863:	H. M.						1863:	H. M.
25 Mar.	0 45 p.m.	Glasgow	Liverpool, New York, and Philadelphia.	United States	Liverpool	Queenstown	26 Mar.	4 0 p.m.
26 „	3 45 „	North American	Montreal Ocean	British	ditto	Londonderry	27 „	11 36 a.m.
28 „	1 48 „	Africa	Cunard	ditto	ditto	Queenstown	29 „	3 50 p.m.
1 April	7 45 „	City of New York	Liverpool, New York, and Philadelphia.	United States	ditto	ditto	2 Apr.	4 0 „
2 „	5 40 „	Hibernian	Montreal Ocean	British	ditto	Londonderry	3 „	1 30 „
4 „	9 40 a.m.	Arabia	Cunard	ditto	ditto	Queenstown	5 „	3 0 „
						Halifax	16 „	6 30 „
8 „	2 0 p.m.	Hammonia	Hamburg, American	United States	Southampton	–	–	–
8 „	0 40 „	City of Baltimore	Liverpool, New York, and Philadelphia.	ditto	Liverpool	Queenstown	9 Apr.	0 30 p.m.
9 „	4 15 „	Jura	Montreal Ocean	British	ditto	Londonderry	10 „	8 0 a.m.
11 „	1 45 „	Persia	Cunard	ditto	ditto	Queenstown	12 „	11 50 „
15 „	4 45 „	Edinburgh	Liverpool, New York, and Philadelphia.	United States	ditto	ditto	16 „	5 0 p.m.
15 „	2 0 „	New York	North German Lloyd	ditto	Southampton	–	–	–
16 „	5 0 „	Anglo Saxon	Montreal Ocean	British	Liverpool	Londonderry	–	–
18 „	10 28 a.m.	Europa	Cunard	ditto	ditto	Queenstown	19 Apr.	11 26 a.m.
						Halifax	30 „	11 25 „
22 „	2 0 p.m.	Etna	Liverpool, New York, and Philadelphia.	United States	ditto	Queenstown	23 „	noon
23 „	2 45 „	Norwegian	Montreal Ocean	British	ditto	Londonderry	24 „	8 20 a.m.
25 „	0 50 „	Australasian	Cunard	ditto	ditto	Queenstown	26 „	9 25 „
29 „	4 45 „	City of Washington	Liverpool, New York, and Philadelphia.	United States	ditto	ditto	30 „	2 0 p.m.
30 „	4 45 „	Bohemian	Montreal Ocean	British	ditto	Londonderry	1 May	0 35 „
2 May	9 15 a.m.	America	Cunard	ditto	ditto	Queenstown	3 „	11 25 a.m.
						Halifax	14 „	10 20 „
6 „	2 0 p.m.	Borussia	Hamburg, American	United States	Southampton	–	–	–
6 „	0 45 „	City of New York	Liverpool, New York, and Philadelphia.	ditto	Liverpool	Queenstown	7 May	8 15 a.m.
7 „	4 20 „	North American	Montreal Ocean	British	ditto	Londonderry	8 „	7 45 „
9 „	0 40 „	China	Cunard	ditto	ditto	Queenstown	10 „	10 50 „
13 „	3 45 „	City of Baltimore	Liverpool, New York, and Philadelphia.	United States	ditto	ditto	14 „	5 0 p.m.
13 „	2 0 „	Hansa	North German Lloyd	ditto	Southampton	–	–	–
14 „	4 0 „	Hibernian	Montreal Ocean	British	Liverpool	Londonderry	15 May	noon
16 „	10 0 a.m.	Asia	Cunard	ditto	ditto	Queenstown	17 „	10 33 a.m.
						Halifax	25 „	8 5 p.m.
20 „	0 50 p.m.	Edinburgh	Liverpool, New York, and Philadelphia.	United States	ditto	Queenstown	21 „	10 0 a.m.
21 „	1 45 „	Jura	Montreal Ocean	British	ditto	Londonderry	No return	–
23 „	11 50 a.m.	Persia	Cunard	ditto	ditto	Queenstown	24 May	8 25 a.m.
27 „	3 50 p.m.	Glasgow	Liverpool, New York, and Philadelphia.	United States	ditto	ditto	28 „	5 30 p.m.
27 „	2 0 „	America	North German Lloyd	ditto	Southampton	–	–	–
28 „	6 30 „	Nova Scotian	Montreal Ocean	British	Liverpool	Londonderry	29 May	1 45 p.m.
30 „	9 12 a.m.	Africa	Cunard	ditto	ditto	Queenstown	31 „	9 30 a.m.
						Halifax	9 June	3 0 p.m.
3 June	0 35 p.m.	City of Manchester	Liverpool, New York, and Philadelphia.	United States	ditto	Queenstown	4 „	10 0 a.m.
4 „	3 0 „	Norwegian*	Montreal Ocean	British	ditto	Londonderry	5 „	7 30 „
6 „	0 32 „	Scotia	Cunard	ditto	ditto	Queenstown	7 „	9 28 „
10 „	4 0 „	City of New York	Liverpool, New York, and Philadelphia.	United States	ditto	ditto	11 „	10 0 „
10 „	2 0 „	Bremen	North German Lloyd	ditto	Southampton	–	–	–
11 „	4 30 „	Bohemian	Montreal Ocean	British	Liverpool	Londonderry	12 June	10 30 a.m.
13 „	8 38 a.m.	Canada	Cunard	ditto	ditto	Queenstown	14 „	10 27 „
						Halifax	24 „	3 26 p.m.
17 „	0 45 p.m.	City of Baltimore	Liverpool, New York, and Philadelphia.	United States	ditto	Queenstown	18 „	11 30 a.m.
18 „	0 30 „	North American	Montreal Ocean	British	ditto	Londonderry	19 „	5 40 „
20 „	11 22 a.m.	China	Cunard	ditto	ditto	Queenstown	21 „	8 40 „
24 „	2 45 p.m.	City of Washington	Liverpool, New York, and Philadelphia.	United States	ditto	ditto	25 „	noon
25 „	4 30 „	Hibernian	Montreal Ocean	British	ditto	Londonderry	26 „	11 0 a.m.
27 „	3 55 „	Asia	Cunard	ditto	ditto	Queenstown	28 „	4 0 p.m.
						Halifax	7 July	8 13 a.m.
1 July	11 30 a.m.	Edinburgh	Liverpool, New York, and Philadelphia.	United States	ditto	Queenstown	2 „	1 10 p.m.
1 „	2 0 p.m.	Borussia	Hamburg, American	ditto	Southampton	–	–	–
2 „	0 19 „	Jura	Montreal Ocean	British	Liverpool	Londonderry	3 July	6 50 a.m.
4 „	11 38 a.m.	Persia	Cunard	ditto	ditto	Queenstown	5 „	8 30 „
8 „	2 0 p.m.	Hansa	North German Lloyd	United States	Southampton	–	–	–
8 „	3 30 „	City of London	Liverpool, New York, and Philadelphia.	ditto	Liverpool	Queenstown	9 July	2 30 p.m.

* Wrecked on St. Paul's Island, 14 June.

OUTWARD MAILS—*continued.*

8. Date of Departure from Ports of Call.		9. Port of Arrival.	10. Date of Arrival of Packet.		11. Duration of Passage.	12. Total Stoppages at Intermediate Ports.	13. Mails Dispatched from London.		14. Mails Arrived at New York.		15. Time occupied in Transmission of Mails.	16. Whether Packet Subsidized, or Carrying Mails for Postage.
Day.	Hour.		Day.	Hour.			Day.	Hour.	Day.	Hour.		
1863:	H. M.		1863.	H. M.	D. H.	HOURS.	1863:	H. M.	1863:	H. M.	D. H.	
26 Mar.	7 15 p.m.	New York -	11 April	10 35 a.m.	16 21¾	3¼	25 Mar.	8 0 p.m.	11 April	10 35 a.m.	16 14½	For postage.
28 „	5 36 a.m.	Portland -	11 „	8 0 p.m.	16 4¼	18	26 „	8 0 „	14 „	1 35 „	18 5½	Subsidized.
29 „	4 15 p.m.	New York -	11 „	11 20 a.m.	13 21½	0½	28 „	8 0 „	11 „	11 20 „	13 15¼	- ditto.
2 April	10 30 „	- ditto -	14 „	11 35 „	12 15¾	6½	1 April	8 0 „	14 „	11 35 „	12 15½	For postage.
3 „	5 20 „	Portland -	18 „	7 30 „	15 13¾	3¾	2 „	8 0 „	18 „	11 0 p.m.	16 3	Subsidized.
5 „	4 35 „	Boston -	18 „	3 10 p.m.	14 5½	9¼	4 „	8 0 „	19 „	6 0 a.m.	14 10	- ditto.
17 „	2 17 a.m.											
–	–	New York -	21 „	9 30 „	13 7½	- -	8 „	9 45 a.m.	21 „	9 30 p.m.	13 11¾	For postage.
9 April	4 15 p.m.	- ditto -	21 „	6 35 „	13 6	3¾	8 „	8 0 p.m.	21 „	6 35 „	12 22½	- ditto.
10 „	5 20 „	Portland -	21 „	11 30 a.m.	11 19¼	9¼	9 „	8 0 „	22 „	11 25 „	13 3½	Subsidized.
12 „	4 10 „	New York -	22 „	11 58 „	10 22¼	4¼	11 „	8 0 „	22 „	11 58 „	11 4	- ditto.
16 „	7 30 „	- ditto -	29 „	7 15 p.m.	14 2½	2½	15 „	8 0 „	29 „	7 15 a.m.	13 11¼	For postage.
–	- -	- ditto -	29 „	8 20 a.m.	13 18¼	- -	15 „	9 45 a.m.	29 „	8 20 „	13 22½	- ditto.
–	- -	Vessel wrecked off Cape Race.			–	- -	16 „	8 0 p.m.	–	- -	- -	Subsidized.
19 April	4 19 p.m.	Boston -	2 May	5 15 a.m.	13 18¾	11¼	18 „	8 0 „	2 May	6 30 p.m.	13 22½	- ditto.
30 „	5 45 „											
23 „	4 30 „	New York -	4 „	2 30 p.m.	12 0½	4½	22 „	8 0 „	4 „	2 30 „	11 18½	For postage.
24 „	4 55 „	Quebec -	8 „	1 30 a.m.	14 10¾	8½	23 „	8 0 „	11 „	2 50 „	17 18¾	Subsidized.
26 „	4 25 „	New York -	6 „	8 10 „	10 19¼	7	25 „	8 0 „	6 „	8 10 a.m.	10 12¼	- ditto.
30 „	6 0 „	- ditto -	12 „	2 50 p.m.	12 21½	4	29 „	8 0 „	12 „	2 50 p.m.	12 18¾	For postage.
1 May	5 15 „	Quebec -	14 „	5 45 „	14 1	4¾	30 „	8 0 „	16 „	2 45 „	15 18¾	Subsidized.
3 „	4 15 „	Boston -	16 „	5 20 a.m.	13 20	12	2 May	8 0 „	16 „	5 45 „	13 21¾	- ditto.
14 „	5 25 „											
–	–	New York -	21 „	11 35 p.m.	15 9½	- -	6 „	9 45 a.m.	21 „	11 35 „	15 13¾	For postage.
7 May	4 20 p.m.	- ditto -	18 „	5 45 a.m.	11 17	8	6 „	8 0 p.m.	18 „	5 45 a.m.	11 9¾	- ditto.
8 „	4 45 „	Quebec -	22 „	5 0 p.m.	15 0¾	9	7 „	8 0 „	25 „	2 55 p.m.	17 19	Subsidized.
10 „	4 30 „	New York -	22 „	7 30 a.m.	12 18¾	5¾	9 „	8 0 „	22 „	7 30 a.m.	12 11½	- ditto.
14 „	8 0 „	- ditto -	26 „	3 30 „	12 11¾	3	13 „	8 0 „	26 „	3 30 „	12 7½	For postage.
–	–	- ditto -	25 „	4 25 p.m.	12 2½	- -	13 „	9 45 a.m.	25 „	4 25 p.m.	12 6¾	- ditto.
15 May	5 0 p.m.	Quebec -	25 „	5 0 „	11 1	5	14 „	8 0 p.m.	27 „	2 15 „	12 18¼	Subsidized.
17 „	4 15 „	Boston -	27 „	11 0 a.m.	11 1	13½	16 „	8 0 „	27 „	11 10 „	11 3¼	- ditto.
26 „	4 0 a.m.											
21 „	3 45 p.m.	New York -	3 June	10 10 „	13 21¼	5¾	20 „	8 0 „	3 June	10 10 a.m.	13 14¼	For postage.
–	–	Quebec -	–	- No return -		- -	21 „	8 0 „	3 „	2 25 p.m.	12 18½	Subsidized.
24 May	4 22p. m.	New York -	3 „	6 30 a.m.	10 18¾	8	23 „	8 0 „	3 „	6 30 a.m.	10 10½	- ditto.
28 „	8 0 „	- ditto -	11 „	2 5 p.m.	14 22¼	2½	27 „	8 0 „	11 „	2 5 p.m.	14 18	For postage.
–	–	- ditto -	7 „	7 15 a.m.	10 17½	- -	27 „	9 45 a.m.	7 „	7 15 a.m.	10 21½	- ditto.
29 May	5 60 p.m.	Quebec -	11 „	5 30 „	13 11	3¾	28 „	8 0 p.m.	14 „	2 30 p.m.	16 18½	Subsidized.
31 „	4 10 „	Boston -	11 „	5 45 „	11 20½	12¼	30 „	8 0 „	11 „	5 20 „	11 21¼	- ditto.
9 June	8 30 „											
4 „	4 15 „	New York -	18 „	1 30 p.m.	15 1	6¼	3 June	8 0 „	18 „	1 30 „	14 17½	For postage.
5 „	4 35 „	- -	–	–	–	- -	4 „	8 0 „	25 „	6 35 a.m.	20 10½	Subsidized.
7 „	4 35 „	New York -	16 „	8 20 a.m.	9 19¾	7	6 „	8 0 „	16 „	8 20 „	9 12¼	- ditto.
11 „	4 0 „	- ditto -	21 „	4 30 p.m.	11 0½	6	10 „	8 0 „	21 „	4 30 p.m.	10 20½	For postage.
–	–	- ditto -	23 „	10 55 a.m.	12 21	- -	10 „	9 45 a.m.	23 „	10 55 a.m.	13 1¼	- dttto.
12 June	4 50 p.m.	Quebec -	23 „	9 30 „	11 17	6¼	11 „	8 0 p.m.	25 „	6 35 „	13 10½	Subsidized.
14 „	3 55 „	Boston -	26 „	7 18 „	12 22¾	11¼	13 „	8 0 „	26 „	5 20 p.m.	12 21¼	- ditto.
24 „	9 20 „											
18 „	4 0 „	New York -	30 „	2 10 p.m.	13 1½	4½	17 „	8 0 „	30 „	2 10 „	12 18¼	For postage.
19 „	4 40 „	Quebec -	1 July	8 15 „	13 7¾	11	18 „	8 0 „	3 July	2 30 „	14 18½	Subsidized.
21 „	4 15 „	New York -	1 „	3 45 „	11 4½	7½	20 „	8 0 „	1 „	3 45 „	10 19¾	- ditto.
25 „	4 0 „	- ditto -	6 „	0 45 „	12 0	4	24 „	8 0 „	6 „	0 45 „	11 16¾	For postage.
26 „	5 30 „	Quebec -	7 „	10 15 a.m.	11 17¾	6½	25 „	8 0 „	9 „	6 30 a.m.	13 10½	Subsidized.
28 „	4 17 „	Boston -	9 „	5 7 „	11 13¼	7½	27 „	8 0 „	9 „	5 25 p.m.	11 21½	- ditto.
7 July	3 21 „											
2 „	4 10 „	New York -	15 „	4 0 p.m.	14 4½	3	1 July	8 0 „	15 „	4 0 „	13 20	For postage.
–	–	- ditto -	15 „	0 40 a.m.	14 10¾	- -	1 „	9 45 a.m.	15 „	0 40 a.m.	13 15	- ditto.
3 July	5 5 p.m.	Quebec -	15 „	7 30 p.m.	13 7¼	10¼	2 „	8 0 p.m.	17 „	2 40 p.m.	14 18¾	Subsidized.
5 „	4 5 „	New York -	14 „	9 0 „	10 9¼	7½	4 „	8 0 „	14 „	9 0 „	10 1	- ditto.
–	–	- ditto -	19 „	8 20 a.m.	10 18¼	- -	8 „	9 45 a.m.	19 „	8 20 a.m.	10 22½	For postage.
9 July	6 0 p.m.	- ditto -	19 „	3 20 p.m.	10 23¼	3½	8 „	8 0 p.m.	19 „	3 20 p.m.	10 19¼	- ditto.

OUTWARD MAILS—*continued.*

1. Dispatch of Packet. Day.	1. Dispatch of Packet. Hour.	2. Name of Packet.	3. To what Company Packet belonged.	4. Whether British or United States.	5. Port of Departure.	6. Ports of Call.	7. Date of Arrival at Ports of Call. Day.	7. Date of Arrival at Ports of Call. Hour.
1863:	H. M.						1863:	H. M.
9 July	4 0 p.m.	Nova Scotian	Montreal Ocean	British	Liverpool	Londonderry	10 July	11 0 a.m.
11 ,,	4 8 ,,	Africa	Cunard	ditto	ditto	Queenstown	12 ,,	3 0 p.m.
						Halifax	20 ,,	5 10 ,,
15 ,,	noon	City of New York	Liverpool, New York, and Philadelphia.	United States	ditto	Queenstown	16 ,,	8 0 a.m.
16 ,,	noon	Damascus	Montreal Ocean	British	ditto	Londonderry	17 ,,	8 0 ,,
18 ,,	11 8 a.m.	Scotia	Cunard	ditto	ditto	Queenstown	19 ,,	7 10 ,,
22 ,,	1 0 p.m.	City of Manchester	Liverpool, New York, and Philadelphia.	United States	ditto	ditto	23 ,,	noon
22 ,,	2 0 ,,	America	North German Lloyd	ditto	Southampton	–	–	–
23 ,,	3 15 ,,	ditto	Montreal Ocean	British	Liverpool	Londonderry	24 July	not stated
25 ,,	1 16 ,,	Arabia	Cunard	ditto	ditto	Queenstown	26 ,,	0 18 p.m.
						Halifax	3 Aug.	4 20 ,,
29 ,,	2 0 ,,	Saxonia	Hamburg American	United States	Southampton	–	–	–
29 ,,	5 30 ,,	Glasgow	Liverpool, New York, and Philadelphia.	ditto	Liverpool	Queenstown	30 July	5 30 p.m.
30 ,,	11 0 a.m.	Bohemian	Montreal Ocean	British	ditto	Londonderry	31 ,,	5 15 a.m.
1 Aug.	11 0 ,,	China	Cunard	ditto	ditto	Queenstown	2 Aug.	7 38 ,,
5 ,,	0 50 p.m.	City of Washington	Liverpool, New York, and Philadelphia.	United States	ditto	ditto	6 ,,	1 0 p.m.
5 ,,	2 0 ,,	Bremen	North Germn Lloyd	ditto	Southampton	–	–	–
6 ,,	3 50 ,,	Hibernian	Montreal Ocean	British	Liverpool	Londonderry	7 Aug.	noon
8 ,,	2 36 ,,	Asia	Cunard	ditto	ditto	Queenstown	9 ,,	3 46 p.m.
						Halifax	18 ,,	2 0 ,,
12 ,,	6 0 ,,	City of Baltimore	Liverpool, New York, and Philadelphia.	United States	ditto	Queenstown	13 ,,	1 5 ,,
13 ,,	11 35 a.m.	North American	Montreal Ocean	British	ditto	Londonderry	14 ,,	5 45 a.m.
15 ,,	10 40 ,,	Persia	Cunard	ditto	ditto	Queenstown	16 ,,	11 37 ,,
18 ,,	2 30 p.m.	Hibernia	Atlantic Royal Mail	ditto	Galway	St. John's	26 ,,	0 30 ,,
19 ,,	1 15 ,,	City of London	Liverpool, New York, and Philadelphia.	United States	Liverpool	Queenstown	20 ,,	9 30 ,,
20 ,,	3 45 ,,	Jura	Montreal Ocean	British	ditto	Londonderry	21 ,,	9 0 ,,
22 ,,	1 24 ,,	Africa	Cunard	ditto	ditto	Queenstown	23 ,,	0 45 p.m.
						Halifax	1 Sept.	noon
26 ,,	2 0 ,,	Germania	Hamburg American	United States	Southampton	–	–	–
26 ,,	5 30 ,,	City of New York	Liverpool, New York, and Philadelphia.	ditto	Liverpool	Queenstown	27 Aug.	noon
27 ,,	10 20 a.m.	Nova Scotian	Montreal Ocean	British	ditto	Londonderry	28 ,,	4 50 a.m.
29 ,,	10 52 ,,	Scotia	Cunard	ditto	ditto	Queenstown	30 ,,	6 5 ,,
1 Sept.	2 55 p.m.	Adriatic	Atlantic Royal Mail	ditto	Galway	St. John's	8 Sept.	10 20 ,,
2 ,,	1 0 ,,	City of Manchester	Liverpool, New York, and Philadelphia.	United States	Liverpool	Queenstown	3 ,,	3 15 p.m.
2 ,,	2 0 ,,	Hansa	North German Lloyd	ditto	Southampton	–	–	–
3 ,,	3 10 ,,	Damascus	Montreal Ocean	British	Liverpool	Londonderry	4 Sept.	9 40 a.m.
5 ,,	1 4 ,,	Arabia	Cunard	ditto	ditto	Queenstown	6 ,,	2 25 p.m.
						Halifax	15 ,,	7 24 a.m.
9 ,,	5 30 ,,	Etna	Liverpool, New York, and Philadelphia.	United States	ditto	Queenstown	10 ,,	3 20 p.m.
10 ,,	5 15 ,,	America	North German Lloyd	ditto	Southampton	–	–	–
10 ,,	5 0 ,,	ditto	Montreal Ocean	British	Liverpool	Londonderry	11 Sept.	3 0 p.m.
12 ,,	10 0 a.m.	China	Cunard	ditto	ditto	Queenstown	13 ,,	6 44 a.m.
15 ,,	2 19 p.m.	Anglia	Atlantic Royal Mail	ditto	Galway	St. John's	23 ,,	8 50 ,,
16 ,,	1 30 ,,	City of Washington	Liverpool, New York, and Philadelphia.	United States	Liverpool	Queenstown	17 ,,	1 0 p.m.
17 ,,	2 5 ,,	Bohemian	Montreal Ocean	British	ditto	Londonderry	18 ,,	8 0 a.m.
19 ,,	0 42 ,,	Europa	Cunard	ditto	ditto	Queenstown	20 ,,	6 30 p.m.
						Halifax	1 Oct.	7 38 a.m.
23 ,,	2 0 ,,	Saxonia	Hamburg American	United States	Southampton	–	–	–
23 ,,	4 10 ,,	City of London	Liverpool, New York, and Philadelphia.	ditto	Liverpool	Queenstown	24 Sept.	11 0 a.m.
24 ,,	4 45 ,,	North American	Montreal Ocean	British	ditto	Londonderry	25 ,,	0 30 p.m.
26 ,,	9 55 a.m.	Persia	Cunard	ditto	ditto	Queenstown	27 ,,	10 30 a.m.
29 ,,	2 35 p.m.	Columbia	Atlantic Royal Mail	ditto	Galway	St. John's	7 Oct.	9 0 p.m.
30 ,,	1 0 ,,	City of Baltimore	Liverpool, New York, and Philadelphia.	United States	Liverpool	Queenstown	1 ,,	1 0 ,,
30 ,,	2 0 ,,	Bremen	North German Lloyd	ditto	Southampton	–	–	–
1 Oct.	2 5 ,,	Jura	Montreal Ocean	British	Liverpool	Londonderry	2 Oct.	8 30 a.m.
3 ,,	0 6 ,,	*Africa	Cunard	ditto	ditto	Queenstown	4 ,,	0 46 p.m.
7 ,,	3 40 ,,	City of New York	Liverpool, New York, and Philadelphia.	United States	ditto	ditto	8 ,,	11 0 a.m.
8 ,,	8 0 ,,	Hibernian	Montreal Ocean	British	ditto	Londonderry	9 ,,	1 50 p.m.
10 ,,	9 55 a.m.	Scotia	Cunard	ditto	ditto	Queenstown	11 ,,	7 22 a.m.
13 ,,	2 30 p.m.	Hibernia	Atlantic Royal Mail	ditto	Galway	St. John's	20 ,,	5 40 p.m.
14 ,,	0 45 ,,	Etna	Liverpool, New York, and Philadelphia.	United States	Liverpool	Queenstown	15 ,,	4 30 ,,
15 ,,	1 0 ,,	Damascus	Montreal Ocean	British	ditto	Londonderry	16 ,,	8 20 a.m.
17 ,,	11 28 a.m.	Canada	Cunard	ditto	ditto	Queenstown	19 ,,	7 26 ,,
						Halifax	28 ,,	6 30 ,,

* "Africa" went ashore off Cape Race; mails sent on by H. M. S. "Vesuvius," from St. John's.

OUTWARD MAILS—*continued.*

8. Date of Departure from Ports of Call.		9. Port of Arrival.	10. Date of Arrival of Packet.		11. Duration of Passage.	12. Total Stoppages at Intermediate Ports.	13. Mails Dispatched from London.		14. Mails Arrived at New York.		15. Time occupied in Transmission of Mails.	16. Whether Packet Subsidized or Carrying Mails for Postage.
Day.	Hour.		Day.	Hour.			Day.	Hour.	Day.	Hour.		
1863:	H. M.		1863:	H. M.	D. H.	HOURS.	1863:	H. M.	1863:	H. M.	D. H.	
10 July	4 45 p.m.	Quebec -	22 July	8 0 a.m.	12 16	5¾	9 July	8 0 p.m.	24 July	10 30 a.m.	14 14½	Subsidized.
12 „	4 13 „	Boston -	22 „	0 50 p.m.	10 20¾	11¾	11 „	8 0 „	22 „	11 10 p.m.	11 3¼	- ditto.
21 „	3 35 a.m.											
16 „	4 10 p.m.	New York -	25 „	4 55 „	10 5	8¼	15 „	8 0 „	25 „	4 55 „	9 21	For postage.
17 „	5 30 „	Quebec -	29 „	6 0 a.m.	12 18	9½	16 „	8 0 „	31 „	6 25 a.m.	14 10½	Subsidized.
19 „	4 7 „	New York -	27 „	9 0 p.m.	9 9¾	9	18 „	8 0 „	27 „	9 0 p.m.	9 1	- ditto.
23 „	4 30 „	- ditto -	4 Aug.	11 30 a.m.	12 22½	4½	22 „	8 0 „	4 Aug.	11 30 a.m.	12 15½	For postage.
-	- -	- ditto -	2 „	1 0 p.m.	10 23	- -	22 „	9 45 a.m.	2 „	1 0 p.m.	11 3¼	- ditto.
24 July	not stated	Quebec -	4 „	10 0 „	12 6¾	not stated	23 „	8 0 p.m.	6 „	9 20 „	14 1¼	Subsidized.
26 „	4 7 p.m.	Boston -	5 „	6 50 a.m.	10 17½	9½	25 „	8 0 „	6 „	5 25 a.m.	11 9½	- ditto.
3 Aug.	9 55 „											
-	- -	New York -	10 „	11 55 p.m.	12 10	- -	29 „	9 45 a.m.	10 „	11 55 p.m.	12 14¼	For postage.
30 July	6 30 p.m.	- ditto -	12 „	7 45 a.m.	13 14¼	1	29 „	8 0 p.m.	12 „	7 45 a.m.	13 11¾	- ditto.
31 „	5 0 „	Quebec -	11 „	5 0 „	11 18	11¾	30 „	8 0 „	13 „	6 45 „	13 10¾	Subsidized.
2 Aug.	4 24 „	New York -	11 „	3 48 p.m.	10 4¾	8¾	1 Aug.	8 0 „	11 „	3 48 p.m.	9 19¾	- ditto.
6 „	4 0 „	- ditto -	17 „	7 45 „	12 3	3	5 „	8 0 „	17 „	7 45 „	11 23¾	For postage.
-	- -	- ditto -	17 „	4 55 „	12 6	- -	5 „	9 45 a.m.	17 „	4 55 „	12 7¼	- ditto.
7 Aug.	not stated	Quebec -	18 „	1 0 a.m.	11 9¼	not stated	6 „	8 0 p.m.	20 „	6 45 a.m.	13 10¾	Subsidized.
9 „	4 17 p.m.	Boston -	20 „	11 10 „	11 20½	9½	8 „	8 0 „	20 „	11 30 „	12 13½	- ditto.
18 „	11 0 „											
13 „	5 0 „	New York -	25 „	0 30 „	12 6½	4	12 „	8 0 „	25 „	0 30 „	12 4½	For postage.
14 „	5 30 „	Quebec -	27 „	0 30 p.m.	14 1	11¾	13 „	8 0 „	29 „	6 45 „	15 10¾	Subsidized.
16 „	4 13 „	New York -	26 „	9 12 a.m.	10 22½	4½	15 „	8 0 „	26 „	9 12 „	10 13¼	- ditto.
26 „	3 5 a.m.	Boston -	30 „	2 0 „	11 11½	2½	17 „	8 0 „	31 „	4 45 „	13 8¾	- ditto.
20 „	4 30 p.m.	New York -	31 „	7 5 p.m.	12 5¾	7	19 „	8 0 „	31 „	7 5 p.m.	11 23	For postage.
21 „	5 0 „	Quebec -	2 Sept.	6 45 a.m.	12 15	8	20 „	8 0 „	3 Sept.	4 55 „	13 21	Subsidized.
23 „	4 15 „	Boston -	3 „	10 31 „	11 21	9½	22 „	8 0 „	3 „	11 35 „	12 3½	- ditto.
1 Sept.	6 6 „											
-	- -	New York -	6 „	7 45 p.m.	11 5¾	- -	26 „	9 45 a.m.	6 „	7 45 „	11 10	For postage.
27 Aug.	4 0 p.m.	- ditto -	6 „	5 0 a.m.	10 11½	4	26 „	8 0 p.m.	6 „	5 0 a.m.	10 9	- ditto.
28 „	6 0 „	Quebec -	10 „	5 30 p.m.	14 7¼	13¼	27 „	8 0 „	12 „	3 30 p.m.	15 19½	Subsidized.
30 „	4 5 „	New York -	8 „	1 5 „	10 2¼	10	29 „	8 0 „	8 „	1 5 „	9 17	- ditto.
8 Sept.	0 45 „	- ditto -	12 „	0 30 a.m.	10 9½	2½	31 „	8 0 „	12 „	0 30 a.m.	11 4½	- ditto.
3 „	4 30 „	- ditto -	15 „	7 55 p.m.	13 7	1¼	2 Sept.	8 0 „	15 „	7 55 p.m.	13 -	For postage.
-	- -	- ditto -	14 „	4 40 „	12 2¾	- -	2 „	9 45 a.m.	14 „	4 40 „	12 7	- ditto.
4 Sept.	4 40 p.m.	Quebec -	18 „	6 30 a.m.	14 15¼	7	3 „	8 0 p.m.	20 „	3 15 „	16 9¼	Subsidized.
6 „	4 10 „	Boston -	16 „	11 7 p.m.	11 10	8½	5 „	8 0 „	17 „	6 45 „	11 22¾	- ditto.
15 „	2 15 „											
10 „	4 20 „	New York -	22 „	1 5 „	12 19½	1	9 „	8 0 „	22 „	1 5 „	17 22¼	For postage.
-	- -	- ditto -	28 „	7 55 a.m.	17 14¾	- -	10 „	9 45 a.m.	28 „	7 55 a.m.	12 17	- ditto.
11 Sept.	5 10 p.m.	Quebec -	23 „	11 0 p.m.	13 6	2¼	10 „	8 0 p.m.	25 „	3 30 p.m.	14 19½	Subsidized.
13 „	6 5 „	New York -	23 „	9 50 a.m.	10 23¾	11¼	12 „	8 0 „	23 „	9 50 a.m.	10 13¾	- ditto.
23 „	11 0 a.m.	Boston -	26 „	1 15 p.m.	10 23	2¼	14 „	8 0 „	26 „	11 10 p.m.	12 3¼	- ditto.
17 „	4 10 p.m.	New York -	29 „	10 5 „	13 8½	3¼	16 „	8 0 „	29 „	10 5 „	13 2	For postage.
18 „	5 10 „	Quebec -	1 Oct.	11 0 „	14 9	9¼	17 „	8 0 „	3 Oct.	2 55 „	15 19	Subsidized.
20 „	7 5 „	Boston -	3 „	2 40 a.m.	13 14	8½	19 „	8 0 „	3 „	6 10 „	13 22¼	- ditto.
1 Oct.	3 40 „											
-	- -	New York -	6 „	7 55 „	12 18	- -	23 „	9 45 a.m.	6 „	7 55 a.m.	12 22¼	For postage.
24 Sept.	4 0 p.m.	- ditto -	5 „	6 10 „	11 14	5	23 „	8 0 p.m.	5 „	6 10 „	11 10¼	- ditto.
25 „	5 10 „	Quebec -	9 „	10 0 p.m.	15 5¼	4¾	24 „	8 0 „	12 „	3 0 p.m.	17 19	Subsidized.
27 „	4 23 „	New York -	7 „	10 0 a.m.	11 0	6	26 „	8 0 „	7 „	10 0 a.m.	10 14	- ditto.
8 Oct.	11 0 a.m.	- ditto -	12 „	11 50 p.m.	13 0¼	14	28 „	8 0 „	12 „	11 50 p.m.	14 3¾	- ditto.
1 „	4 15 p.m.	- ditto -	13 „	8 54 „	13 7¾	3¼	30 „	8 0 „	13 „	8 45 „	13 0¾	For postage.
-	- -	- ditto -	13 „	8 5 „	13 6	- -	30 „	9 45 a.m.	13 „	8 5 „	13 10¼	- ditto.
2 Oct.	5 30 p.m.	Quebec -	13 „	8 50 a.m.	11 18¾	9	1 Oct.	8 0 p.m.	15 „	6 45 a.m.	13 10¾	Subsidized.
4 „	4 0 „	Boston -	13 „	1 24 p.m.	10 1¼	3¼	3 „	8 0 „	22 „	6 55 „	18 11	- ditto.
8 „	4 0 „	New York -	19 „	2 55 „	11 23¼	5	7 „	8 0 „	19 „	2 55 p.m.	11 19	For postage.
9 „	4 35 „	Quebec -	18 „	9 45 „	10 1¾	2¾	8 „	8 0 „	20 „	no return	- -	Subsidized.
11 „	4 10 „	New York -	21 „	3 52 a.m.	10 18	8¾	10 „	8 0 „	21 „	3 52 a.m.	10 7¾	- ditto.
20 „	8 0 „	Boston -	23 „	10 0 p.m.	10 7½	2¼	12 „	8 0 „	24 „	6 5 p.m.	11 22	- ditto.
15 „	6 0 „	New York -	27 „	0 20 a.m.	12 11½	1½	14 „	8 0 „	27 „	0 20 a.m.	12 4¼	For postage.
16 „	5 0 „	Quebec -	28 „	11 30 „	12 22½	8¾	15 „	8 0 „	30 „	9 35 „	14 13½	Subsidized.
19 „	8 25 a.m.	Boston -	29 „	10 0 p.m.	12 10½	8¼	17 „	8 0 „	30 „	5 20 p.m.	12 21¼	- ditto.
28 „	1 45 p.m.											

OUTWARD MAILS—*continued.*

1. Dispatch of Packet.		2.	3.	4.	5.	6.	7.
Day.	Hour.	Name of Packet.	To what Company Packet belonged.	Whether British or United States.	Port of Departure.	Ports of Call.	Date of Arrival at Ports of Call. Day.	Hour.
1863:	H. M.						1863:	H. M.
21 Sept.	2 45 p.m.	City of Washington -	Liverpool, New York, and Philadelphia.	United States -	Liverpool -	Queenstown	22 Sept.	not stated
22 „	2 0 „	Germania - -	Hamburg American - - -	- ditto - -	Southampton	- -	–	- -
22 „	4 0 „	Nova Scotia - -	Montreal Ocean - - - -	British - -	Liverpool -	Londonderry	23 Sept.	0 25 p.m.
24 „	4 22 „	China - - -	Cunard - - - - - -	ditto - -	- ditto -	Queenstown	25 „	0 50 „
27 „	2 30 „	Adriatic - - -	Atlantic Royal Mail - - -	ditto - -	Galway -	St. John's -	4 Nov.	5 20 „
						Halifax -	7 „	11 38 a.m.
28 „	2 0 „	Hansa - - -	North German Lloyd - - -	United States -	Southampton	- -	–	- -
28 „	0 40 „	Edinburgh - -	Liverpool, New York, and Philadelphia.	- ditto - -	Liverpool -	Queenstown	29 Oct.	midnight
29 „	1 0 „	Bohemian - -	Montreal Ocean - - - -	British - -	- ditto -	Londonderry	30 „	4 20 p.m.
31 „	0 10 „	Asia - - -	Cunard - - - - - -	ditto - -	- ditto -	Queenstown	1 Nov.	7 15 „
						Halifax -	13 „	0 42 a.m.
4 Nov.	1 50 „	City of London -	Liverpool, New York, and Philadelphia.	United States -	- ditto -	Queenstown	5 „	noon
5 „	3 0 „	North American -	Montreal Ocean - - - -	British - -	- ditto -	Londonderry	6 „	10 30 a.m.
7 „	7 30 „	Persia - - -	Cunard - - - - - -	ditto - -	- ditto -	Queenstown	8 „	5 30 p.m.
10 „	Mail packet Anglia stranded in Galway Harbour. Voyage omitted.							
11 „	11 15 a.m.	City of Baltimore -	Liverpool, New York, and Philadelphia.	United States -	- ditto -	- ditto -	12 „	9 0 a.m.
11 „	2 0 „	America - - -	North German Lloyd - - -	- ditto - -	Southampton	- -	–	- -
12 „	11 30 „	Ditto - - -	Montreal Ocean - - - -	British - -	Liverpool -	Londonderry	- No return -	
14 „	11 6 „	Arabia - - -	Cunard - - - - - -	ditto - -	- ditto -	Queenstown	15 Nov.	2 40 p.m.
						Halifax -	25 „	7 50 „
18 „	1 15 p.m.	City of New York -	Liverpool, New York, and Philadelphia.	United States -	- ditto -	Queenstown	19 „	noon
18 „	2 0 „	Saxonia - - -	Hamburg American - - -	- ditto - -	Southampton	- -	–	- -
19 „	3 5 „	Hibernian - -	Montreal Ocean - - - -	British - -	Liverpool -	Londonderry	20 Nov.	10 0 a.m.
21 „	4 34 „	Scotia - - -	Cunard - - - - - -	ditto - -	- ditto -	Queenstown	22 „	5 50 p.m.
24 „	2 30 „	Columbia - -	Atlantic Royal Mail - - -	ditto - -	Galway -	St. John's -	5 Dec.	5 0 „
25 „	10 40 a.m.	Etna - - -	Liverpool, New York, and Philadelphia.	United States -	Liverpool -	Queenstown	26 Nov.	10 30 a.m.
25 „	2 0 p.m.	Bremen - - -	North German Lloyd - - -	- ditto - -	Southampton	- -	–	- -
26 „	11 0 a.m.	Damascus - -	Montreal Ocean - - - -	British - -	Liverpool -	Londonderry	27 Nov.	8 30 a.m.
28 „	9 40 „	Canada - - -	Cunard - - - - - -	ditto - -	- ditto -	Queenstown	29 „	0 30 p.m.
						Halifax -	11 Dec.	3 26 „
2 Dec.	1 0 p.m.	City of Washington -	Liverpool, New York, and Philadelphia.	United States -	- ditto -	Queenstown	3 „	8 0 „
4 „	1 55 „	Nova Scotian - -	Montreal Ocean - - - -	British - -	- ditto -	Londonderry	5 „	0 25 „
5 „	3 40 „	Australasian - -	Cunard - - - - - -	ditto - -	- ditto -	Queenstown	6 „	2 30 „
8 „	2 45 „	Hibernia - - -	Atlantic Royal Mail - - -	ditto - -	Galway -	St. John's -	17 „	5 30 a.m.
9 „	10 40 a.m.	Edinburgh - -	Liverpool, New York, and Philadelphia.	United States -	Liverpool -	Queenstown	10 „	5 0 p.m.
10 „	11 20 „	Jura - - -	Montreal Ocean - - - -	British - -	- ditto -	Londonderry	11 „	2 2 „
12 „	11 40 „	Asia - - -	Cunard - - - - - -	ditto - -	- ditto -	Queenstown	13 „	2 37 „
						Halifax -	23 „	2 5 a.m.
16 „	1 0 p.m.	City of Manchester -	Liverpool, New York, and Philadelphia.	ditto - -	- ditto -	Queenstown	17 „	6 30 p.m.
16 „	2 0 „	Hammonia - -	Hamburg American - - -	United States -	Southampton	- -	–	- -
17 „	3 5 „	North American -	Montreal Ocean - - - -	- ditto - -	Liverpool -	Londonderry	18 Dec.	11 0 a.m.
19 „	3 14 „	Persia - - -	Cunard - - - - - -	British - -	- ditto -	Queenstown	20 „	1 10 p.m.
22 „	2 30 „	Adriatic - - -	Atlantic Royal Mail - - -	ditto - -	Galway -	St. John's -	29 „	2 0 „
23 „	11 0 a.m.	City of Baltimore -	Liverpool, New York, and Philadelphia.	United States -	Liverpool -	Queenstown	24 „	1 0 „
23 „	2 0 p.m.	New York - -	North German Lloyd - - -	- ditto - -	Southampton	- -	–	- -
24 „	11 35 a.m.	Bohemian - -	Montreal Ocean - - - -	British - -	Liverpool -	Londonderry	25 Dec.	6 45 a.m.
26 „	10 38 „	Afric - - -	Cunard - - - - - -	ditto - -	- ditto -	Queenstown	27 „	1 7 p.m.
						Halifax -	1864: 7 Jan.	7 0 „
30 „	1 0 p.m.	City of London -	Liverpool, New York, and Philadelphia.	United States -	- ditto -	Queenstown	1863: 31 Dec.	2 0 „
31 „	2 50 „	Hibernian - -	Montreal Ocean - - - -	British - -	- ditto -	Londonderry	1864: 1 Jan.	8 30 a.m.

Note.—In the case of all mail packets proceeding to New York, the time given in Column 14 is the time at which the packet arrived at New York. In all

OUTWARD MAILS—*continued.*

8. Date of Departure from Ports of Call.		9. Port of Arrival.	10. Date of Arrival of Packet.		11. Duration of Passage.	12. Total Stoppages at Intermediate Ports.	13. Mails Dispatched from London.		14. Mails Arrived at New York.		15. Time occupied in Transmission of Mails.	16. Whether Packet Subsidized, or Carrying Mails for Postage.
Day.	Hour.		Day.	Hour.			Day.	Hour.	Day.	Hour.		
1863:	H. M.		1863:	H. M.	D. H.	HOURS.	1863:	H. M.	1863:	H. M.	D. H.	
22 Oct.	not stated	New York -	2 Nov.	3 35 a.m.	11 13¼	- -	21 Oct.	8 0 p.m.	2 Nov.	3 55 a.m.	11 8	For postage.
–	- -	- ditto -	2 „	5 0 „	10 15	- -	21 „	9 45 a.m.	2 „	5 0 „	11 19¼	- ditto.
23 Oct.	5 20 p.m.	Quebec -	9 „	4 0 „	17 12	5	22 „	8 0 p.m.	11 „	8 25 „	19 12½	Subsidized.
25 „	4 25 „	New York -	4 „	8 25 „	10 16	3½	24 „	8 0 „	4 „	8 25 „	10 12½	- ditto.
4 Nov. 8 „	8 25 „ 6 45 a.m.	ditto -	10 „	2 10 p.m.	13 23¾	22¼	26 „	8 0 „	10 „	2 10 p.m.	13 18¼	- ditto.
–	- -	- ditto -	14 „	10 0 a.m.	16 20	- -	28 „	9 45 a.m.	14 „	10 0 a.m.	17 0¼	For postage.
30 Oct.	8 0 a.m.	- ditto -	15 „	10 50 p.m.	18 10¼	8	28 „	8 0 p.m.	15 „	10 50 p.m.	18 2¾	- ditto.
30 „	8 0 p.m.	Quebec -	13 „	not stated	15 0	3¾	29 „	8 0 „	15 „	3 30 „	16 19½	Subsidized.
1 Nov. 13 „	7 50 „ 0 5 „	Boston -	14 „	11 0 p.m.	14 10¾	12	31 „	8 0 „	16 „	4 30 a.m.	15 8½	- ditto.
5 „	4 0 „	New York -	17 „	8 5 „	13 6¼	4	4 Nov.	8 0 „	17 „	8 5 p.m.	13 0	For postage.
6 „	5 5 „	Portland -	19 „	5 45 „	14 2¾	6½	5 „	8 0 „	20 „	11 10 „	15 3¼	Subsidized.
8 „	5 55 „	New York -	19 „	10 0 a.m.	11 14½	0½	7 „	8 0 „	19 „	10 0 a.m.	11 14	- ditto.
12 „	4 0 „	- ditto -	24 „	7 15 p.m.	13 8	7	11 „	8 0 „	24 „	7 15 p.m.	12 23¼	For postage.
–	- -	- ditto -	23 „	7 45 a.m.	11 17¾	- -	11 „	9 45 a.m.	23 „	7 45 a.m.	11 22	- ditto.
- No return -		Portland -	–	- No return -		- -	12 „	8 0 p.m.	*4 Dec.	6 20 „	21 10¼	Subsidized.
15 Nov. 26 „	4 7 p.m. 7 40 a.m.	Boston -	27 „	2 42 p.m.	13 3½	13¼	14 „	8 0 „	28 Nov.	6 15 „	13 10¼	- ditto.
19 „	4 30 p.m.	New York -	1 Dec.	1 35 a.m.	22 12¼	4½	18 „	8 0 „	1 Dec.	1 35 „	12 5¼	For postage.
–	- -	- ditto -	6 „	1 45 p.m.	17 23¾	- -	18 „	9 45 a.m.	6 „	1 45 p.m.	18 4	- ditto.
20 Nov.	5 10 p.m.	Portland -	5 „	noon	15 21	7¼	19 „	8 0 p.m.	4 „	11 10 „	15 3¼	Subsidized.
22 „	10 50 „	New York -	4 „	1 55 a.m.	12 9¼	5	21 „	8 0 „	4 „	1 55 a.m.	12 6	- ditto.
6 Dec.	1 0 „	- ditto -	11 „	9 50 a.m.	16 19½	20	23 „	8 0 „	11 „	9 50 „	17 13¾	- ditto.
26 Nov.	4 0 p.m.	- ditto -	10 „	8 50 „	14 22¼	5½	25 „	8 0 „	10 „	8 50 „	14 12¾	For postage.
–	- -	- ditto -	11 „	1 10 „	15 11¼	- -	25 „	9 45 a.m.	11 „	1 10 „	15 15½	- ditto.
27 Nov.	5 10 p.m.	Portland -	13 „	2 0 „	16 15	8¾	26 „	8 0 p.m.	15 „	6 40 „	10 10¾	Subsidized.
29 „ 12 Dec.	4 10 „ 4 47 a.m.	Boston -	13 „	1 55 p.m.	15 4¼	17	28 „	8 0 „	14 „	4 40 „	15 8¾	- ditto.
3 „	midnight	New York -	18 „	11 25 a.m.	15 12½	4	2 Dec.	8 0 „	18 „	1 25 „	15 5½	For postage.
5 „	1 15 p.m.	Portland -	22 „	9 0 „	17 19	0¾	3 „	8 0 „	23 „	4 50 „	19 8¾	Subsidized.
6 „	5 8 „	New York -	18 „	5 8 p.m.	13 1½	2¾	5 „	8 0 „	18 „	5 8 p.m.	12 21¼	- ditto.
17 „	8 10 a.m.	Boston -	20 „	6 30 „	12 3¾	2¾	7 „	8 0 „	21 „	6 5 „	13 22	- ditto.
10 „	6 0 p.m.	New York -	23 „	5 45 „	14 7	1	9 „	8 0 „	23 „	5 45 „	13 21¾	For postage.
12 „	7 30 a.m.	Portland -	23 „	1 30 a.m.	12 14¼	17½	10 „	8 0 „	23 „	11 50 „	13 3¾	Subsidized.
13 „ 23 „	4 20 p.m. 10 0 a.m.	Boston -	24 „	8 0 p.m.	12 8¼	9¾	12 „	8 0 „	25 „	5 35 „	12 21½	- ditto.
17 „	10 30 p.m.	New York -	29 „	7 30 „	13 6½	4	16 „	8 0 „	29 „	7 30 „	12 23½	For postage.
–	- -	- ditto -	29 „	10 45 a.m.	12 20¾	- -	16 „	9 45 a.m.	29 „	10 45 a.m.	13 1	- ditto.
18 Dec.	5 10 p.m	Portland -	30 „	9 0 p.m.	13 6	6¼	17 „	8 0 p.m.	31 „	11 30 p.m.	14 3½	Subsidized.
20 „	4 20 „	New York -	31 „	9 58 a.m.	11 18¾	3¼	19 „	8 0 „	31 „	9 58 a.m.	11 14	- ditto.
			1864:						1864:			
29 „	4 55 „	New York -	3 Jan.	4 30 p.m.	12 2	3	21 „	8 0 „	3 Jan.	4 30 p.m.	12 20½	- ditto.
24 „	3 40 „	- ditto -	7 „	5 5 „	15 6	2¾	23 „	8 0 „	7 „	5 5 „	14 21	For postage.
–	- -	- ditto -	12 „	11 30 „	20 9½	- -	23 „	9 45 a.m.	12 „	11 30 „	20 13¾	- ditto.
25 Dec.	5 35 p.m.	Portland -	9 „	7 45 a.m.	15 20¼	10¾	24 „	8 0 p.m.	10 „	8 20 a.m.	16 12¼	Subsidized.
27 – 1864: 8 Jan.	3 40 „ 7 15 a.m.	Boston -	9 „	10 7 p.m.	14 11½	14¾	26 „	8 0 „	11 „	7 45 p.m.	15 23¾	- ditto.
1863: 31 Dec.	4 0 p.m.	New York -	14 „	2 25 „	15 2	2	30 „	8 0 „	14 „	2 55 „	14 19	For postage.
1864: 1 Jan.	5 3 „	Portland -	14 „	4 0 a.m.	13 13¼	8½	31 „	8 0 „	14 „	11 35 „	14 3½	Subsidized.

* America put back, disabled, to Londonderry.

other cases the time given in this Column is that at which the mails reached the New York Post Office, including the time occupied in the transit overland.

HOMEWARD MAILS.

1. Dispatch of Packet.		2.	3.	4.	5.	6.	7. Date of Arrival at Ports of Call.	
Day.	Hour.	Name of Packet.	To what Company Packet belonged.	Whether British or United States.	Port of Departure.	Ports of Call.	Day.	Hour.
1863:	H. M.						1863:	H. M.
3 Jan.	noon	Etna	Liverpool, New York, and Philadelphia.	United States	New York	Queenstown	13 Jan.	5 10 p.m.
3 „	4 0 p.m.	Bohemian	Montreal Ocean	British	Portland	Londonderry	14 „	4 50 a.m.
7 „	10 20 a.m.	Europa	Cunard	ditto	Boston	Halifax	9 „	0 12 „
						Queenstown	17 „	3 12 p.m.
10 „	noon	Hammonia	Hamburg, American	United States	New York	–	–	–
10 „	noon	Glasgow	Liverpool, New York, and Philadelphia.	ditto	ditto	Queenstown	23 „	2 50 p.m.
11 „	6 0 a.m.	Anglo Saxon	Montreal Ocean	British	Portland	Londonderry	23 „	8 35 a.m.
16 „	11 55 „	Asia	Cunard	ditto	New York	Queenstown	28 „	6 50 „
17 „	noon	New York	North German Lloyd	United States	ditto	–	–	–
17 „	noon	City of Washington	Liverpool, New York, and Philadelphia.	ditto	ditto	Queenstown	28 „	11 0 p.m.
17 „	9 30 p.m.	Nova Scotian	Montreal Ocean	British	Portland	Londonderry	30 „	9 5 a.m.
21 „	10 18 a.m.	Africa	Cunard	ditto	Boston	Halifax	23 „	7 35 „
						Queenstown	2 Feb.	8 27 „
24 „	noon	City of Baltimore	Liverpool, New York, and Philadelphia.	United States	New York	ditto	3 „	7 30 „
25 „	1 45 a.m.	Jura	Montreal Ocean	British	Portland	Londonderry	3 „	3 30 „
28 „	0 35 p.m.	China	Cunard	ditto	New York	Queenstown	12 „	4 30 p.m.
31 „	noon	Kangaroo	Liverpool, New York, and Philadelphia.	United States	ditto	ditto	12 „	11 50 a.m.
31 „	7 30 p.m.	Hibernian	Montreal Ocean	British	Portland	Londonderry	10 „	4 15 p.m.
4 Feb.	11 0 a.m.	Arabia	Cunard	ditto	Boston	Halifax	6 „	4 15 a.m.
						Queenstown	15 „	5 9 p.m.
7 „	noon	Saxonia	Hamburg American	United States	New York	–	–	–
7 „	noon	Edinburgh	Liverpool, New York, and Philadelphia.	ditto	ditto	Queenstown	19 „	7 30 a.m.
9 „	5 30 a.m.	Norwegian	Montreal Ocean	British	Portland	Londonderry	20 „	2 45 p.m.
11 „	11 50 „	Australasian	Cunard	ditto	New York	Queenstown	21 „	11 45 a.m.
14 „	noon	Hansa	North German Lloyd	United States	ditto	–	–	–
14 „	noon	City of Manchester	Liverpool, New York, and Philadelphia.	ditto	ditto	Queenstown	25 „	1 0 a.m.
14 „	midnight	Bohemian	Montreal Ocean	British	Portland	Londonderry	25 „	4 0 „
18 „	11 20 a.m.	Europa	Cunard	ditto	Boston	Halifax	20 „	5 53 p.m.
						Queenstown	3 Mar.	4 25 „
21 „	noon	Etna	Liverpool, New York, and Philadelphia.	United States	New York	ditto	4 „	10 45 „
22 „	3 0 a.m.	North American	Montreal Ocean	British	Portland	Londonderry	6 „	2 30 a.m.
25 „	0 15 p.m.	Asia	Cunard	ditto	New York	Queenstown	8 „	6 20 p.m.
28 „	5 0 „	City of Washington	Liverpool, New York, and Philadelphia.	United States	ditto	ditto	11 „	8 0 a.m.
28 „	10 20 „	Nova Scotian	Montreal Ocean	British	Portland	Londonderry	13 „	9 15 p.m.
4 Mar.	10 50 a.m.	Canada	Cunard	ditto	Boston	Halifax	6 „	5 28 a.m.
						Queenstown	15 „	2 30 p.m.
7 „	noon	Borussia	Hamburg American	United States	New York	–	–	–
7 „	noon	Glasgow	Liverpool, New York, and Philadelphia.	ditto	ditto	Queenstown	20 „	5 15 a.m.
8 „	2 0 a.m.	Jura	Montreal Ocean	British	Portland	Londonderry	18 „	10 55 p.m.
11 „	11 45 „	Africa	Cunard	ditto	New York	Queenstown	22 „	0 15 a.m.
14 „	noon	New York	North German Lloyd	United States	ditto	–	–	–
14 „	noon	City of New York	Liverpool, New York, and Philadelphia.	ditto	ditto	Queenstown	24 „	9 15 „
15 „	6 30 a.m.	Hibernian	Montreal Ocean	British	Portland	Londonderry	25 „	9 45 a.m.
18 „	10 45 „	Arabia	Cunard	ditto	Boston	Halifax	20 „	0 55 „
						Queenstown	28 „	9 10 „
21 „	noon	City of Baltimore	Liverpool, New York, and Philadelphia.	United States	New York	ditto	1 Apr.	1 0 „
22 „	10 0 a.m.	Anglo-Saxon	Montreal Ocean	British	Portland	Londonderry	2 „	4 15 „
26 „	11 40 „	Australasian	Cunard	ditto	New York	Queenstown	4 „	3 50 p.m.
28 „	noon	Edinburgh	Liverpool, New York, and Philadelphia.	United States	ditto	ditto	8 „	5 10 „
29 „	3 50 a.m.	Norwegian	Montreal Ocean	British	Portland	Londonderry	8 „	3 20 „
1 Apr.	10 45 „	Europa	Cunard	ditto	Boston	Halifax	2 „	midnight
						Queenstown	12 „	3 57 p.m.
4 „	noon	Etna	Liverpool, New York, and Philadelphia.	United States	New York	ditto	15 „	5 55 „
5 „	8 0 a.m.	Saxonia	Hamburgh American	ditto	ditto	–	–	–
5 „	9 40 a.m.	Bohemian	Montreal Ocean	British	Portland	Londonderry	17 „	6 25 a.m.
8 „	10 30 „	Asia	Cunard	ditto	New York	Queenstown	18 „	7 40 p.m.
11 „	noon	Hansa	North German Lloyd	United States	ditto	–	–	–
11 „	noon	City of Washington	Liverpool, New York, and Philadelphia.	ditto	ditto	Queenstown	23 „	2 30 a.m.
12 „	3 0 a.m	Nova Scotia	Montreal Ocean	British	Portland	Londonderry	24 „	9 45 „
15 „	11 0 „	Canada	Cunard	ditto	Boston	Halifax	17 „	3 40 „
						Queenstown	25 „	10 35 p.m.
18 „	noon	City of New York	Liverpool, New York, and Philadelphia.	United States	New York	ditto	29 „	8 15 a.m.
19 „	9 0 a.m.	North American	Montreal Ocean	British	Portland	Londonderry	30 „	8 40 p.m.

HOMEWARD MAILS.

8. Date of Departure from Ports of Call.		9. Port of Arrival.	10. Date of Arrival of Packet.		11. Duration of Passage.	12. Total Stoppages at Intermediate Ports.	13. Mails Dispatched from New York.		14. Mails Arrived in London.		15. Time occupied in Transmission of Mails.	16. Whether Packet Subsidized, or Carrying Mails for Postage.
Day.	Hour.		Day.	Hour.			Day.	Hour.	Day.	Hour.		
1863:	H. M.		1863:	H. M.	D. H.	HOURS.	1863:	H. M.	1863:	H. M.	D. H.	
- No return -		Liverpool -	14 Jan.	3 55 p.m.	11 4	- -	3 Jan.	noon	14 Jan.	11 45 p.m.	11 11¾	For postage.
14 Jan.	5 30 a.m.	- ditto -	15 ,,	3 15 a.m.	11 11½	0¾	- No return -		15 ,,	7 23 a.m.	- -	Subsidized.
9 ,,	1 46 ,,	- ditto -	18 ,,	1 30 p.m.	11 3¼	2½	- No return -		19 ,,	5 10 ,,	- -	- ditto.
17 ,,	4 3 p.m.											
- - -		Southampton	23 ,,	3 15 ,,	13 3½	- -	10 Jan.	noon	23 ,,	8 5 p.m.	13 8	For postage.
- No return -		Liverpool -	24 ,,	2 45 ,,	14 2¾	- -	10 ,,	noon	Brought mails for Ireland only.		- -	- ditto.
23 Jan.	9 25 a.m.	- ditto -	24 ,,	11 0 a.m.	13 5	0¾	- No return -		24 Jan.	9 50 p.m.	- -	Subsidized.
28 ,,	9 20 ,,	- ditto -	29 ,,	9 50 ,,	12 22	2½	16 Jan.	11 55 a.m.	29 ,,	8 49 a.m.	12 21	- ditto.
- - -		Southampton	29 ,,	11 0 p.m.	12 11	- -	17 ,,	noon	30 ,,	2 50 ,,	12 14¾	For postage.
- No return -		Liverpool -	29 ,,	9 15 ,,	12 9¼	- -	17 ,;	noon	Brought mails for Ireland only.		- -	- ditto.
30 Jan.	9 40 a.m.	- ditto -	31 ,,	8 0 a.m.	13 10½	0½	- No return -		31 Jan.	5 32 p.m.	- -	Subsidized.
23 ,,	9 15 ,,	- ditto -	3 Feb.	8 58 ,,	12 22¾	3½	- No return -		3 Feb.	8 20 a.m.	- -	- ditto.
2 Fe .	10 4 ,,											
- No return -		- ditto -	4 ,,	10 15 ,,	10 22¼	- -	24 Jan.	noon	4 ,,	5 45 p.m.	11 5¾	For postage.
3 Feb.	4 15 a.m.	- ditto -	3 ,,	9 15 p.m.	9 19½	0¾	- No return -		4 ,,	8 17 a.m.	- -	Subsidized.
12 ,,	4 50 p.m.	- ditto -	13 ,,	4 29 ,,	16 4	0¼	28 Jan.	0 35 p.m.	13 ,,	6 53 p.m.	16 6¼	- ditto.
- No return -		- ditto -	13 ,,	3 50 ,,	13 3¾	- -	31 ,,	noon	13 ,,	11 35 ,,	13 11½	For postage.
10 Feb.	4 30 p.m.	- ditto -	11 ,,	1 45 ,,	10 18¼	0¼	- No return -		11 ,,	6 50 ,,	- -	Subsidized.
6 ,,	7 25 a.m.	- ditto -	16 ,,	1 10 ,,	12 2½	3¾	- No return -		16 ,,	6 48 ,,	- -	- ditto.
15 ,,	5 46 p.m.											
- - -		Southampton	19 ,,	noon	12 0	- -	7 Feb.	noon	19 ,,	2 50 ,,	12 2¾	For postage.
- No return -		Liverpool -	20 ,,	0 10 p.m.	13 0¼	- -	7 ,,	noon	Brought mails for Ireland only.		- -	- ditto.
20 Feb.	3 25 p.m.	- ditto -	21 ,,	10 0 a.m.	12 4½	0¾	- No return -		21 Jan.	6 52 p.m.	- -	Subsidized.
21 ,,	1 5 ,,	- ditto -	22 ,,	11 45 ,,	11 –	1¼	11 Feb.	11 50 a.m.	23 ,,	5 5 a.m.	11 17¼	- ditto.
- - -		Southampton	25 ,,	6 0 p.m.	11 6	- -	14 ,,	noon	25 ,,	10 35 p.m.	11 10½	For postage.
- No return -		Liverpool -	26 ,,	2 50 a.m.	11 14¾	- -	14 ,,	noon	Brought mails for Ireland only.		- -	- ditto.
25 Feb.	4 40 a.m.	- ditto -	26 ,,	1 0 ,,	11 1	0¾	- No return -		26 Jan.	7 18 a.m.	- -	Subsidized.
20 ,,	7 35 p.m.	- ditto -	4 Mar.	3 52 p.m.	14 4½	2¾	- No return -		4 Mar.	6 47 p.m.	- -	- ditto.
3 Mar.	5 25 ,,											
- No return -		- ditto -	5 ,,	9 45 ,,	12 9¾	- -	21 Feb.	noon	6 ,,	5 8 a.m.	12 17¼	For postage.
6 Mar.	3 15 a.m.	- ditto -	7 ,,	2 30 a.m.	13 0	0¾	- No return -		7 ,,	7 45 a.m.	- -	Subsidized.
8 ,,	6 15 p.m.	- ditto -	9 ,,	3 30 p.m.	12 3½	0½	25 Feb.	0 15 p.m.	9 ,,	6 48 p.m.	12 6½	- ditto.
- No return -		- ditto -	12 ,,	10 10 a.m.	11 17¼	- -	28 ,,	5 0 ,,	12 ,,	6 0 ,,	12 1	For postage.
13 Mar.	10 15 p.m.	- ditto -	14 ,,	10 0 p.m.	13 23¾	1	- No return -		15 ,,	10 0 a.m.	- -	Subsidized.
6 ,,	7 2 a.m.	- ditto -	16 ,,	6 12 ,,	12 7¼	2¼	- No return -		16 ,,	7 5 p.m.	- -	- ditto.
15 ,,	3 18 p.m.											
- - -		Southampton	20 ,,	8 0 a.m.	12 20	- -	7 Mar.	noon	20 ,,	11 30 a.m.	12 23½	For postage.
- No return -		Liverpool -	21 ,,	10 30 ,,	13 22½	- -	7 ,,	noon	Brought mails for Ireland only.		- -	- ditto.
18 Mar.	11 15 p.m.	- ditto -	19 ,,	5 30 p.m.	11 15½	0¼	- No return -		20 Mar.	5 15 a.m.	- -	Subsidized.
22 ,,	1 25 a.m.	- ditto -	22 ,,	10 30 ,,	11 10¾	1¼	11 Mar.	11 45 a.m.	23 ,,	7 15 ,,	11 19½	- ditto.
- - -		Southampton	26 ,,	6 0 ,,	12 6	- -	14 ,,	noon	26 ,,	10 40 p.m.	12 10¾	For postage.
- No return -		Liverpool -	25 ,,	5 50 a.m.	10 17¾	- -	14 ,,	noon	Brought mails for Ireland only.		- -	- ditto.
25 Mar.	10 5 a.m.	- ditto -	26 ,,	4 15 ,,	10 21¾	0¼	- No return -		26 Mar.	3 5 p.m.	- -	Subsidized.
20 ,,	2 20 ,,	- ditto -	29 ,,	7 30 ,,	10 20¾	1¾	- No return -		29 ,,	7 20 a.m.	- -	- ditto.
28 ,,	9 33 ,,											
- No return -		- ditto -	2 Apr.	0 20 ,,	11 12¼	- -	21 Mar.	noon	2 Apr.	10 15 a.m.	11 22¼	For postage.
2 Apr.	5 10 a.m.	- ditto -	2 ,,	11 55 p.m.	11 14	1	- No return -		3 ,,	8 10 ,,	- -	Subsidized.
4 ,,	5 20 p.m.	- ditto -	5 ,,	11 20 a.m.	9 23¾	1½	26 Mar.	11 40 a.m.	6 ,,	5 15 ,,	10 17½	- ditto.
- No return -		- ditto -	9 ,,	4 5 p.m.	12 4	- -	28 ,,	noon	9 ,,	11 45 p.m.	12 11¾	For postage.
8 Apr.	3 30 p.m.	- ditto -	9 ,,	11 15 a.m.	11 7½	0¼	- No return -		9 ,,	6 50 ,,	- -	Subsidized.
3 ,,	1 30 a.m.	- ditto -	13 ,,	5 3 p.m.	12 6¼	2¾	- No return -		13 ,,	6 58 ,,	- -	- ditto.
12 ,,	5 8 p.m.											
- No return -		- ditto -	16 ,,	5 5 ,,	12 5	- -	4 Apr.	noon	Brought mails for Ireland only.		- -	For postage.
- - -		Southampton	18 ,,	3 30 a.m.	12 19½	- -	5 ,,	8 0 a.m.	18 Apr.	10 30 a.m.	13 2½	- ditto.
17 Apr.	6 50 a.m.	Liverpool -	18 ,,	2 15 ,,	12 16½	0½	- No return -		18 ,,	7 55 ,,	- -	Subsidized.
18 ,,	8 45 p.m.	- ditto -	19 ,,	4 35 p.m.	11 6	1	8 Apr.	10 30 a.m.	20 ,,	7 25 ,,	11 21	- ditto.
- - -		Southampton	23 ,,	9 0 a.m.	11 21	- -	11 ,,	noon	23 ,,	0 36 p.m.	12 0½	For postage.
- No return -		Liverpool -	24 ,,	3 25 a.m.	12 15½	- -	11 ,,	noon	Brought mails for Ireland only.		- -	- ditto.
24 Apr.	10 15 a.m.	- ditto -	25 ,,	5 10 ,,	13 2¼	0½	- No return -		25 Apr.	3 3 p.m.	- -	Subsidized.
17 ,,	4 35 ,,	- ditto -	26 ,,	7 33 p.m.	11 8½	1½	- No return -		27 ,,	7 20 a.m.	- -	- ditto.
25 ,,	11 5 p.m.											
- No return -		- ditto -	30 ,,	7 20 a.m.	11 19¼	- -	18 Apr.	noon	30 ,,	3 0 p.m.	12 3	For postage.
30 Apr.	9 0 p.m.	- ditto -	1 May	4 25 p.m.	12 7½	0¼	- No return -		1 May	11 50 ,,	- -	Subsidized.

HOMEWARD MAILS—*continued.*

1. Dispatch of Packet.		2.	3.	4.	5.	6.	7. Date of Arrival at Ports of Call.	
Day.	Hour.	Name of Packet.	To what Company Packet belonged.	Whether British or United States.	Ports of Departure.	Ports of Call.	Day.	Hour.
1863.	H. M.						1863.	H. M.
22 April	10 0 a.m.	Africa	Cunard	British	New York	Queenstown	3 May	1 40 a.m.
25 „	noon	Bremen	North German Lloyd	United States	ditto	—	—	—
25 „	noon	City of Baltimore	Liverpool, New York, and Philadelphia.	ditto	ditto	Queenstown	5 May	4 30 p.m.
25 „	6 30 p.m.	Hibernian	Montreal Ocean	British	Portland	Londonderry	5 „	7 45 „
29 „	0 10 „	Arabia	Cunard	ditto	Boston	Halifax	1 „	4 0 a.m.
						Queenstown	9 „	7 10 „
2 May	noon	Hammonia	Hamburg American	United States	New York	—	—	—
2 „	noon	Edinburgh	Liverpool, New York, and Philadelphia.	ditto	ditto	Queenstown	13 May	2 30 p.m.
2 „	4 30 p.m.	Jura	Montreal Ocean	British	Portland	Londonderry	13 „	8 0 a.m.
6 „	9 32 a.m.	Persia	Cunard	ditto	New York	Queenstown	16 „	2 28 „
9 „	noon	New York	North German Lloyd	United States	ditto	—	—	—
9 „	noon	City of Manchester	Liverpool, New York, and Philadelphia.	ditto	ditto	Queenstown	22 May	7 30 p.m.
11 „	5 0 a.m.	St. Andrew	Montreal Ocean	British	Portland	Londonderry	27 „	2 40 p.m.
13 „	11 25 „	Europa	Cunard	ditto	Boston	Halifax	15 „	7 8 a.m.
						Queenstown	25 „	4 58 „
16 „	noon	City of Washington	Liverpool, New York and Philadelphia.	United Sates	New York	ditto	29 „	3 0 „
16 „	9 45 a.m.	Norwegian	Montreal Ocean	British	Quebec	Londonderry	27 „	7 15 p.m.
20 „	9 10 „	Australasian	Cunard	ditto	New York	Queenstown	29 „	5 20 „
23 „	noon	City of New York	Liverpool, New York, and Philadelphia.	United States	ditto	ditto	2 June	5 30 a.m.
23 „	10 30 a.m.	Bohemian	Montreal Ocean	British	Quebec	Londonderry	2 „	6 0 p.m.
27 „	1 50 p.m	America	Cunard	ditto	Boston	Halifax	29 May	6 30 a.m.
						Queenstown	7 June	0 15 „
30 „	noon	Borussia	Hamburg American	United States	New York	—	—	—
30 „	noon	City of Baltimore	Liverpool, New York, and Philadelphia.	ditto	ditto	Queenstown	10 June	0 15 a.m.
30 „	0 30 p.m.	North American	Montreal Ocean	British	Quebec	Londonderry	10 „	4 0 p.m.
3 June	3 25 p.m.	China	Cunard	ditto	New York	Queenstown	12 „	5 40 p.m.
6 „	noon	Hansa	North German Lloyd	United States	ditto	—	—	—
6 „	noon	Etna	Liverpool, New York, and Philadelphia.	ditto	ditto	Queenstown	16 June	6 0 p.m.
6 „	10 5 a.m.	Hibernian	Montreal Ocean	British	Quebec	Londonderry	17 „	8 10 „
10 „	11 50 „	Asia	Cunard	ditto	Boston	Halifax	11 „	8 45 p.m.
						Queenstown	20 „	9 55 a.m.
13 „	noon	Edinburgh	Liverpool, New York, and Philadelphia.	United States	New York	ditto	24 „	6 10 p.m.
13 „	10 0 a.m.	Jura	Montreal Ocean	British	Quebec	Londonderry	23 „	7 5 a.m.
17 „	4 20 p.m.	Persia	Cunard	ditto	New York	Queenstown	27 „	1 25 a.m.
20 „	noon	America	North German Lloyd	United States	ditto	—	—	—
20 „	noon	Glasgow	Liverpool, New York, and Philadelphia.	ditto	ditto	Queenstown	3 July	2 45 p.m.
20 „	10 0 a.m.	Nova Scotian	Montreal Ocean	British	Quebec	Londonderry	1 „	7 25 „
24 „	1 0 p.m.	Africa	Cunard	ditto	Boston	Halifax	26 June	1 45 a.m.
						Queenstown	4 July	7 30 „
27 „	noon	City of New York	Liverpool, New York, and Philadelphia.	United States	New York	ditto	7 „	7 45 „
27 „	11 15 a.m.	St. Andrew	Montreal Ocean	British	Quebec	Londonderry	12 „	3 10 „
1 July	4 15 p.m.	Scotia	Cunard	ditto	New York	Queenstown	10 „	noon
4 „	noon	Bremen	North German Lloyd	United States	ditto	—	—	—
4 „	noon	City of Manchester	Liverpool, New York, and Philadelphia.	ditto	ditto	Queenstown	16 July	6 15 p.m.
4 „	10 45 a.m.	Bohemian	Montreal Ocean	British	Quebec	Londonderry	15 „	5 50 „
8 „	1 20 p.m.	Canada	Cunard	ditto	Boston	Halifax	10 „	8 46 a.m.
						Queenstown	19 „	5 24 „
11 „	noon	City of Baltimore	Liverpool, New York, and Philadelphia.	United States	New York	ditto	23 „	6 30 p.m.
11 „	9 40 a.m.	North American	Montreal Ocean	British	Quebec	Londonderry	22 „	4 25 „
16 „	5 0 a.m.	China	Cunard	ditto	New York	Queenstown	25 „	7 32 „
18 „	noon	City of Washington	Liverpool, New York, and Philadelphia.	United States	ditto	ditto	28 „	5 20 „
18 „	10 0 a.m.	Hibernian	Montreal Ocean	British	Quebec	Londonderry	28 „	8 50 a.m.
22 „	11 45 „	Asia	Cunard	ditto	Boston	Halifax	24 „	1 22 „
						Queenstown	1 Aug.	9 35 p.m.
25 „	noon	Borussia	Hamburg American	United States	New York	—	—	—
25 „	noon	Edinburgh	Liverpool, New York, and Philadelphia.	ditto	ditto	Queenstown	5 Aug.	0 5 p.m.
25 „	9 40 a.m.	Jura	Montreal Ocean	British	Quebec	Londonderry	5 „	1 24 a.m.
29 „	3 10 p.m.	Persia	Cunard	ditto	New York	Queenstown	7 „	11 32 p.m.
1 Aug.	noon	Hansa	North German Lloyd	United States	ditto	—	—	—
1 „	noon	City of London	Liverpool, New York, and Philadelphia.	ditto	ditto	Queenstown	11 Aug.	9 30 a.m.
1 „	10 0 a.m.	Nova Scotian	Montreal Ocean	British	Quebec	Londonderry	13 „	2 30 „
5 „	0 6 p.m.	Africa	Cunard	ditto	Boston	Halifax	7 „	5 25 „
						Queenstown	15 „	8 37 p.m.
8 „	noon	City of New York	Liverpool, New York, and Philadelphia.	United States	New York	ditto	18 „	4 0 a.m.

HOMEWARD MAILS—*continued.*

8. Date of Departure from Ports of Call.		9. Port of Arrival.	10. Date of Arrival of Packet.		11. Duration of Passage.	12. Total Stoppages at Intermediate Ports.	13. Mails Dispatched from New York.		14. Mails Arrived in London.		15. Time occupied in Transmission of Mails.	16. Whether Packet Subsidized, or Carrying Mails for Postage.
Day.	Hour.		Day.	Hour.			Day.	Hour.	Day.	Hour.		
1863:	H. M.		1863:	H. M.	D. H.	HOURS.	1863:	H. M.	1863:	H. M.	D. H.	
3 May	3 15 a.m.	Liverpool	3 May	10 5 p.m.	11 12	1½	22 Apr.	10 10 a.m.	4 May	7 24 a.m.	11 21¼	Subsidized.
–	– –	Southampton	7 „	11 0 a.m.	11 23	– –	25 „	noon	7 „	3 25 p.m.	12 3½	For postage.
– No return –		Liverpool	6 „	2 5 p.m.	11 2	– –	25 „	noon	Brought mails for Ireland only.		– –	– ditto.
5 May	8 15 p.m.	– ditto –	6 „	1 15 „	10 18¾	0½	– No return –		6 May	6 55 „	– –	Subsidized.
1 „	5 35 a.m.	– ditto –	10 „	2 55 a.m.	10 40¾	2¼	– No return –		10 „	7 22 a.m.	– –	– ditto.
9 „	7 45 „											
–	– –	Southampton	14 „	6 0 „	11 18	– –	2 May	noon	14 „	10 15 „	11 22¼	For postage.
– No return –		Liverpool	14 „	4 25 p.m.	12 4½	– –	2 „	noon	Brought mails for Ireland only.		– –	– ditto.
13 May	8 30 a.m.	– ditto –	14 „	6 0 a.m.	11 13½	0½	– No return –		14 May	7 45 „	– –	Subsidized.
16 „	3 15 „	– ditto –	16 „	8 14 p.m.	10 10¾	0¾	6 May	9 32 a.m.	17 „	7 20 „	10 21¾	– ditto.
–	– –	Southampton	22 „	5 30 „	13 5½	– –	9 „	noon	22 „	11 0 „	13 11	For postage.
– No return –		Liverpool	24 „	1 0 a.m.	14 13	– –	9 „	noon	Brought mails for Ireland only.		– –	Subsidized.
27 May	3 0 p.m.	– ditto –	28 „	6 0 p.m.	17 13	0¼	– No return –		28 May	6 50 p.m.	– –	For postage.
15 „	8 32 a.m.	– ditto –	26 „	3 50 a.m.	12 16½	2¾	– No return –		26 „	7 25 a.m.	– –	Subsidized.
25 „	6 15 „											
– No return –		– ditto –	30 „	6 55 a.m.	13 19	– –	16 May	noon	30 „	3 7 p.m.	14 3	For postage.
27 May	7 30 p.m.	– ditto –	28 „	1 35 p.m.	12 3¾	0¼	– No return –		28 „	6 50 „	– –	Subsidized.
29 „	6 28 „	– ditto –	30 „	0 35 „	10 3½	1¼	20 May	9 10 a.m.	30 „	6 52 „	10 9¾	– ditto.
– No return –		– ditto –	3 June	2 10 a.m.	10 14¼	– –	23 „	noon	3 June	11 15 a.m.	10 23¼	For postage.
2 June	6 30 p.m.	– ditto –	3 „	1 0 p.m.	11 2½	0½	– No return –		3 „	6 51 p.m.	– –	Subsidized.
29 May	7 30 a.m.	– ditto –	8 „	2 35 a.m.	11 12¾	1½	– No return –		8 „	7 21 a.m.	– –	– ditto.
7 June	0 40 „											
–	– –	Southampton	11 „	10 0 p.m.	12 10	– –	30 May	noon	12 „	2 35 „	12 14½	For postage.
– No return –		Liverpool	11 „	2 45 a.m.	11 14¾	– –	30 „	noon	Brought mails for Ireland only.		– –	– ditto.
10 June	4 40 p.m.	– ditto –	11 „	noon	11 23½	0¾	– No return –		11 June	6 45 p.m.	– –	Subsidized.
12 „	6 15 „	– ditto –	13 „	0 20 p.m.	9 21	0½	3 June	3 25 p.m.	13 „	6 50 „	10 3½	– ditto.
–	– –	Southampton	17 „	7 45 a.m.	10 19¾	– –	6 „	noon	17 „	11 35 a.m.	10 23½	For postage.
– No return –		Liverpool	17 „	5 40 p.m.	11 5¾	– –	6 „	noon	Brought mails for Ireland only.		– –	– ditto.
17 June	8 20 p.m.	– ditto –	18 „	1 10 „	12 13	0¼	– No return –		18 „	6 55 p.m.	– –	Subsidized.
11 „	10 27 „	– ditto –	21 „	4 58 a.m.	10 17¼	2	– No return –		21 „	7 10 a.m.	– –	– ditto.
20 „	10 15 a.m.											
– No return –		– ditto –	25 „	5 55 p.m.	12 6	– –	13 June	noon	26 „	5 7 „	12 17	For postage.
23 June	8 0 a.m.	– ditto –	24 „	3 0 a.m.	10 17	1	– No return –		24 „	7 18 a.m.	– –	Subsidized.
27 „	2 55 „	– ditto –	27 „	7 35 h.m.	10 3½	1½	17 June	4 20 p.m.	28 „	7 25 „	10 15	– ditto.
–	– –	Southampton	1 July	8 0 a.m.	10 20	– –	20 „	noon	1 July	11 35 „	10 23½	For postage.
– No return –		Liverpool	4 „	5 45 p.m.	14 5¾	– –	20 „	noon	Brought mails for Ireland only.		– –	– ditto.
1 July	8 0 p.m.	– ditto –	2 „	8 30 „	12 10½	0½	– No return –		2 July	6 48 p.m.	– –	Subsidized.
26 June	3 30 a.m.	– ditto –	5 „	4 22 a.m.	10 15¼	2¼	– No return –		5 „	7 7 a.m.	– –	– ditto.
4 July	8 6 „											
– No return –		– ditto –	8 „	4 45 „	10 5	– –	27 June	noon	8 „	3 20 p.m.	11 3¼	For postage.
– No return –		Glasgow	– No return –		–	– –	– No return –		13 „	6 55 „	– –	Subsidized.
10 July	2 20 p.m.	Liverpool	11 July	6 45 a.m.	9 14½	2¼	1 July	4 15 p.m.	11 „	6 48 „	10 2½	– ditto.
–	– –	Southampton	17 „	1 0 „	12 13	– –	4 „	noon	17 „	4 55 a.m.	12 17	For postage.
– No return –		Liverpool	17 „	8 20 p.m.	13 8¼	– –	4 „	noon	Brought mails for Ireland only.		– –	– ditto.
15 July	6 20 p.m.	– ditto –	16 „	1 0 „	12 2¼	0½	– No return –		16 July	6 47 p.m.	– –	Subsidized.
10 „	10 24 a.m.	– ditto –	20 „	1 47 a.m.	11 12½	2¾	– No return –		20 „	7 15 a.m.	– –	– ditto.
19 „	6 30 „											
– No return –		– ditto –	24 „	7 35 p.m.	13 7½	– –	11 July	noon	25 „	5 10 „	13 17¼	For postage.
22 July	4 45 p.m.	– ditto –	23 „	noon	12 2¼	0¼	– No return –		23 „	6 48 p.m.	– –	Subsidized.
25 „	8 35 „	– ditto –	26 „	4 53 p.m.	10 12	1	16 July	5 0 a.m.	27 „	5 6 a.m.	11 0	– ditto.
– No return –		– ditto –	29 „	4 35 „	11 4½	– –	18 „	noon	29 „	11 35 p.m.	11 11½	For postage.
28 July	9 15 a.m.	– ditto –	29 „	5 15 a.m.	10 19¼	0½	– No return –		29 „	3 0 „	– –	Subsidized.
24 „	3 35 „	– ditto –	2 Aug.	11 35 p.m.	11 11¾	2½	– No return –		3 Aug.	7 35 a.m.	– –	– ditto.
1 Aug.	9 48 p.m.											
–	– –	Southampton	6 „	8 0 „	12 8	– –	25 July	noon	7 „	2 20 „	12 14½	For postage.
– No return –		Liverpool	6 „	1 0 „	12 1	– –	25 „	noon	Brought mails for Ireland only.		– –	– ditto.
5 Aug.	1 40 a.m.	– ditto –	5 „	8 10 „	11 10½	0¼	– No return –		6 Aug.	7 27 a.m.	– –	Subsidized.
8 „	5 0 „	– ditto –	8 „	9 5 „	10 6	5½	29 July	3 10 p.m.	9 „	7 25 „	10 16¼	– ditto.
–	– –	Southampton	12 „	6 0 „	11 6	– –	1 Aug.	noon	12 „	11 10 p.m.	11 11¼	For postage.
– No return –		Liverpool	12 „	8 25 a.m.	10 20½	– –	1 „	noon	Brought mails for Ireland only.		– –	– ditto.
13 Aug.	3 20 a.m.	– ditto –	13 „	11 30 p.m.	12 13½	0¾	– No return –		14 Aug.	10 30 a.m.	– –	Subsidized.
7 „	6 37 „	– ditto –	16 „	11 0 p.m.	11 11	2¾	– No return –		17 „	7 20 „	– –	– ditto.
15 „	10 15 p.m.											
– No return –		– ditto –	19 „	1 0 a.m.	10 13	– –	8 Aug.	noon	19 „	10 35 „	10 22½	For postage.

HOMEWARD MAILS—*continued.*

1. Dispatch of Packet.		2.	3.	4.	5.	7.	7. Date of Arrival at Ports of Call.	
Day.	Hour.	Name of Packet.	To what Company Packet belonged.	Whether British or United States.	Port of Departure.	Ports of Call.	Day.	Hour.
1863:	H. M.						1863:	H. M.
8 Aug.	10 0 a.m.	Damascus	Montreal Ocean	British	Quebec	Londonderry	19 Aug.	8 30 a.m.
12 ,,	2 17 p.m.	Scotia	Cunard	ditto	New York	Queenstown	21 ,,	6 10 ,,
15 ,,	noon	America	North German Lloyd	United States	ditto	- -	- -	- -
15 ,,	noon	City of Manchester	Liverpool, New York, and Philadelphia.	ditto	ditto	Queenstown	27 Aug.	7 30 a.m.
15 ,,	9 40 a.m.	America	Montreal Ocean	British	Quebec	Londonderry	27 ,,	4 50 ,,
19 ,,	11 0 ,,	Arabia	Cunard	ditto	Boston	Halifax Queenstown	21 ,, 28 ,,	0 55 a.m. 8 30 p.m.
22 ,,	noon	Saxonia	Hamburg American	United States	New York	- -	- -	- -
22 ,,	noon	Glasgow	Liverpool, New York, and Philadelphia.	ditto	ditto	Queenstown	3 Sept.	2 0 p.m.
22 ,,	9 45 a.m.	Bohemian	Montreal Ocean	British	Quebec	Londonderry	1 ,,	7 0 ,,
26 ,,	2 40 p.m.	China	Cunard	ditto	New York	Queenstown	4 ,,	6 24 ,,
29 ,,	noon	Bremen	North German Lloyd	United States	ditto	- -	- -	- -
29 ,,	noon	City of Washington	Liverpool, New York, and Philadelphia.	ditto	ditto	Queenstown	8 Sept.	1 20 p.m.
29 ,,	9 55 a.m.	Hibernian	Montreal Ocean	British	Quebec	Londonderry	7 ,,	5 40 a.m.
2 Sept.	11 14 ,,	Asia	Cunard	ditto	Boston	Halifax Queenstown	4 ,, 12 ,,	8 14 ,, 6 10 p.m.
5 ,,	noon	City of London	Liverpool, New York, and Philadelphia.	United States	New York	ditto	15 ,,	1 50 ,,
5 ,,	10 0 a.m.	North American	Montreal Ocean	British	Quebec	Londonderry	14 ,,	6 0 ,,
8 ,,	noon	Hibernia	Atlantic Royal Mail	ditto	Boston	St. John's	12 ,,	1 20 ,,
9 ,,	0 45 p.m.	Persia	Cunard	ditto	New York	Queenstown	19 ,,	2 5 a.m.
12 ,,	noon	City of Baltimore	Liverpool, New York, and Philadelphia.	United States	ditto	ditto	23 ,,	3 15 ,,
12 ,,	9 45 a.m.	Jura	Montreal Ocean	British	Quebec	Londonderry	21 ,,	7 35 ,,
16 ,,	10 10 ,,	Africa	Cunard	ditto	Boston	Halifax Queenstown	17 ,, 25 ,,	8 25 p.m. 8 37 ,,
19 ,,	noon	Germania	Hamburg American	United States	New York	- -	- -	- -
19 ,,	noon	City of New York	Liverpool, New York, and Philadelphia.	ditto	ditto	Queenstown	28 Sept.	4 25 p.m.
19 ,,	10 0 a.m.	Nova Scotian	Montreal Ocean	British	Quebec	Londonderry	29 ,,	0 30 ,,
22 ,,	11 45 ,,	Adriatic	Atlantic Royal Mail	ditto	New York	St. John's	26 ,,	10 0 ,,
23 ,,	1 0 p.m.	Scotia	Cunard	ditto	ditto	Queenstown	2 Oct.	5 8 a.m.
26 ,,	noon	Hansa	North German Lloyd	United States	ditto	- -	- -	- -
26 ,,	noon	Etna	Liverpool, New York, and Philadelphia.	ditto	ditto	Queenstown	7 Oct.	3 0 ,,
26 ,,	9 40 a.m.	Damascus	Montreal Ocean	British	Quebec	Londonderry	6 ,,	11 0 ,,
30 ,,	10 15 ,,	Arabia	Cunard	ditto	Boston	Halifax Queenstown	2 ,, 10 ,,	1 52 ,, 5 27 ,,
3 Oct.	noon	City of Washington	Liverpool, New York, and Philadelphia.	United States	New York	ditto	14 ,,	7 0 ,,
3 ,,	9 40 a.m.	America	Montreal Ocean	British	Quebec	Londonderry	14 ,,	11 30 p.m.
6 ,,	11 30 ,,	Anglia	Atlantic Royal Mail	ditto	Boston	St. John's	10 ,,	7 30 ,,
7 ,,	0 10 p.m.	China	Cunard	ditto	New York	Queenstown	16 ,,	11 25 ,,
10 ,,	noon	America	North German Lloyd	United States	ditto	- -	- -	- -
10 ,,	noon	City of Manchester	Liverpool, New York, and Philadelphia.	ditto	ditto	Queenstown	22 Oct.	6 0 a.m.
10 ,,	10 0 a.m.	Bohemian	Montreal Ocean	British	Quebec	Londonderry	21 ,,	5 15 ,,
14 ,,	10 35 ,,	Europa	Cunard	ditto	Boston	Halifax Queenstown	15 ,, 25 ,,	11 50 p.m. 9 53 a.m.
17 ,,	noon	Saxonia	Hamburg American	United States	New York	- -	- -	- -
17 ,,	noon	City of London	Liverpool, New York, and Philadelphia.	ditto	ditto	Queenstown	27 Oct.	10 45 p.m.
17 ,,	11 0 a.m.	North American	Montreal Ocean	British	Quebec	Londonderry	27 ,,	3 0 a.m.
20 ,,	10 0 ,,	Columbia	Atlantic Royal Mail	ditto	New York	St. John's	25 ,,	8 30 p.m.
21 ,,	0 35 p.m.	Persia	Cunard	ditto	ditto	Queenstown	31 ,,	9 26 a.m.
24 ,,	noon	Bremen	North German Lloyd	United States	ditto	- -	- -	- -
24 ,,	noon	City of Baltimore	Liverpool, New York, and Philadelphia.	ditto	ditto	Queenstown	5 Nov.	7 45 a.m.
24 ,,	0 30 p.m.	Jura	Montreal Ocean	British	Quebec	Londonderry	2 ,,	9 30 ,,
28 ,,	11 30 a.m.	Olympus	Cunard	ditto	Boston	Halifax Queenstown	30 Oct. 9 Nov.	10 15 ,, 4 5 p.m.
31 ,,	noon	City of New York	Liverpool, New York, and Philadelphia.	United States	New York	ditto	10 ,,	5 15 a.m.
31 ,,	10 25 a.m.	Hibernian	Montreal Ocean	British	Quebec	Londonderry	10 ,,	10 18 ,,
3 Nov.	3 15 p.m.	Hibernia	Atlantic Royal Mail	ditto	Boston	St. John's	7 ,,	1 25 p.m.
4 ,,	0 30 ,,	Scotia	Cunard	ditto	New York	Queenstown	13 ,,	3 35 a.m.
7 ,,	noon	Etna	Liverpool, New York, and Philadelphia.	United States	ditto	ditto	18 ,,	1 30 ,,
7 ,,	9 50 a.m.	Damascus	Montreal Ocean	British	Quebec	Londonderry	17 ,,	2 15 p.m
11 ,,	10 47 ,,	Canada	Cunard	ditto	Boston	Halifax Queenstown	13 ,, 22 ,,	1 33 a.m. 8 47 ,,
14 ,,	noon	Germania	Hamburg American	United States	New York	- -	- -	- -

HOMEWARD MAILS—*continued.*

8. Date of Departure from Ports of Call.		9. Port of Arrival.	10. Date of Arrival of Packet.		11. Duration of Passage.	12. Total Stoppages at Intermediate Ports.	13. Mails Dispatched from New York.		14. Mails Arrived in London.		15. Time occupied in Transmission of Mails.	16. Whether Packet Subsidized, or Carrying Mails for Postage.
Day.	Hour.		Day.	Hour.			Day.	Hour.	Day.	Hour.		
1863:	H. M.		1863:	H. M.	D. H.	HOURS.	1863:	H. M.	1863:	H. M.	D. H.	
19 Aug.	9 0 a.m.	Liverpool	20 Aug.	3 15 a.m.	11 17¼	0½	No return		20 Aug.	7 26 a.m.	- -	Subsidized.
21 „	8 20 „	ditto	22 „	5 17 „	9 15	2¼	12 Aug.	2 17 p.m.	22 „	7 17 „	19 17	ditto.
- - -		Southampton	26 „	midnight	11 12	- -	15 „	noon	27 „	5 5 „	11 17	For postage.
No return		Liverpool	28 „	8 55 a.m.	12 21	- -	15 „	noon	Brought mails for Ireland only.		- -	ditto.
27 Aug.	6 0 a.m.	ditto	28 „	4 0 „	12 18¼	1¼	No return		28 Aug.	7 20 a.m.	- -	Subsidized.
21 „	2 25 „	ditto	29 „	3 37 p.m.	10 4½	1¾	No return		29 „	6 45 p.m.	- -	ditto.
28 „	8 47 p.m.											
- - -		Southampton	3 Sept.	8 30 a.m.	11 20½	- -	22 Aug.	noon	3 Sept.	11 35 a.m.	11 23½	For postage.
No return		Liverpool	4 „	2 0 p.m.	13 2	- -	22 „	noon	Brought mails for Ireland only.		- -	ditto.
1 Sept.	7 30 p.m.	ditto	2 „	3 25 „	11 5¾	0½	No return		2 Sept.	6 47 p.m.	- -	Subsidized.
4 „	7 5 „	ditto	5 „	2 0 „	9 23¼	0¾	26 Aug.	2 40 p.m.	5 „	6 54 „	10 4¼	ditto.
- - -		Southampton	10 „	9 0 „	12 9	- -	29 „	noon	11 „	0 55 a.m.	12 13	For postage.
No return		Liverpool	9 „	11 5 a.m.	10 23	- -	29 „	noon	Brought mails for Ireland only.		- -	ditto.
7 Sept.	6 10 a.m.	ditto	7 „	10 43 p.m.	9 12¾	0½	No return		8 Sept.	7 37 a.m.	- -	Subsidized.
4 „	9 44 „	ditto	13 „	2 47 „	11 3½	2¼	No return		14 „	5 14 „	- -	ditto.
12 „	7 0 p.m.											
No return		ditto	16 „	0 10 „	11 0¼	- -	5 Sept.	noon	16 „	9 50 p.m.	11 9¾	For postage.
14 Sept.	7 0 p.m.	ditto	15 „	1 0 „	10 3	1	No return		15 „	6 53 „	- -	Subsidized.
12 „	2 58 „	Galway	19 „	4 20 „	11 4¼	1¾	No return		21 „	5 10 a.m.	- -	ditto.
19 „	3 50 a.m.	Liverpool	20 „	5 20 a.m.	10 16½	1¾	9 Sept.	0 45 p.m.	20 „	7 45 „	10 19	ditto
No return		ditto	24 „	2 20 „	11 14¼	- -	12 „	noon	24 „	11 3 „	11 23	For postage.
21 Sept.	7 50 a.m.	ditto	22 „	6 40 „	9 21	0¼	No return		22 „	7 35 „	- -	Subsidized.
17 „	10 45 p.m.	ditto	26 „	8 5 p.m.	10 10	2¾	No return		26 „	6 58 p.m.	- -	ditto.
25 „	9 7 „											
- - -		Southampton	30 „	11 0 a.m.	10 23	- -	19 Sept.	noon	30 „	1 40 „	11 1¾	For postage.
No return		Liverpool	29 „	0 45 p.m.	10 0¾	- -	19 „	noon	Brought mails for Ireland only.		- -	ditto.
29 Sept.	1 30 p.m.	ditto	30 „	11 40 a.m.	11 2	1	No return		30 Sept.	7 5 p.m.	- -	Subsidized.
27 „	4 30 a.m.	Galway	4 Oct.	1 0 p.m.	12 1¼	6½	22 Sept.	11 45 a.m.	5 Oct.	7 0 „	13 7¼	ditto.
2 Oct.	6 30 „	Liverpool	3 „	6 3 a.m.	9 17	1¾	23 „	1 0 p.m	3 „	7 38 a.m.	9 18½	ditto.
- - -		Southampton	8 „	9 30 „	11 21½	- -	26 „	noon	8 „	0 55 p.m.	12 1	For postage.
No return		Liverpool	8 „	9 30 „	11 21½	- -	26 „	noon	Brought mails for Ireland only.		- -	ditto.
6 Oct.	11 40 a.m.	ditto	7 „	4 40 p.m.	11 7	0¾	No return		8 Oct.	5 13 a.m.	- -	Subsidized.
2 „	3 19 „	ditto	11 „	7 33 a.m.	10 21¼	2	No return		11 „	7 38 „	- -	ditto.
10 „	6 6 „											
No return		ditto	15 „	6 5 „	11 18	- -	3 Oct.	noon	15 „	3 10 p.m.	12 3¼	For postage.
15 Oct.	0 10 a.m.	ditto	15 „	10 15 p.m.	12 12½	0¾	No return		16 „	5 10 a.m.	- -	Subsidized.
11 „	1 45 „	Galway	18 „	11 30 a.m.	12 0	6¼	No return		19 „	7 30 „	- -	ditto.
16 „	11 55 p.m.	Liverpool	18 „	1 55 „	10 13¾	0¼	7 Oct.	0 10 p.m.	18 „	7 34 „	10 19½	ditto.
- - -		Southampton	22 „	5 0 „	11 17	- -	10 „	noon	22 „	10 10 „	11 22¼	For postage.
No return		Liverpool	22 „	8 30 „	11 20½	- -	10 „	noon	Brought mails for Ireland only.		- -	ditto.
21 Oct.	5 35 a.m.	ditto	22 „	7 0 „	11 21	0¼	No return		22 Oct.	7 30 a.m.	- -	Subsidized.
16 „	2 6 „	ditto	26 „	8 5 „	11 21½	3	No return		26 „	7 30 „	- -	ditto.
25 „	10 30 „											
- - -		Southampton	29 „	2 30 p.m.	12 2½	- -	17 Oct.	noon	29 „	6 20 „	12 6¼	For postage.
No return		Liverpool	28 „	9 10 „	11 9¼	- -	17 „	noon	Brought mails for Ireland only.		- -	ditto.
27 Oct.	4 0 a.m.	ditto	28 „	8 30 a.m.	10 21½	1	No return		28 Oct.	7 31 a.m.	- -	Subsidized.
25 „	10 30 p.m.	Galway	2 Nov.	2 30 „	12 16½	2	20 Oct.	10 0 a.m.	3 Nov.	7 58 „	13 22	ditto.
31 „	10 55 a.m.	Liverpool	1 „	3 42 „	10 15	1½	21 „	0 35 p.m.	1 „	7 4 „	10 18½	ditto.
- - -		Southampton	7 „	1 0 „	13 13	- -	24 „	noon	7 „	5 5 „	13 17	For postage.
No return		Liverpool	6 „	8 50 „	12 20¾	- -	24 „	noon	Brought mails for Ireland only.		- -	ditto.
2 Nov.	10 0 a.m.	ditto	3 „	4 30 „	9 16	0½	No return		3 Nov.	3 10 p.m.	- -	Subsidized.
30 Oct.	1 0 p.m.	ditto	10 „	8 54 p.m.	13 9½	3¾	No return		10 „	6 55 „	- -	ditto.
9 Nov.	5 10 „											
No return		ditto	11 „	1 5 a.m.	10 13	- -	31 Oct.	noon	11 „	11 22 a.m.	10 23¼	For postage.
10 Nov.	10 33 a.m.	ditto	11 „	6 5 „	10 19¾	0¼	No return		11 „	3 20 p.m.	- -	Subsidized.
7 „	3 15 p.m.	Galway	14 „	4 40 p.m.	11 1½	1¾	No return		16 „	5 10 a.m.	- -	ditto.
13 „	5 6 a.m.	Liverpool	14 „	1 5 a.m.	9 12½	1½	4 Nov.	0 30 p.m.	14 „	7 32 „	9 19	ditto.
No return		ditto	19 „	5 50 „	11 17¾	- -	7 „	noon	19 „	3 5 p.m.	12 3	For postage.
17 Nov.	2 40 p.m.	ditto	18 „	2 0 p.m.	11 4¼	0½	No return		18 „	6 54 „	- -	Subsidized.
13 „	3 20 a.m.	ditto	23 „	8 3 a.m.	11 21¼	2¼	No return		23 „	7 40 a.m.	- -	ditto.
22 „	9 20 „											
- - -		Southampton	25 „	4 30 p.m.	11 4½	- -	14 Nov.	noon	25 „	7 57 p.m.	11 8	For postage.

HOMEWARD MAILS—*continued.*

1. Dispatch of Packet. Day.	1. Dispatch of Packet. Hour.	2. Name of Packet.	3. To what Company Packet belonged.	4. Whether British or United States.	5. Port of Departure.	6. Ports of Call.	7. Date of Arrival at Ports of Call. Day.	7. Date of Arrival at Ports of Call. Hour.
1863:	H. M.						1863:	H. M.
14 Nov.	noon	City of Washington -	Liverpool, New York, and Philadelphia.	United States -	New York -	Queenstown	26 Nov.	0 5 a.m.
14 ,,	11 0 a.m.	Nova Scotian - -	Montreal Ocean - - - -	British - -	Quebec -	Londonderry	26 ,,	2 50 ,,
17 ,,	11 50 ,,	Adriatic - - -	Atlantic Royal Mail - - -	ditto - -	New York -	St. John's -	21 ,,	1 45 p.m.
18 ,,	0 16 p.m.	China - - -	Cunard - - - - -	ditto - -	- ditto -	Queenstown	29 ,,	9 13 a.m.
21 ,,	noon	Hansa - - -	North German Lloyd - - -	United States -	- ditto -	- -	–	- -
21 ,,	noon	Edinburgh - -	Liverpool, New York, and Philadelphia.	- ditto - -	- ditto -	Queenstown	2 Dec.	3 15 p.m.
21 ,,	9 45 a.m.	Bohemian - -	Montreal Ocean - - - -	British - -	Quebec -	Londonderry	2 ,,	2 10 a.m.
25 ,,	10 20 ,,	Asia - - -	Cunard - - - - - -	ditto - -	Boston -	Halifax -	26 Nov.	10 15 p.m.
						Queenstown	5 Dec.	7 30 a.m.
28 ,,	noon	City of London -	Liverpool, New York, and Philadelphia.	United States -	New York -	- ditto -	8 ,,	1 35 p.m.
28 ,,	4 30 p.m.	North American -	Montreal Ocean - - - -	British - -	Portland -	Londonderry	8 ,,	3 40 ,,
1 Dec.	- -	Voyage omitted.						
2 ,,	11 45 a.m.	Persia - - -	Cunard - - - - -	British - -	New York -	Queenstown	11 ,,	8 50 ,,
5 ,,	noon	America - - -	North German Lloyd - - -	United States -	- ditto -	- -	–	- -
5 ,,	noon	City of Baltimore -	Liverpool, New York, and Philadelphia.	- ditto - -	- ditto -	Queenstown	17 Dec.	11 0 a.m.
5 ,,	4 0 p.m.	America - - -	Montreal Ocean - - - -	British - -	Portland -	Londonderry	18 ,,	1 0 p.m.
9 ,,	10 25 a.m.	Arabia - - -	Cunard - - - - -	ditto - -	Boston -	Halifax -	11 ,,	9 50 a.m.
						Queenstown	20 ,,	1 50 ,,
12 ,,	noon	Saxonia - - -	Hamburg American - - -	United States -	New York -	- -	–	- -
12 ,,	9 0 a.m.	City of New York -	Liverpool, New York, and Philadelphia,	- ditto - -	- ditto -	Queenstown	21 Dec.	noon
12 ,,	5 5 p.m.	Hibernian - -	Montreal Ocean - - - -	British - -	Portland -	Londonderry	22 ,,	8 20 a.m.
15 ,,	10 45 a.m.	Columbia - -	Atlantic Royal Mail - - -	ditto - -	New York -	St. John's -	20 ,,	4 0 p.m.
16 ,,	11 0 ,,	Scotia - - -	Cunard - - - - -	ditto - -	- ditto -	Queenstown	24 ,,	9 4 ,,
19 ,,	noon	Bremen - - -	North German Lloyd - - -	United States -	- ditto -	- -	–	- -
19 ,,	noon	Etna - - -	Liverpool, New York, and Philadelphia.	- ditto - -	- ditto -	Queenstown	30 Dec.	6 0 p.m.
19 ,,	5 15 p.m.	Damascus - -	Montreal Ocean - - - -	British - -	Portland -	Londonderry	1864: 1 Jan.	7 35 ,,
23 ,,	10 13 a.m.	Canada - - -	Cunard - - - - -	ditto - -	Boston -	Halifax -	1863: 25 Dec.	8 55 a.m.
						Queenstown	1864: 4 Jan.	1 10 p.m.
26 ,,	2 0 p.m.	City of Washington -	Liverpool, New York, and Philadelphia.	United States -	New York -	- -	7 ,,	0 15 a.m.
26 ,,	9 30 ,,	Nova Scotian - -	Montreal Ocean - - - -	British - -	Portland -	Londonderry	7 ,,	3 0 p.m.
29 ,,	1 45 ,,	Hibernia - -	Atlantic Royal Mail - - -	ditto - -	Boston -	St. John's -	2 ,,	5 30 a.m.
30 ,,	10 55 a.m.	Australasian - -	Cunard - - - - -	ditto - -	New York -	Queenstown	8 ,,	6 25 p.m.

General Post Office.—In the case of all Mail Packets sailing from New York, the day and hour given in Column 13 are those on which the Packets

General Post Office,
May 1864.

HOMEWARD MAILS—*continued.*

8. Date of Departure from Ports of Call.		9. Port of Arrival.	10. Date of Arrival of Packet.		11. Duration of Passage.	12. Total Stoppages at Intermediate Ports.	13. Mails Dispatched from New York.		14. Mails Arrived in London.		15. Time occupied in Transmission of Mails.	16. Whether Packet Subsidized, or Carrying Mails for Postage.
Day.	Hour.		Day.	Hour.			Day.	Hour.	Day.	Hour.		
1863:	H. M.		1863:	H. M.	D. H.	HOURS.	1863:	H. M.	1863:	H. M.	D. H.	
- No return -		Liverpool -	27 Nov.	1 5 a.m.	12 13	- -	14 Nov.	noon	Brought mails for Ireland only.		- -	For postage.
26 Nov.	3 10 a.m.	- ditto -	27 ,,	10 35 ,,	12 23½	0½	- No return -		27 Nov.	7 43 a.m.	- -	Subsidized.
21 ,,	3 18 p.m.	Galway -	28 ,,	9 15 ,,	10 21½	1½	17 Nov.	11 50 a.m.	29 ,,	7 40 ,,	11 19¾	- ditto.
29 ,,	10 10 a.m.	Liverpool	30 ,,	0 25 p.m.	12 0	1	18 ,,	0 16 p.m.	30 ,,	7 20 ,,	11 19	- ditto.
-	- -	Southampton	3 Dec.	1 30 ,,	12 1½	- -	21 ,,	noon	3 Dec.	6 30 p.m.	12 6½	For postage.
- No return -		Liverpool -	4 ,,	6 55 a.m.	12 19	- -	21 ,,	noon	Brought mails for Ireland only.		- -	- ditto.
2 Dec.	2 25 a.m.	- ditto -	3 ,,	2 0 ,,	11 16¼	0¼	- No return -		3 Dec.	10 40 a.m.	- -	Subsidized.
26 Nov.	11 45 p.m.	- ditto -	6 ,,	6 0 ,,	10 19¾	2¾	- No return -		6 ,,	7 30 ,,	- -	- ditto.
5 Dec.	8 40 a.m.											
- No return -		- ditto -	9 ,,	11 10 ,,	10 23¼	- -	28 Nov.	noon	9 ,,	5 40 p.m.	11 5¾	For postage.
8 Dec.	4 10 p.m.	- ditto -	9 ,,	10 30 ,,	10 18	0½	- No return -		10 ,,	7 34 a.m.	- -	Subsidized.
11 ,,	10 6 ,,	- ditto -	12 ,,	2 47 p.m.	10 3	1¼	2 Dec.	11 45 a.m.	12 ,,	7 0 p.m.	10 7¼	- ditto.
-	- -	Southampton	16 ,,	1 0 ,,	11 1	- -	5 ,,	noon	16 ,,	4 35 ,,	11 4½	For postage.
- No return -		Liverpool -	18 ,,	0 35 ,,	13 0½	- -	5 ,,	noon	Brought mails for Ireland only.		- -	- ditto.
18 Dec.	2 0 p.m.	- ditto -	19 ,,	3 30 ,,	13 23½	1	- No return -		20 Dec.	7 25 a.m.	- -	Subsidized.
11 ,,	1 45 ,,	- ditto -	20 ,,	9 50 ,,	11 11½	4¼	- No return -		21 ,,	7 40 ,,	- -	- ditto.
20 ,,	2 17 a.m.											
-	- -	Southampton	25 ,,	8 0 ,,	13 8	- -	12 Dec.	noon	25 ,,	11 40 p.m.	11 11¾	For postage.
- No return -		Liverpool -	22 ,,	9 20 a.m.	10 0¼	- -	12 ,,	9 0 a.m.	Brought mails for Ireland only.		- -	- ditto.
22 Dec.	8 30 a.m.	- ditto -	23 ,,	2 15 ,,	10 9¼	- -	- No return -		23 Dec.	8 5 a.m.	- -	- ditto.
21 ,,	8 0 ,,	Galway -	28 ,,	7 7 p.m.	13 8¼	16	15 Dec.	10 45 a.m.	29 ,,	6 59 p.m.	14 8¼	Subsidized.
24 ,,	10 5 p.m.	Liverpool -	25 ,,	1 40 ,,	9 2¾	1	16 ,,	11 0 ,,	25 ,,	6 55 ,,	9 8	- ditto.
-	- -	Southampton	1864: 1 Jan.	1 0 ,,	13 1	- -	19 ,,	noon	1864: 1 Jan.	4 35 ,,	13 4½	For postage.
- No return -		Liverpool -	1863: 31 Dec.	8 6 ,,	12 8	- -	19 ,,	noon	Brought mails for Ireland only.		- -	- ditto.
1864: 1 Jan.	8 0 p.m.	- ditto -	1864: 3 Jan.	4 30 a.m.	14 11¼	0½	- No return -		2 Jan.	7 5 p.m.	- -	Subsidized.
1863: 25 Dec.	noon	- ditto -	5 ,,	1 0 p.m.	13 2¾	4½	- No return -		5 ,,	7 5 ,,	- -	- ditto.
1864: 4 Jan.	2 35 p.m.											
- No return -		- ditto -	8 ,,	11 10 a.m.	12 21¼	- -	26 Dec.	2 0 p.m.	8 ,,	5 45 ,,	13 3¾	For postage.
7 Jan.	3 20 p.m.	ditto -	8 ,,	0 50 p.m.	12 15¼	0¼	- No return -		8 ,,	7 26 ,,	- -	Subsidized.
2 ,,	9 10 a.m.	Galway -	8 ,,	10 0 ,,	10 8¼	3¾	- No return -		9 ,,	7 37 ,,	- -	- ditto.
8 ,,	6 45 p.m.	Liverpool -	9 ,,	2 25 ,,	10 3½	0¼	30 Dec.	10 55 a.m.	9 ,,	7 37 ,,	10 10½	- ditto.

sailed from New York. In no other case can the hour at which the Mails were dispatched from New York be given.

William James Page,
Principal Clerk for Foreign and Colonial Business.

John Tilley,
Secretary.

TRANSATLANTIC STEAMERS.

RETURN of all TRANSATLANTIC STEAMERS (British or Foreign, and whether Carrying or not Carrying Mails) which, during the Year 1863, left any Port or Ports in the UNITED KINGDOM for any Port or Ports in NORTH AMERICA, arranged according to the Dates of their respective Departures; and, similar RETURN as to all TRANSATLANTIC STEAMERS which, during the same Year 1863, left any Port or Ports in NORTH AMERICA for any Port or Ports in the UNITED KINGDOM; also, a SUMMARY from the above RETURNS; &c.

(Mr. Scully.)

Ordered, by The House of Commons, *to be Printed.*
8 *June* 1864.

367.

Under 8 *oz.*

TREATY

BETWEEN

HER MAJESTY

AND

THE UNITED STATES OF AMERICA,

FOR

THE SETTLEMENT OF THE CLAIMS OF THE HUDSON'S BAY AND PUGET'S SOUND AGRICULTURAL COMPANIES.

Signed at Washington, July 1, 1863.

Presented to both Houses of Parliament by Command of Her Majesty.
1864.

LONDON:
PRINTED BY HARRISON AND SONS.

Treaty between Her Majesty and the United States of America, for the Settlement of the Claims of the Hudson's Bay and Puget's Sound Agricultural Companies.

Signed at Washington, July 1, 1863.

[*Ratifications exchanged at Washington, March* 3, 1864.]

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, and the United States of America, being desirous to provide for the final settlement of the claims of the Hudson's Bay and Puget's Sound Agricultural Companies, specified in Articles III and IV of the Treaty concluded between Great Britain and the United States of America on the 15th of June, 1846, have resolved to conclude a Treaty for this purpose, and have named as their Plenipotentiaries, that is to say :—

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honourable Richard Bickerton Pemell, Lord Lyons, a Peer of Her United Kingdom, a Knight Grand Cross of Her Most Honourable Order of the Bath, and Her Envoy Extraordinary and Minister Plenipotentiary to the United States of America;

And the President of the United States of America, William H. Seward, Secretary of State;

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon and concluded the following Articles :—

ARTICLE I.

Whereas by the IIIrd and IVth Articles of the Treaty concluded at Washington, on the 15th day of June, 1846, between Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and the United States of America, it was stipulated and agreed that in the future appropriation of the territory south of the 49th parallel of north latitude, as provided in the first Article of the said Treaty, the possessory rights of the Hudson's Bay Company, and of all British subjects who may be already in the occupation of land or other property lawfully acquired within the said territory, should be respected; and that the farms, lands, and other property of every description belonging to the Puget's Sound Agricultural Company, on the north side of the Columbia River, should be confirmed to the said Company; but that in case the situation of those farms and lands should be considered by the United States to be of public and political importance, and the United States' Government should signify a desire to obtain possession of the whole or of any part thereof, the property so required should be transferred to the said Government at a proper valuation, to be agreed upon between the parties :

And whereas it is desirable that all questions between the United States' authorities on the one hand, and the Hudson's Bay and Puget's Sound Agricultural Companies on the other, with respect to the possessory rights and claims of those Companies and of any other British subjects in Oregon and Washington territory, should be settled by the transfer of those rights and claims to the Government of the United States for an adequate money consideration :

It is hereby agreed that Her Britannic Majesty and the United States of America shall, within twelve months after the exchange of the ratifications of the present Treaty, appoint each a Commissioner for the purpose of examining and deciding upon all claims

arising out of the provisions of the above quoted Articles of the Treaty of June 15, 1846.

ARTICLE II.

The Commissioners mentioned in the preceding Article shall, at the earliest convenient period after they shall have been respectively named, meet at the city of Washington, in the District of Columbia, and shall, before proceeding to any business, make and subscribe a solemn declaration that they will impartially and carefully examine and decide, to the best of their judgment, and according to justice and equity, without fear, favour, or affection to their own country, all the matters referred to them for their decision; and such declaration shall be entered on the record of their proceedings.

The Commissioners shall then proceed to name an arbitrator or umpire to decide upon any case or cases on which they may differ in opinion. And if they cannot agree in the selection, the said arbitrator or umpire shall be appointed by the King of Italy, whom the two High Contracting Parties shall invite to make such appointment, and whose selection shall be conclusive on both parties. The person so to be chosen shall, before proceeding to act, make and subscribe a solemn declaration, in a form similar to that which shall already have been made and subscribed by the Commissioners, which declaration shall also be entered on the record of the proceedings. In the event of the death, absence, or incapacity of such person, or of his omitting, or declining, or ceasing to act as such arbitrator or umpire, another person shall be named in the manner aforesaid to act in his place or stead, and shall make and subscribe such declaration as aforesaid.

Her Britannic Majesty and the United States of America engage to consider the decision of the two Commissioners conjointly, or of the arbitrator or umpire, as the case may be, as final and conclusive on the matters to be referred to their decision, and forthwith to give full effect to the same.

ARTICLE III.

The Commissioners and the arbitrator or umpire shall keep accurate records and correct minutes or notes of all their proceedings, with the dates thereof, and shall appoint and employ such clerk or clerks, or other persons, as they shall find necessary to assist them in the transaction of the business which may come before them.

The salaries of the Commissioners and of the clerk or clerks shall be paid by their respective Governments. The salary of the arbitrator or umpire, and the contingent expenses, shall be defrayed in equal moieties by the two Governments.

ARTICLE IV.

All sums of money which may be awarded by the Commissioners, or by the arbitrator or umpire, on account of any claim, shall be paid by the one Government to the other in two equal annual instalments, whereof the first shall be paid within twelve months after the date of the award, and the second within twenty-four months after the date of the award, without interest, and without any deduction whatever.

ARTICLE V.

The present Treaty shall be ratified, and the mutual exchange of ratifications shall take place in Washington, in twelve months from the date hereof, or earlier if possible.

In faith whereof, we, the respective Plenipotentiaries, have signed this Treaty, and have hereunto affixed our seals.

Done in duplicate at Washington, the 1st day of July, Anno Domini 1863.

(L.S.) LYONS.
(L.S.) WILLIAM H. SEWARD.

UNITED STATES.

Treaty between Her Majesty and the United States of America, for the Settlement of the Claims of the Hudson's Bay and Puget's Sound Agricultural Companies.

Signed at Washington, July 1, 1863.

Presented to both Houses of Parliament by Command of Her Majesty. 1864.

LONDON:
PRINTED BY HARRISON AND SONS.

CANADA (TRANSPORT OF TROOPS, &c.)

RETURN to an Address of the Honourable The House of Commons, dated 6 April 1865;—*for*,

"RETURNS of the SUMS Paid out of the IMPERIAL TREASURY during the Years 1862, 1863, and 1864, for the TRANSPORT of TROOPS to *Canada*; the Expense of Maintaining them while there; for Arms and Military Stores of all kinds; whether for the Use of the Regular Troops or of the Canadian Militia and Volunteers; or for any other Object connected with the Defence of *Canada*:"

"And, of all SUMS Expended by the COLONIAL GOVERNMENT during the Years 1862, 1863, and 1864, for the Pay or Clothing of VOLUNTEERS; for providing Arms and Stores; or for any other Object connected with the Defence of *Canada*."

War Office, 3d July 1865.

HARTINGTON.

(*Mr. Sinclair Aytoun.*)

Ordered, by The House of Commons, *to be Printed*, 4 *July* 1865.

RETURNS of the SUMS Paid out of the IMPERIAL TREASURY during the Years 1862, 1863, and 1864, for the TRANSPORT of TROOPS to *Canada*; the Expense of Maintaining them while there; for Arms and Military Stores of all kinds; whether for the Use of the Regular Troops or of the Canadian Militia and Volunteers; or for any other Object connected with the Defence of *Canada*:—And, of all Sums Expended by the COLONIAL GOVERNMENT during the Years 1862, 1863, and 1864, for the Pay or Clothing of VOLUNTEERS; for providing Arms and Stores; or for any other Object connected with the Defence of *Canada*.

RETURN of the SUMS Paid out of the IMPERIAL TREASURY during the Years 1862, 1863, and 1864, for the TRANSPORT of TROOPS to *Canada*; the Expense of Maintaining them while there; for Arms and Military Stores of all kinds, whether for the Use of the Regular Troops or of the Canadian Militia and Volunteers, or for any other Object connected with the Defence of *Canada*.

		£. s. d.	£. s. d.
For Transport of Troops, &c. during 1861-2, 1862-3, and 1863-4 - - -			276,368 4 3
For Maintenance of Troops, &c. during* - -	1861-2	392,753 9 9	
	1862-3	683,869 4 8	
	1863-4	586,353 8 -	
			1,662,976 2 5
For Clothing for Troops, &c. during - - -	1862 -	76,557 10 8	
	1863 -	36,598 1 4	
	1864 -	32,170 17 4	
			145,326 9 4
For Arms and Military Stores supplied - -	From 1st to 31st December 1861	†165,775 - 3	
	„ 1st January to 31st May 1862 - - -	26,744 16 11	
	„ June 1862 to March 1863	363,285 6 3	
	„ 1st April 1863 to 31st March 1864 - -	80,906 17 3	
	„ 1st April to 31st December 1864 - - -	38,859 11 4	
			675,571 12 -
		£.	2,760,242 8 -

* The expenditure for 1864-5 cannot be furnished, as the accounts have not been received.

† This sum has been inserted in order to embrace the expenditure for stores supplied in consequence of the "Trent" affair.

RETURN showing the EXPENDITURE by the PROVINCE of *Canada*, for the MILITIA and VOLUNTEER FORCES, in the Years 1862, 1863, and 1864, as called for, by Letter No. 60, of the Right Honourable the Secretary of State for the Colonies, dated, Downing-street, 12th April 1865.

SERVICE.	In 1862.	In 1863.	In 1864.	TOTAL.
	$.	$.	$.	$.
Paid to Volunteers for Drill - -	22,840	6,353	7,283	
Purchase of Clothing for Volunteers -	- -	215,226	—	
Allowance in lieu of Clothing to Self-uniformed Corps - - - - -	11,120	33,931	33,596	
Drill Instruction, Pay and Contingencies of Brigade Majors - - - - -	13,542	69,436	52,713	
Inspection of Volunteers and Militia -	5,957	3,200	2,753	
Pay of Storekeepers, Cost of Maintaining Public Armories, Drill Sheds, &c.	5,419	5,285	18,775	
Staff at Head Quarters, Care and Transport of Arms and Stores, Contingencies of the Volunteer Force, and all other Incidental Expenses - -	31,182	40,184	32,749	
Paid to War Department for Military Stores and Ammunition - - -	1,092	97,333	115,191	
Pay and Contingencies of Military Schools - - - - - - -	- -	- -	48,930	
TOTALS - - $.	91,152	470,948	311,990	874,090

Certified,

(signed) *Robert Berry*, C. C. Acct.

(signed) *A. de Salaberry*, Lt. Col.,
D. A. Genl. Militia, Lower Canada.

W. Powell, Lt. Col.,
D. A. Genl. Militia, Upper Canada.

Militia Department, Quebec,
5 May 1865.

OBSERVATIONS.

1. The pay for drill of the volunteers for the year ending 30th June 1865 began in December last: 200 companies, at an average of 500 dollars per company, have been paid to this date, say, 100,000 dollars; and 100 additional companies have still to be paid for drill for the same year, say, 50,000 dollars. Total 150,000 dollars.

2. The pay and allowances of the frontier force, at an average outlay of 80,000 dollars a month, commenced about 24th December last, but no payments were made for it till January, consequently no charge is made for that service in the year 1864.

3. The arms of the volunteer force (with the exception of 3,200 stand complete, purchased by the province in 1856) are loaned by the Imperial authorities, no expenditure, therefore, has been made for arms. The province, has, however, paid for all the accoutrements and military stores generally.

4. There are six schools of military instruction now in operation, instead of two as in 1864.

(signed) *A. de Salaberry*, Lt. Col.,
D. A. G. M., L. C.

W. Powell, Lt. Col.,
D. A. G. M., U. C.

CANADA (TRANSPORT OF TROOPS, &c.)

RETURNS of the SUMS Paid out of the IMPERIAL TREASURY during the Years 1862, 1863, and 1864, for the TRANSPORT of TROOPS to *Canada*; the Expense of Maintaining them while there, &c.; and, of all SUMS Expended by the Colonial Government during the Years 1862, 1863, and 1864, for the Pay or Clothing of VOLUNTEERS; for providing Arms and Stores; or for any other Object connected with the Defence of *Canada*.

(*Mr. Sinclair Aytoun.*)

Ordered, by The House of Commons, *to be Printed,*
4 *July* 1865.

460.

Under 1 *oz.*

CORRESPONDENCE

RELATIVE TO

A MEETING AT QUEBEC OF DELEGATES

APPOINTED TO DISCUSS THE

PROPOSED UNION OF THE BRITISH NORTH AMERICAN PROVINCES.

Presented to both Houses of Parliament by Command of Her Majesty.
7th February 1865.



LONDON:
PRINTED BY GEORGE EDWARD EYRE AND WILLIAM SPOTTISWOODE,
PRINTERS TO THE QUEEN'S MOST EXCELLENT MAJESTY.
FOR HER MAJESTY'S STATIONERY OFFICE.

11567. 1865.

[*Price 2d.*]

SCHEDULE.

CANADA.

Number of Series.	From whom.	Number and Date.	Page.
1	Viscount Monck to the Right Hon. Edward Cardwell, M.P.	23 September 1864. No. 135	3
2	The Right Hon. Edward Cardwell, M.P., to Viscount Monck.	14 October 1864. No. 79 -	4
3	Viscount Monck to the Right Hon. Edward Cardwell, M.P.	7 November 1864. No. 168 -	4
4	Ditto ditto to ditto ditto -	14 November 1864. No. 174.	10
5	The Right Hon. Edward Cardwell, M.P., to Viscount Monck.	3 December 1864. No. 93 -	11

APPENDIX.

	His Grace the Duke of Newcastle, K.G., to the Earl of Mulgrave.	6th July 1862. No. 182 -	13

CORRESPONDENCE

RELATIVE TO

A MEETING AT QUEBEC OF DELEGATES

APPOINTED TO DISCUSS THE

PROPOSED UNION OF THE BRITISH NORTH AMERICAN PROVINCES.

CANADA.

No. 1. No. 1.

Copy of a DESPATCH from Viscount Monck to the Right Hon. Edward Cardwell, M.P.

(No. 135.)

Sir, Quebec, September 23, 1864.

I have the honour to transmit copy of an approved Minute of the Executive Council of Canada, requesting me to invite the Governments of Nova Scotia, New Brunswick, Prince Edward Island, and Newfoundland, to send Representatives to a conference with the Ministers of Canada, at Quebec, to be held for the purpose of considering the question of the Union of these Provinces, and to digest a practical plan for the realization of the idea which should be submitted for your approval.

The desire for a closer union amongst these Colonies than has hitherto existed appears to be very generally felt both in Canada and in the Lower Provinces.

It appears to me that the mode of proceeding suggested in this Minute is the only one in which the views entertained by the leading politicians of the British North American Colonies on this important subject can brought intelligibly and in a practical form before your attention.

This course is also I think that which was pointed out by the Duke of Newcastle in his Despatch to Lord Mulgrave (Nova Scotia, No. 182), of July 6, 1862,* transmitted to me for my information on the same day, as that which ought to be pursued in the circumstances.

* Printed in Appendix, page 13.

I have therefore had no hesitation in complying with the request of my Executive Council, and I have addressed identical communications, of which I enclose a copy, to the Lieutenant-Governors of Nova Scotia, New Brunswick, and Prince Edward Island, and to the Governor of Newfoundland, inviting them to nominate deputations to represent these respective Provinces at the proposed Conference.

I have, &c.,

The Right Hon. Edward Cardwell, M.P. (Signed) MONCK.

&c. &c. &c.

Copy of a Report of a Committee of the Executive Council, approved by his Excellency the Governor General on September 23, 1864.

The Committee of Council has the honour to inform your Excellency that the deputation from the Executive Council who met the delegates from the Maritime Provinces at Charlottetown on the 1st instant, in accordance with the Order in Council of the 29th ultimo, have reported that such Conference duly met, and that the question of a Confederation of the British North American Colonies was discussed at length, and such progress made that it was thought desirable by the Conference that the subject should be resumed in a formal and official manner under the authority of the Governments of the several Provinces.

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The Committee have therefore the honour to advise and submit for your Excellency's approval that the several Governments of Nova Scotia, New Brunswick, Prince Edward Island, and Newfoundland, be invited to appoint Delegates, under the authority of the Despatch of the Secretary for the Colonies to the Lieutenant-Governor of Nova Scotia, dated July 6, 1862, and communicated by the Colonial Office to your Excellency by a Despatch of the same date, to confer with the Canadian Government on the subject of a Union or Federation of the British North American Provinces.

The Committee beg leave further to recommend that Quebec be selected as the place, and the 10th of October next the time for the meeting, as they have ascertained that such time and place will meet the views and convenience of the several Governments.

Certified,
W. H. LEE,
Clerk of the Executive Council.

Lord MONCK to Governor of Lower Provinces.

SIR, Quebec, September 23, 1864.

I HAVE the honour to transmit a copy of an approved Minute of the Executive Council of Canada respecting the proposal to hold a Conference of Delegates from the Colonies of Nova Scotia, New Brunswick, Prince Edward Island, and Newfoundland, with the Ministers of Canada, to consider the question of a Union of these Colonies, and to digest a scheme for the practical realization of the idea which may be submitted as embodying the joint opinions of the Governments of the several Provinces to the Secretary of State for the Colonies with a view to obtaining his sanction for legislation on the subject.

In conformity with the request contained in this Minute, I have the honour to invite you to name a deputation to represent your Province in the approaching Conference, which will meet at Quebec on the 10th of October.

I have, &c.
(Signed) MONCK.

The Lieutenant Governors of Nova Scotia, New Brunswick, Prince Edward Island, and the Governor of Newfoundland.

No. 2.

No. 2.

COPY of a DESPATCH from the Right Hon. EDWARD CARDWELL, M.P., to Viscount MONCK.

(No. 79.)

MY LORD, Downing Street, October 14, 1864.

I HAVE the honour to acknowledge the receipt of your Lordship's Despatch, No. 135, of the 23rd of September, reporting that you had invited the Lieutenant-Governors of Nova Scotia, New Brunswick, and Prince Edward Island, together with the Governor of Newfoundland, to send Delegates to Quebec, to attend a Conference on the subject of the proposed Union of the British North American Provinces.

I approve of the course which your Lordship has taken in this matter

I have, &c,
(Signed) EDWARD CARDWELL.

Governor General Viscount Monck,
&c. &c. &c.

No. 3.

No. 3.

COPY of a DESPATCH from Viscount MONCK to the Right Hon. EDWARD CARDWELL, M.P.

(No. 168.)

SIR, Quebec, November 7, 1864.

* Page 3.

REFERRING to my Despatch (No. 135.*) of the 23rd September, in which I have informed you that I had invited the Lieutenant-Governors of Nova Scotia, New Brunswick, and Prince Edward Island, and the Governor of Newfoundland, to send Representatives to confer with the Members of the Canadian Government on the feasibility of effecting a Union between the Colonies of British North America, and to my Despatches† of the 14th October (No. 151.) and 2nd November (No. 165.), in which I enclosed to you the answers received to that invitation, I have the honour to report that the several gentlemen named in the communications above referred to as Representatives of those Colonies respectively arrrived at Quebec on Monday the 10th October, the day named for the assembling of the Conference.

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† *Note.*—These two Despatches merely reported the names of some of the Delegates, and the expected time of their meeting.

They immediately proceeded to the consideration of the important question, the discussion of which constituted the object of their meeting, having appointed Sir Etienne Taché, Prime Minister of Canada, as chairman to preside over their deliberations.

Their sittings began on the 10th October, and continued *de die in diem* until the 28th of the same month.

I have now the honour to transmit the Resolutions agreed to by the Conference, for which I would ask the favourable consideration of yourself and Her Majesty's Government.

I may state that an extended intercourse with the Members of the Conference enables me to assure you that they were one and all actuated by the strongest feelings of loyalty to the Queen, the most earnest desire to maintain the connection with England, and the wish to make the proposed Union work so as to strengthen that connection by enabling the Provinces to take upon themselves more largely the responsibilities of a self-governing community.

I do not enter into any arguments to prove that a consolidation of these Provinces is desirable, if it can be effected on principles which will give guarantees for strength and durability.

The advantages of a well considered plan of Union, whether looked at from the point of administration, commerce, or defence, appear to me so obvious that it would be a waste of time to state them; and the fact that the most eminent public men of all the Provinces concur in desiring such a Union, appears to me to go a long way in superseding the necessity for any abstract arguments in its favour.

The plan which has been adopted by the Conference you will observe is the Union of all the Provinces on the Monarchical principle, under one Governor, to be appointed by the Crown, with Ministers responsible, as in England, to a Parliament consisting of two Houses, one to be nominated by the Crown, and the other elected by the people.

To this Central Government and Legislature will be committed all the general business of the United Provinces, and its authority on all such subjects will be supreme, subject of course to the rights of the Crown and of the Imperial Parliament.

For the purposes of local administration it is proposed to have in each Province an Executive Officer, to be appointed by the Governor, and removable by him for cause to be assigned, assisted by a Legislative Body, the constitution of which it is proposed to leave to the decision of the present Local Legislatures, subject to the approbation of the Imperial Government and Parliament.

To these local bodies are to be entrusted the execution of certain specified duties of a local character, and they are to have no rights or authority beyond what is expressly delegated to them by the Act of Union.

To the General Government it is proposed to reserve the right of disallowing Acts passed by the Local Legislatures.

I think this will be found a fair general outline of the constitutional portion of the proposed scheme of Union, and I trust it will be found of such a nature as to merit the general approbation of Her Majesty's Government.

I do not allude to the proposed financial arrangements between the different members of the proposed Union, as these relate to questions exclusively affecting the Provinces, and upon which I presume they may safely be allowed to adopt any course which they may themselves think conducive to their interests.

In transmitting these Resolutions for your consideration I venture to state my opinion that the desire for a consolidation of British North America has taken strong hold of the minds of the most earnest and thoughtful men in these Provinces, and I trust that, whether on the plan suggested by these Resolutions, or on some modification of it, a Union may be effected, which will satisfy the aspirations of so loyal and influentlal a portion of Her Majesty's subjects.

I have, &c.

The Right Hon. Edward Cardwell, M.P., &c. &c. &c.

(Signed) MONCK.

REPORT of RESOLUTIONS adopted at a Conference of Delegates from the Provinces of Canada, Nova Scotia, and New Brunswick, and the Colonies of Newfoundland and Prince Edward Island, held at the city of Quebec, October 10, 1864, as the Basis of a proposed Confederation of those Provinces and Colonies.

1. The best interests and present and future prosperity of British North America will be promoted by a Federal Union under the Crown of Great Britain, provided such Union can be effected on principles just to the several Provinces.

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2. In the Federation of the British North American Provinces the system of government best adapted under existing circumstances to protect the diversified interests of the several Provinces, and secure efficiency, harmony, and permanency in the working of the Union,—would be a General Government charged with matters of common interest to the whole country, and Local Governments for each of the Canadas and for the Provinces of Nova Scotia, New Brunswick, and Prince Edward Island, charged with the control of local matters in their respective sections, provision being made for the admission into the Union on equitable terms of Newfoundland, the North-west Territory, British Columbia, and Vancouver.

3. In framing a Constitution for the General Government, the Conference, with a view to the perpetuation of our connexion with the Mother Country, and to the promotion of the best interests of the people of these Provinces, desire to follow the model of the British Constitution, so far as our circumstances will permit.

4. The Executive Authority or Government shall be vested in the Sovereign of the United Kingdom of Great Britain and Ireland, and be administered according to the well understood principles of the British Constitution by the Sovereign personally or by the Representative of the Sovereign duly authorized.

5. The Sovereign or Representative of the Sovereign shall be Commander-in-Chief of the Land and Naval Militia Forces.

6. There shall be a General Legislature or Parliament for the Federated Provinces, composed of a Legislative Council and a House of Commons.

7. For the purpose of forming the Legislative Council, the Federated Provinces shall be considered as consisting of three divisions:—1st, Upper Canada; 2nd, Lower Canada; 3rd, Nova Scotia, New Brunswick, and Prince Edward Island; each division with an equal representation in the Legislative Council.

8. Upper Canada shall be represented in the Legislative Council by 24 members, Lower Canada by 24 members, and the three Maritime Provinces by 24 members, of which Nova Scotia shall have 10, New Brunswick 10, and Prince Edward Island 4 members.

9, The Colony of Newfoundland shall be entitled to enter the proposed Union, with a representation in the Legislative Council of four members.

10. The North-west Territory, British Columbia, and Vancouver shall be admitted into the Union, on such terms and conditions as the Parliament of the Federated Provinces shall deem equitable, and as shall receive the assent of Her Majesty; and in the case of the Province of British Columbia or Vancouver, as shall be agreed to by the Legislature of such Province.

11. The Members of the Legislative Council shall be appointed by the Crown under the Great Seal of the General Government, and shall hold office during life; if any Legislative Councillor shall, for two consecutive sessions of Parliament, fail to give his attendance in the said Council, his seat shall thereby become vacant.

12. The Members of the Legislative Council shall be British subjects by birth or naturalization, of the full age of 30 years, shall possess a continuous real property qualification of four thousand dollars over and above all incumbrances, and shall be and continue worth that sum over and above their debts and liabilities, but in the case of Newfoundland and Prince Edward Island the property may be either real or personal.

13. If any question shall arise as to the qualification of a Legislative Councillor, the same shall be determined by the Council.

14. The first selection of the Members of the Legislative Council shall be made, except as regards Prince Edward Island, from the Legislative Councils of the various Provinces, so far as a sufficient number be found qualified and willing to serve. Such Members shall be appointed by the Crown at the recommendation of the General Executive Government, upon the nomination of the respective Local Governments; and in such nomination due regard shall be had to the claims of the Members of the Legislative Council of the opposition in each Province, so that all political parties may as nearly as possible be fairly represented.

15. The Speaker of the Legislative Council (unless otherwise provided by Parliament) shall be appointed by the Crown from among the Members of the Legislative Council, and shall hold office during pleasure, and shall only be entitled to a casting vote on an equality of votes.

16. Each of the 24 Legislative Councillors representing Lower Canada in the Legislative Council of the General Legislature shall be appointed to represent one of the 24 electoral divisions mentioned in Schedule A. of Chapter 1st of the Consolidated Statutes of Canada, and such Councillor shall reside or possess his qualification in the division he is appointed to represent.

17. The basis of Representation in the House of Commons shall be Population, as determined by the official census every 10 years; and the number of Members at first shall be 194, distributed as follows:

Upper Canada - - - -	82
Lower Canada - - - -	65
Nova Scotia - - - - -	19
New Brunswick - - - -	15
Newfoundland - - - - -	8
and Prince Edward Island - - -	5

18. Until the official census of 1871 has been made up, there shall be no change in the number of Representatives from the several sections.

19. Immediately after the completion of the census of 1871, and immediately after every decennial census thereafter, the representation from each section in the House of Commons shall be re-adjusted on the basis of population.

20. For the purpose of such re-adjustments, Lower Canada shall always be assigned 65 Members, and each of the other sections shall at each re-adjustment receive, for the 10 years then next succeeding, the number of members to which it will be entitled on the same ratio of representation to population as Lower Canada will enjoy according to the census last taken by having sixty-five members.

21. No reduction shall be made in the number of members returned by any section, unless its population shall have decreased relatively to the population of the whole Union, to the extent of five per centum.

22. In computing at each decennial period the number of Members to which each section is entitled, no fractional parts shall be considered, unless when exceeding one-half the number entitling to a Member, in which case a Member shall be given for each such fractional part.

23. The Legislature of each Province shall divide such Province into the proper number of constituencies, and define the boundaries of each of them.

24. The Local Legislature of each Province may, from time to time, alter the electoral districts for the purposes of representation in the House of Commons, and distribute the Representatives to which the Province is entitled, in any manner such Legislature may think fit.

25. The number of Members may at any time be increased by the General Parliament, regard being had to the proportionate rights then existing.

26. Until provisions are made by the General Parliament, all the laws which at the date of the Proclamation constituting the Union are in force in the Provinces respectively, relating to the qualification and disqualification of any person to be elected or to sit or vote as a Member of the Assembly in the said Provinces respectively—and relating to the qualification or disqualification of voters, and to the oaths to be taken by voters, and to Returning Officers and their powers and duties,—und relating to the proceedings at elections,—and to the period during which such elections may be continued,—and relating to the trial of Controverted Elections, and the proceedings incident thereto,—and relating to the vacating of seats of Members,—and the issuing and execution of new writs in case of any seat being vacated otherwise than by a dissolution,—shall respectively apply to elections of Members to serve in the House of Commons, for places situate in those Provinces respectively.

27. Every House of Commons shall continue for five years from the day of the return of the writs choosing the same, and no longer, subject, nevertheless, to be sooner prorogued or dissolved by the Governor.

28. There shall be a Session of the General Parliament once at least in every year, so that a period of 12 calendar months shall not intervene between the last sitting of the General Parliament in one session and the first sitting thereof in the next session.

29. The General Parliament shall have power to make Laws for the peace, welfare and good Government of the the Federated Provinces (saving the Sovereignty of England), and especially Laws respecting the following subjects:—

1. The Public Debt and Property.
2. The Regulation of Trade and Commerce.
3. The imposition or regulation of Duties of Customs on Imports and Exports, except on Exports of Timber, Logs, Masts, Spars, Deals, and Sawn Lumber, and of Coal and other Minerals.
4. The imposition and regulation of Excise Duties.
5. The raising of money by all or any other modes or systems of Taxation.
6. The borrowing of money on the public credit.
7. Postal service.
8. Lines of Steam or other Ships, Railways, Canals and other works, connecting any two or more of the Provinces together, or extending beyond the limits of any Province.
9. Lines of Steamships between the Federated Provinces and other Countries.
10. Telegraphic communication and the incorporation of Telegraph Companies.
11. All such works as shall, although lying wholly within any Province, be specially declared by the Acts authorizing them to be for the general advantage.
12. The Census.
13. Militia—Military and Naval Service and Defence.
14. Beacons, Buoys and Light Houses.
15. Navigation and Shipping.
16. Quarantine.
17. Sea Coast and Inland Fisheries.
18. Ferries between any Province and a Foreign Country, or between any two Provinces
19. Currency and Coinage.
20. Banking, incorporation of Banks, and the issue of paper money
21. Savings Banks.
22. Weights and Measures.
23. Bills of Exchange and Promissory Notes.
24. Interest.
25. Legal Tender.
26. Bankruptcy and Insolvency.
27. Patents of Invention and Discovery.
28. Copyrights.
29. Indians and Lands reserved for the Indians.
30. Naturalization and Aliens.
31. Marriage and Divorce.

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32. The Criminal Law, excepting the Constitution of Courts of Criminal Jurisdiction, but including the Procedure in Criminal matters.
33. Rendering uniform all or any of the laws relative to property and civil rights in Upper Canada, Nova Scotia, New Brunswick, Newfoundland and Prince Edward Island, and rendering uniform the procedure of all or any of the Courts in these Provinces ; but any Statute for this purpose shall have no force or authority in any Province until sanctioned by the Legislature thereof.
34. The establishment of a General Court of Appeal for the Federated Provinces.
35. Immigration.
36. Agriculture.
37. And generally respecting all matters of a general character, not specially and exclusively reserved for the Local Governments and Legislatures.

30. The General Government and Parliament shall have all powers necessary or proper for performing the obligations of the Federated Provinces, as part of the British Empire, to Foreign Countries, arising under Treaties between Great Britain and such Countries.

31. The General Parliament may also, from time to time, establish additional Courts, and the General Government may appoint Judges and Officers thereof, when the same shall appear necessary or for the public advantage, in order to the due execution of the laws of Parliament.

32. All Courts, Judges, and Officers of the several Provinces shall aid, assist, and obey the General Government in the exercise of its rights and powers, and for such purposes shall be held to be Courts, Judges and Officers of the General Government.

33. The General Government shall appoint and pay the Judges of the Superior Courts in each Province, and of the County Courts of Upper Canada, and Parliament shall fix their salaries.

34. Until the Consolidation of the Laws of Upper Canada, New Brunswick, Nova Scotia, Newfoundland, and Prince Edward Island, the Judges of these Provinces appointed by the General Government shall be selected from their respective Bars.

35. The Judges of the Courts of Lower Canada shall be selected from the Bar of Lower Canada.

36. The Judges of the Court of Admiralty now receiving salaries shall be paid by the General Government.

37. The Judges of the Superior Courts shall hold their offices during good behaviour, and shall be removable only on the Address of both Houses of Parliament.

Local Government.

38. For each of the Provinces there shall be an Executive Officer, styled the Lieutenant-Governor, who shall be appointed by the Governor General in Council, under the Great Seal of the Federated Provinces, during pleasure: such pleasure not to be exercised before the expiration of the first five years, except for cause: such cause to be commuuicated in writing to the Lieutenant-Governor immediately after the exercise of the pleasure as aforesaid, and also by Messages to both Houses of Parliament, within the first week of the first Session afterwards.

39. The Lieutenant-Governor of each Province shall be paid by the General Government.

40. In undertaking to pay the salaries of the Lieutenant-Governors, the Conference does not desire to prejudice the claim of Prince Edward Island upon the Imperial Government for the amount now paid for the salary of the Lieutenant-Governor thereof.

41. The Local Government and Legislature of each Province shall be constructed in such manner as the existing Legislature of such Province shall provide.

42. The Local Legislatures shall have power to alter or amend their Constitution from time to time.

43. The Local Legislatures shall have power to make Laws respecting the following subjects:

1. Direct Taxation and the imposition of Duties on the Export of Timber, Logs, Masts, Spars, Deals, and Sawn Lumber, and of Coals and other Minerals.
2. Borrowing Money on the credit of the Province.
3. The establishment and tenure of Local Offices, and the appointment and payment of Local Officers.
4. Agriculture.
5. Immigration.
6. Education; saving the rights and privileges which the Protestant or Catholic minority in both Canadas may possess as to their Denominational Schools, at the time when the Union goes into operation.
7. The sale and management of Public Lands, excepting Lands belonging to the General Government.
8. Sea Coast and Inland Fisheries.
9. The establishment, maintenance, and management of Penitentiaries, and of Public and Reformatory Prisons.
10. The establishment, maintenance, and management of Hospitals, Asylums, Charities, and Eleemosynary Institutions.
11. Municipal Institutions.
12. Shop, Saloon, Tavern, Auctioneer and other Licences.
13. Local Works.
14. The Incorporation of private or local Companies, except such as relate to matters assigned to the General Parliament.
15. Property and civil rights, excepting those portions thereof assigned to the General Parliament.

16. Inflicting punishment by fine, penalties, imprisonment or otherwise for the breach of laws passed in relation to any subject within their jurisdiction.
17. The Administration of Justice, including the constitution, maintenance, and organization of the Courts—both of Civil and Criminal Jurisdiction, and including also the Procedure in Civil Matters.
18. And generally all matters of a private or local nature, not assigned to the General Parliament.

44. The power of respiting, reprieving, and pardoning Prisoners convicted of crimes, and of commuting and remitting of sentences in whole or in part, which belongs of right to the Crown, shall be administered by the Lieutenant-Governor of each Province in Council, subject to any instructions he may from time to time receive from the General Government, and subject to any provisions that may be made in this behalf by the General Parliament.

Miscellaneous.

45. In regard to all subjects over which jurisdiction belongs to both the General and Local Legislatures, the laws of the General Parliament shall control and supersede those made by the Local Legislature, and the latter shall be void as far as they are repugnant to or inconsistent with the former.

46. Both the English and French languages may be employed in the General Parliament and in its proceedings, and in the Local Legislature of Lower Canada, and also in the Federal Courts and in the Courts of Lower Canada.

47. No lands or property belonging to the General or Local Government shall be liable to taxation.

48. All bills for appropriating any part of the public revenue, or for imposing any new tax or impost, shall originate in the House of Commons or the House of Assembly, as the case may be.

49. The House of Commons or House of Assembly shall not originate or pass any vote, resolution, address, or bill for the appropriation of any part of the public revenue, or of any tax or impost to any purpose, not first recommended by Message of the Governor General, or the Lieutenant Governor, as the case may be, during the session in which such vote, resolution, address, or bill is passed.

50. Any bill of the General Parliament may be reserved in the usual manner for Her Majesty's assent, and any bill of the Local Legislatures may in like manner be reserved for the consideration of the Governor General.

51. Any bill passed by the General Parliament shall be subject to disallowance by Her Majesty within two years, as in the case of bills passed by the Legislatures of the said Provinces hitherto, and in like manner any bill passed by a Local Legislature shall be subject to disallowance by the Governor General within one year after the passing thereof.

52. The seat of Government of the Federated Provinces shall be Ottawa, subject to the Royal Prerogative.

53. Subject to any future action of the respective Local Governments, the seat of the Local Government in Upper Canada shall be Toronto; of Lower Canada, Quebec; and the seats of the Local Governments in the other Provinces shall be as at present.

Property and Liabilities.

54. All stocks, cash, bankers' balances and securities for money belonging to each Province, at the time of the Union, except as herein-after mentioned, shall belong to the General Government.

55. The following public works and property of each Province shall belong to the General Government; to wit:—

1. Canals;
2. Public harbours;
3. Lighthouses and piers;
4. Steamboats, dredges, and public vessels;
5. River and lake improvements;
6. Railway and railway stocks, mortgages, and other debts due by railway companies;
7. Military roads;
8. Custom houses, post offices, and other public buildings, except such as may be set aside by the General Government for the use of the Local Legislatures and Governments;
9. Property transferred by the Imperial Government, and known as Ordnance property;
10. Armouries, drill sheds, military clothing, and munitions of war; and
11. Lands set apart for public purposes.

56. All lands, mines, minerals, and royalties vested in Her Majesty in the Provinces of Upper Canada, Lower Canada, Nova Scotia, New Brunswick, and Prince Edward Island, for the use of such Provinces, shall belong to the Local Government of the territory in which the same are so situate; subject to any trusts that may exist in respect to any of such lands or to any interest of other persons in respect of the same.

57. All sums due from purchasers or lessees of such lands, mines, or minerals, at the time of the Union, shall also belong to the Local Governments.

58. All assets connected with such portions of the public debt of any Province as are assumed by the Local Governments, shall also belong to those Governments respectively.

59. The several Provinces shall retain all other public property therein, subject to the right of

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the General Government to assume any lands or public property required for fortifications or the defence of the country.

60. The General Government shall assume all the debts and liabilities of each Province.

61. The debt of Canada not specially assumed by Upper and Lower Canada respectively, shall not exceed at the time of the Union - - - - - - $62,500,000
Nova Scotia shall enter the Union with a debt not exceeding - - 8,000,000
And New Brunswick, with a debt not exceeding - - - - 7,000,000

62. In case Nova Scotia or New Brunswick do not incur liabilities beyond those for which their Governments are now bound, and which shall make their debts at the date of Union less than $8,000,000 and $7,000,000 respectively, they shall be entitled to interest at 5 per cent. on the amount not so incurred, in like manner as is herein-after provided for Newfoundland and Prince Edward Island; the foregoing resolution being in no respect intended to limit the powers given to the respective Governments of those Provinces by legislative authority, but only to limit the maximum amount of charge to be assumed by the General Government. Provided always that the powers so conferred by the respective Legislatures shall be exercised within five years from this date, or the same shall then lapse.

63. Newfoundland and Prince Edward Island, not having incurred debts equal to those of the other Provinces, shall be entitled to receive by half-yearly payments in advance from the General Government the interest at five per cent. on the difference between the actual amount of their respective debts at the time of the Union, and the average amount of indebtedness per head of the population of Canada, Nova Scotia, and New Brunswick.

64. In consideration of the transfer to the General Parliament of the powers of taxation, an annual grant in aid of each Province shall be made, equal to 80 cents per head of the population, as established by the census of 1861, the population of Newfoundland being estimated at 130,000. Such aid shall be in full settlement of all future demands upon the General Government for local purposes, and shall be paid half-yearly in advance to each Province.

65. The position of New Brunswick being such as to entail large immediate charges upon her local revenues, it is agreed that for the period of 10 years from the time when the Union takes effect, an additional allowance of $63,000 per annum shall be made to that Province. But that so long as the liability of that Province remains under $7,000,000, a deduction equal to the interest on such deficiency shall be made from the $63,000.

66. In consideration of the surrender to the General Government by Newfoundland of all its rights in mines and minerals, and of all the ungranted and unoccupied lands of the Crown, it is agreed that the sum of $150,000 shall each year be paid to that Province, by semi-annual payments. Provided that that Colony shall retain the right of opening, constructing, and controlling roads and bridges through any of the said lands, subject to any laws which the General Parliament may pass in respect of the same.

67. All engagements that may, before the Union, be entered into with the Imperial Government for the defence of the country shall be assumed by the General Government.

68. The General Government shall secure, without delay, the completion of the Intercolonial Railway from Rivière-du-Loup through New Brunswick to Truro in Nova Scotia.

69. The communications with the North-western Territory, and the improvements required for the development of the trade of the Great West with the Seaboard, are regarded by this Conference as subjects of the highest importance to the Federated Provinces, and shall be prosecuted at the earliest possible period that the state of the finances will permit.

70. The sanction of the Imperial and Local Parliaments shall be sought for the Union of the Provinces, on the principles adopted by the Conference.

71. That Her Majesty the Queen be solicited to determine the rank and name of the Federated Provinces.

72. The proceedings of the Conference shall be authenticated by the signatures of the Delegates, and submitted by each Delegation to its own Government, and the Chairman is authorized to submit a copy to the Governor General for transmission to the Secretary of State for the Colonies.

I certify that the above is a true copy of the original Report of Resolutions adopted in Conference.

E. P. TACHÉ, Chairman.

No. 4.

No. 4.

COPY of a DESPATCH from Viscount MONCK to the Right Hon. EDWARD CARDWELL, M.P.

(No. 174.)

Government House, Quebec,
November 14, 1864.

SIR,

I HAVE the honour to transmit for your information a copy of a Despatch which I have addressed to each of the Lieutenant-Governors of Nova Scotia, New Brunswick, and Prince Edward Island, and to the Governor of Newfoundland, enclosing copies of the Resolutions of the late Conference at Quebec on the Union of the Provinces of British North America.

Nov. 12, 1864.

I have, &c.

The Right Hon. Edward Cardwell, M.P., &c. &c. &c.

(Signed) MONCK.

SIR, Government House, Quebec, November 12, 1864. CANADA.

REFERRING to my Despatch of 23rd September, and to your answer of 3rd October, I have the honour to inform you that the gentlemen named by you to represent Nova Scotia began their consultations with the delegates from the other Provinces and the Ministers of Canada on the 10th October.

The members of the Conference chose Sir E. P. Taché, Prime Minister of Canada, as their chairman, and I have now the honour to transmit to you a copy of the resolutions* adopted by the Conference, authenticated by the signature of that gentleman. * Page 5.

I have also transmitted a similar copy to Her Majesty's Secretary of State for the Colonies, and the Lieutenant-Governor of New Brunswick and Prince Edward Island and the Governor of Newfoundland.

I have, &c.
(Signed) MONCK.

His Excellency the Lieutenant-Governor
of Nova Scotia, &c., &c., &c.

No. 5. No. 5.

COPY of a DESPATCH from the Right Honourable EDWARD CARDWELL, M.P., to Viscount MONCK.

(No. 93.)

MY LORD, Downing Street, Dec. 3, 1864.

HER Majesty's Government have received with the most cordial satisfaction your Lordship's Despatch of the 7th ultimo,* transmitting for their consideration the Resolutions adopted by the Representatives of the several Provinces of British North America, who were assembled at Quebec. * Page 4.

With the sanction of the Crown—and upon the invitation of the Governor General—men of every Province, chosen by the respective Lieutenant-Governors without distinction of party, assembled to consider questions of the utmost interest to every subject of the Queen, of whatever race or faith, resident in those Provinces; and have arrived at a conclusion destined to exercise a most important influence upon the future welfare of the whole community.

Animated by the warmest sentiments of loyalty and devotion to their Sovereign,—earnestly desirous to secure for their posterity throughout all future time the advantages which they enjoy as subjects of the British Crown,—steadfastly attached to the institutions under which they live,—they have conducted their deliberations with patient sagacity, and have arrived at unanimous conclusions on questions involving many difficulties, and calculated under less favourable auspices to have given rise to many differences of opinion.

Such an event is in the highest degree honourable to those who have taken part in these deliberations. It must inspire confidence in the men by whose judgment and temper this result has been attained:—and will ever remain on record as an evidence of the salutary influence exercised by the institutions under which these qualities have been so signally developed.

Her Majesty's Government have given to your Despatch and to the Resolutions of the Conference their most deliberate consideration. They have regarded them as a whole, and as having been designed by those who have framed them to establish as complete and perfect an union of the whole into one Government, as the circumstances of the case and a due consideration of existing interests would admit. They accept them, therefore, as being, in the deliberate judgment of those best qualified to decide upon the subject, the best framework of a measure to be passed by the Imperial Parliament for attaining that most desirable result.

The point of principal importance to the practical well-working of the scheme, is the accurate determination of the limits between the authority of the Central and that of the Local Legislatures in their relation to each other. It has not been possible to exclude from the Resolutions some provisions which appear to be less consistent than might, perhaps, have been desired with the simplicity and unity of the system. But upon the whole it appears to Her Majesty's Government that precautions have been taken, which are obviously intended to secure to the Central Government the means of effective action throughout the several Provinces; and to guard against those evils which must inevitably arise, if any doubt were permitted to exist as to the respective limits of Central and Local authority. They are glad to observe that, although large powers of legislation are intended to be vested in local bodies, yet the principle of Central control has been steadily kept in view. The importance of this principle cannot be overrated. Its maintenance is essential to the practical efficiency of the system,—and to its harmonious operation,

CANADA.

both in the general administration, and in the Governments of the several Provinces. A very important part of this subject is the expense which may attend the working of the Central and the Local Governments. Her Majesty's Government cannot but express the earnest hope that the arrangements which may be adopted in this respect may not be of such a nature as to increase—at least in any considerable degree—the whole expenditure, or to make any material addition to the taxation, and thereby retard the internal industry, or tend to impose new burdens on the commerce of the country.

Her Majesty's Government are anxious to lose no time in conveying to you their general approval of the proceedings of the Conference. There are, however, two provisions of great importance which seem to require revision. The first of these is the provision contained in the 44th Resolution with respect to the exercise of the Prerogative of pardon. It appears to Her Majesty's Government that this duty belongs to the representative of the Sovereign,—and could not with propriety be devolved upon the Lieutenant-Governors, who will, under the present scheme, be appointed not directly by the Crown, but by the Central Government of the United Provinces.

The second point which Her Majesty's Government desire should be reconsidered is the Constitution of the Legislative Council. They appreciate the considerations which have influenced the Conference in determining the mode in which this body, so important to the constitution of the Legislature, should be composed. But it appears to them to require further consideration whether if the Members be appointed for life, and their number be fixed, there will be any sufficient means of restoring harmony between the Legislative Council and the Popular Assembly, if it shall ever unfortunately happen that a decided difference of opinion shall arise between them.

These two points, relating to the Prerogative of the Crown and to the Constitution of the Upper Chamber, have appeared to require distinct and separate notice. Questions of minor consequence and matters of detailed arrangement may properly be reserved for a future time, when the Provisions of the Bill, intended to be submitted to the Imperial Parliament, shall come under consideration. Her Majesty's Government anticipate no serious difficulty in this part of the case,—since the Resolutions will generally be found sufficiently explicit to guide those who will be intrusted with the preparation of the Bill. It appears to them, therefore, that you should now take immediate measures in concert with the Lieutenant-Governors of the several Provinces, for submitting to their respective Legislatures this project of the Conference;—and if, as I hope, you are able to report that these Legislatures sanction and adopt the scheme, Her Majesty's Government will render you all the assistance in their power for carrying it into effect. It will probably be found to be the most convenient course, that in concert with the Lieutenant-Governors, you should select a deputation of the persons best qualified, to proceed to this country;—that they may be present during the preparation of the Bill, and give to Her Majesty's Government the benefit of their counsel upon any questions which may arise during the passage of the measure through the two Houses of Parliament.

I have, &c.,

Viscount Monck. (Signed) EDWARD CARDWELL.
&c. &c. &c.

[A copy of the foregoing Despatch was sent on the 8th December to the Governors of each of the other Provinces in North America, viz., Nova Scotia, New Brunswick, Prince Edward Island, and Newfoundland.]

The Conference consisted of the following Members:

For Canada,

The Hon. Sir E. P. Taché, M.L.C., Receiver-General and Minister of Militia.
" John A. McDonald, M.P.P., Attorney-General (U. Canada).
" G. E. Cartier, M.P.P., Attorney-General (L. Canada).
" George Brown, M.P.P., President of Executive Council.
" O. Mowatt, M.P.P., Postmaster-General.
" A. T. Galt, M.P.P., Minister of Finance.
" T. D. McGee, M.P.P., Minister of Agriculture.
" Wm. McDougall, M.P.P., Provincial Secretary.
" Alex. Campbell, M.L.C., Commissioner of Crown Lands.
" Q. C. Chappais, M.P.P., Commissioner of Public Works.
" L. H. Langevin, M.P.P., Solicitor-General (L. Canada).
" James Cockburn, M.P.P., Solicitor General (U. Canada).

For Nova Scotia,

The Hon. Charles Tupper, M.P.P., Provincial Secretary.
„ William A. Henry, M.P.P., Attorney-General.
„ Jo. McCully, M.L.C.
„ Robt. B. Dickey, M.L.C.
A. G. Archibald, Esq., M.P.P.

For New Brunswick,

The Hon. S. L. Tilley, M.P.P., Provincial and Financial Secretary.
„ W. H. Steeves, M.L.C., M.E.C.
„ J. M. Johnson, M.P.P., Attorney-General.
„ P. Mitchell, M.L.C., M.E.C.
„ E. B. Chandler, M.L.C.
„ Lieut.-Col. John H. Gray, M.P.P.
„ Chas. Fisher, M.P.P.

For Newfoundland,

F. B. T. Carter, Esq., M.P.P.
John Ambrose Shea, Esq., M.P.P.

For Prince Edward Island,

Col. the Hon. J. H. Gray, M.P.P.
The Hon. E. Palmer, Attorney-General.
„ W. H. Pope, Provincial Secretary.
„ A. A. McDonald, M.L.C.
„ George Coles, M.P.P.
„ T. H. Haviland, M.P.P.
„ Edward Whelan, M.P.P.

APPENDIX.

COPY of a DESPATCH from His Grace the Duke of NEWCASTLE, K.G., to the Earl of MULGRAVE, *referred to at page* 3.

(No. 182.)

MY LORD, Downing Street, 6th July, 1862.

I HAVE duly received your Lordship's Despatch, No. 47, of the 21st of May, accompanied by a copy of a Resolution which was passed in the House of Assembly on the 15th of April 1861, relative to an amalgamation of part or all of the British Provinces in North America. The Resolution points out that the question might be considered either of a distinct union of the Maritime Provinces or of a general union of them with Canada, and suggests that it might be desirable upon so important a subject to ascertain the policy of Her Majesty's Government, and to promote a consultation between the leading men of the Colonies.

Your Lordship explains that for various reasons your Government were of opinion that it would be inexpedient to act on this Resolution last year, but that they now wish it to be brought under consideration.

No one can be insensible to the importance of the two measures which are alluded to, and I am far from considering that they do not form a very proper subject for calm deliberation. They are, however, of a nature which renders it especially fit that if either of them be proposed for adoption, it should emanate in the first instance from the Provinces, and should be concurred in by all of them which it would affect. I should see no objection to any consultation on the subject amongst the leading members of the Governments concerned. But whatever the result of such consultation might be, the most satisfactory mode of testing the opinion of the people of British North America would probably be by means of Resolution, or Address, proposed in the Legislature of each Province by its own Government.

Beyond this expression of the views of Her Majesty's Government as to the preliminary steps which might be taken towards the decision of this great question, I am not prepared to announce any course of policy, upon an invitation proceeding from one only of the British North American Provinces, and contained in a Resolution of so general and vague a character as that which you have transmitted to me. But if a union, either partial or complete, should hereafter be proposed with the concurrence of all the

Provinces to be united, I am sure that the matter would be weighed in this country both by the public, by Parliament, and by Her Majesty's Government, with no other feeling than an anxiety to discern and promote any course which might be the most conducive to the prosperity, the strength, and the harmony of all the British communities in North America.

I have, &c.,
(Signed) NEWCASTLE.

The Earl of Mulgrave,
&c. &c. &c.

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LETTER

TO

THE SECRETARY OF STATE FOR WAR

WITH REFERENCE TO

THE DEFENCE OF CANADA,

BY

LIEUTENANT-COLONEL JERVOIS, R.E., C.B.,
DEPUTY-DIRECTOR OF FORTIFICATIONS.

Presented to both Houses of Parliament by Command of Her Majesty.

LONDON:
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FOR HER MAJESTY'S STATIONERY OFFICE.

1865.

[*Price* 1*d.*]

Letter with reference to the Defence of Canada.

My Lord, War Office, January 1865.

1. Having in accordance with your Lordship's desire visited the British North American Possessions during the autumn of 1863, to ascertain the condition of their defences, I pointed out to your Lordship in my report dated February 1864, as the result of my inspection in Canada, that the construction of certain works of fortification at Montreal and Quebec was essential to enable the British troops and local forces to resist an invasion by the Americans with any prospect of success. In obedience to your Lordship's further directions, I again proceeded to Canada in the beginning of September last, for the purpose of affording to Lord Monck and to the Provincial Government of Canada every information in my power as to the measures which it is desirable to adopt for the defence of that colony. I have now the honour to report as follows:—

2. I embarked at Liverpool for North America on the 3rd September last, and after visiting Halifax, Nova Scotia, and travelling through New Brunswick *en route* to Canada, I arrived at Quebec on the 23rd of the same month. I then communicated with Lord Monck with reference to the object of my mission. I also proceeded to Montreal to confer with Lieutenant-General Sir W. F. Williams, the General commanding the troops in British North America. Subsequently I had interviews with several members of the Government of Canada, who met at Quebec in October to take part in the Conference with the Delegates from the provinces of Nova Scotia, New Brunswick, Prince Edward's Island, and Newfoundland, with reference to the proposed confederation of the provinces of British North America.

3. On the 12th October I had a formal interview with the whole of the Executive Council, who then requested me to state my views with respect to the defence of Canada. A long conversation with the Council took place in consequence of my statement, which led to a paper of question being addressed to me by the Provincial Government. These questions rendered it necessary for me to make a detailed examination of several positions in Upper Canada. I accordingly reconnoitred the country about Kingston, Toronto, Hamilton, London, Paris, and other places. I then prepared a report on the defence of the whole of Canada, embodying my answers to those questions, which report I submitted to the Lieutenant-General commanding, who signified his approval in writing of the measures recommended therein. On my return to Quebec I placed my report in the hands of the Canadian Government. After interviews with the Governor General and some of the members of the Council, I left Quebec for New York and returned to England at the end of last November.

4. Although the proposals which resulted from my communication with the Canadian Government are stated in my report to the Council it may be convenient that I should state briefly in this place the views which I expressed at my interview with the Council.

5. I observed, that although, owing to the length and nature of the frontier of Canada, it was impossible to protect it throughout its whole extent, an enemy must nevertheless acquire possession of certain vital points before he could obtain any decided military advantage;—that there are only a few such points,—and that if proper arrangements were made for the defence of those places by the construction of fortifications, the provision of gun-boats, and the improvement of communications;—the militia and volunteer forces of the country, if properly organized, and aided by British troops, would be enabled to hold them during the period, (only about six months in the year), when military operations on a *large* scale could be carried on against them, and thus those forces could resist an attack with the best possible chance of success. I pointed out

that under this view, the positions of the greatest military importance in the country are Montreal and Quebec;— Montreal, because, being at the head of the sea navigation of the St. Lawrence and the focus of all communication by land and water between the eastern and western districts, it is the commercial and strategical capital of Canada, and, from its position on the frontier, is moreover the point upon which the enemy could most readily make a grand attack;—Quebec, as being the first point of military communication between Canada and Great Britain, and the point to which the British forces must retire, if overpowered. I stated that with those two points placed in a condition for defence, and the river between Montreal and Quebec commanded by iron-plated vessels, a successful resistance could be made to any attempt to subjugate the country so long as Great Britain had the command of the sea.

6. I observed at the same time that, although looking at the question from a purely military point of view, the defence of Lower Canada was by far the most important consideration, I was, nevertheless, aware of the objections that would be raised if no provision were made for the defence of the country to westward of Montreal. I remarked, that it was quite possible, under certain conditions and with sufficient men and means, to devise a scheme for the defence of Upper Canada; the conditions referred to being,—that efficient communication should be established with the Western districts; that the country between Lake St. Louis and Lake Ontario should be protected by naval, in combination with military means; that a naval depôt should be provided at Kingston, which place should be fortified so as to form a secure harbour for gun-boats on Lake Ontario. With the naval command of that lake, troops acting for the defence of the Western Peninsula of Canada might, if overpowered, fall back upon its shore at Toronto, where, if proper works were constructed, they might act in conjunction with the naval force for the defence of that position, either until reinforcements arrived from other parts of the country, or until the winter season obliged the enemy to retire.

7. The proposals for permanent defences contained in my report to the Canadian Government may be divided under two heads:— First, the defence of Canada so far as there is communication for ocean steam ships, *i.e.*, as far westward as Montreal inclusive. Second, the defence of the country to westward of Montreal.

Under the first head it is proposed that permanent works of fortification shall be constructed for the defence of Montreal and Quebec. Under the second head it is proposed to fortify Kingston, and to construct certain permanent works for the defence of Toronto and Hamilton against an attack from the lake.

My report also contains suggestions with respect to the provision of gun-boats, the improvement of certain communications, and the construction of works of defence which might be thrown up in time of war.

8. I have had no official intimation of the course which the Provincial Government propose to adopt with respect to the suggestions which I had the honour to submit to them; but I have the best reason for stating that they concur generally in the whole of my proposals, and that they are ready to meet the mother country in a fair and becoming spirit in carrying out the measures which are requisite for the defence of Canada.

9. I regard the works for the defence of Montreal and Quebec as being of the most pressing importance.

I estimate the cost of those for Quebec at - - -	£200,000
Those for Montreal at - - - -	£443,000
And that the armaments for the works at those places will cost about - - - - - -	£100,000

The works of fortification recommended at Kingston, Toronto, and Hamilton will cost about £500,000, and the armaments for those places about £100,000.

10. With respect to the condition of the local forces of Canada, I have the honour to state, for the information of your Lordship, that there already exist in the principal towns of Canada several corps of volunteer militia of the different arms of the service, according to the last reports amounting in the aggregate to 21,700* men: these frequently turn out for drill, and are paid by the Government for their services. I saw

* The returns of previous years showed a force of about 35,000 volunteer militia, but a large number have been struck off the roll during the past year, owing to their not having given sufficient evidence of a desire to become acquainted with their duty. Thus the number, which was nominally about 35,000, has been reduced according to the latest reports to 21,700.

several of the volunteer regiments turn out at Quebec; they were well dressed and appointed; their appearance was soldier-like, and they went through a field-day very creditably. I have reason to believe that the volunteer militia of Montreal, Toronto, and other places are at least equal in efficiency to the volunteers at Quebec. A great proportion of the officers of these corps have obtained certificates of proficiency from military boards before whom they have presented themselves for examination.

11. As regards the militia,* the attention of the Provincial Government has during the last year been directed chiefly to the establishment of military schools of instruction for officers. The Government rightly judged that it is of the first importance in providing for the efficiency of the militia service that there should be a body of officers acquainted with the duties of the military profession. Accordingly, two schools of instruction for officers are now in operation in Canada,—one in connexion with the 17th regiment at Quebec, the other with the 16th regiment at Toronto. The Lieut.-Colonels, (who are directors of the schools,) and officers of these regiments specially told off to teach, are paid for this service by the Provincial Government, and certificates are granted by the Colonels to the military pupils according to the degree of proficiency they have attained during the period allotted to each for instruction. A first class certificate is granted to an officer who has made himself acquainted with the interior economy of a regiment and who is capable of manœuvring a battalion; a second class certificate is given to one who has learnt to drill and take command of a company. On the 17th October last, 139 first class and 207 second class certificates had been granted. There were at the same time 764 applicants for admission. The formation of additional schools on the same principle as those which now exist at Quebec and Toronto, and for serjeants as well as officers, is much to be desired.

12. I should here observe that the prospect of the withdrawal of the imperial troops from the western districts in accordance with instructions from this country previous to the confederation movement, has a depressing effect upon the efforts that are being made for the improvement of the organization of the militia of those districts.

As I have already stated, a military school has been established at Toronto in connexion with one of Her Majesty's regiments, and with most satisfactory results. If the British troops were taken away from the western districts, the means of instruction for the militia in that part of the country would at the same time be withdrawn, and thus a very bad effect would be produced amongst the people of Canada generally.

13. I may observe, as an additional reason against the proposed withdrawal of the troops from the western districts, that an immediate expenditure of nearly 20,000*l.* for the accommodation of the troops in Lower Canada would be thereby rendered necessary, and that it would be unadvisable to incur this expenditure at the very time when it is proposed to provide additional barrack accommodation in connexion with the projected works of fortification at Montreal and Quebec. I should add that although the possibility of the troops being cut off would render it dangerous to leave a small and unsupported body of men in the western peninsula of Canada in time of war, the objection would be materially diminished if there were a large and efficient body of militia to act in conjunction with the regular force.

14. I beg therefore respectfully to represent to your Lordship that the troops at present in the Western Peninsula should not be at present withdrawn; but that, on the contrary, every encouragement should be afforded to the organization of the militia in that part of the country by the presence of an imperial regiment at such station as the Provincial Government may select for the formation of another military school on the same principles as those which have been established at Toronto and Quebec.

15. The estimated number of militia-men in Canada of all ranks, inclusive of the reserve men between 45 and 60 years of age, is 470,000. It therefore appears that, with a proper organization, a large force could be made available for the defence of the province, provided there were a sufficient staff of educated officers and non-commissioned officers to whom the men of the several battalions could be attached when called upon for duty. According to the latest report from the Province, the service Militia, so soon as the Government shall be in a position to take the ballot, will consist, exclusive of officers, of 88,245 men.

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* In 1863, two Militia Acts were passed by the Canadian Legislature; one, "An Act respecting the Militia;" the other, "An Act respecting the Volunteer Militia Force." The word "Militia" when used alone refers to the former.

16. It appears advisable that some suggestions should be made with regard to the application of funds which the Provincial Government of Canada may hereafter obtain from their Legislature for militia purposes. I have, therefore, consulted with Colonel McMurdo, the Inspector-General of Volunteers in Great Britain, on this subject, and beg to submit the following suggestions :—

17. It is proposed that the force should be organized throughout the country so as to bear as equally as possible on the population of the several districts ; that, in order that the officers and men may be acquainted with each other, the officers should be chosen so far as practicable from those districts, and that their appointments should be conditional on their qualifying themselves either at the schools of instruction, which have proved of so much value, or in any other way that might lead to the desired result, which should be tested by examination. The force thus organized should be told off in companies and battalions, somewhat on the principle of the administrative battalions of volunteers in Great Britain. The companies would be drilled at their respective head quarters, and might be assembled at central points for battalion instruction without necessarily involving an absence of the men from their homes for more than a day at a time.

18. There should be storehouses for arms, accoutrements, and clothing at the head quarters of the several companies, under the care of a serjeant-instructor, who should be permanently appointed to each company. The storehouses may be of an inexpensive construction, and, for the sake of security of the arms, should be surrounded with a palisade or other enclosure. It would obviously be a great advantage to have arms available at all times for the practice of the men of the several companies who might be disposed to profit by their use. With a view, therefore, to afford encouragement both to officers, non-commissioned officers, and men to work at rifle instruction and prize shooting, there should also be a range provided in a convenient locality for each company, or portion of a company, as the circumstances of the locality rendered desirable. By these arrangements the men would obtain a fair knowledge of company drill and musketry practice, which would much facilitate their instruction as a battalion.

19. The permanent staff of the battalion should consist of an adjutant and a serjeant-major for the battalion, with a serjeant-instructor for each company. The adjutant should in the first instance be an experienced officer from the regular army, and should from time to time visit the several companies at their respective localities.

20. It is recommended further that the country should be divided into convenient districts for the concentration of the battalions into brigades and divisions, and that the several corps should be assembled, if practicable, in camps for exercise. A brigade and division staff should be appointed for this purpose.

21. The permanent charges for this organization would be the pay of the adjutants, the serjeant-majors, and serjeant instructors ; the cost of erecting storehouses ; the provision of arms, accoutrements, and clothing ; the pay of such battalions as might be called out annually for drill ; and the outlay requisite for the education of officers and serjeants at the schools of instruction, as already established.

22. It is for consideration whether, when not embodied, the principle of a capitation grant in proportion to the certified efficiency of the members of the several companies would not be desirable. (See Order in Council, pages 36 to 43 of Volunteer Regulations for Great Britain ; also Articles 259 to 278 of the same Regulations as regards the rules under which the capitation grant is distributed.)

23. It is believed that an organization on these principles would afford the means of applying the funds at the disposal of the Canadian Government for militia purposes to the best account, and with the least amount of inconvenience to the widely scattered population of the country.

24. Whether, however, this or any other possible arrangement be made for the organization of the militia of Canada, it can scarcely be expected that the force that could be mustered at an outbreak of hostilities would be equal to withstand the enemy in the open field. Works of defence are, therefore, essential to enable our comparatively small forces to hold the points against which the main attacks would be directed. It is at the commencement of a war that the greatest danger is to be apprehended, and it is submitted that it is only by availing ourselves of the advantages afforded by fortifications that we can provide against our troops being overpowered at the first onset, or that time can be obtained for rendering the militia available for the defence of the country.

The question appears to be ;—whether the British force now in Canada shall be with-

drawn, in order to avoid the risk of its defeat, or whether the necessary measures shall be taken to enable that force to be of use for the defence of the province.

25. The sum required for the construction of the proposed works and armaments at Montreal and Quebec would only be about one year's expense of the regular force we now maintain in Canada.

It is a delusion to suppose that that force can be of any use for the defence of the country without fortifications to compensate for the comparative smallness of its numbers. Even when aided by the whole of the local militia that could at present be made available, it would, in the event of war, be obliged to retreat before the superior numbers by which it would be attacked; and it would be fortunate if it succeeded in embarking at Quebec, and putting to sea without serious defeat. On the other hand, if the works now recommended be constructed, the vital points of the country could be defended, and the regular army would become a nucleus and support, round which the people of Canada would rally to resist aggression, and to preserve that connexion with the mother country, which their loyalty, their interests, and their love of true freedom alike make them desirous to maintain.

I have the honour to be,
My Lord,
Your Lordship's obedient, humble Servant,

Wm. F. Drummond Jervois.

The Right Hon. Earl de Grey and Ripon,
Secretary of State for War,
&c. &c. &c.

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PAPERS

RELATING TO

The Conferences which have taken place between Her Majesty's Government and a Deputation from the Executive Council of Canada appointed to confer with Her Majesty's Government on Subjects of Importance to the Province.

Presented to both Houses of Parliament by Command of Her Majesty.
19*th June* 1865.

No. 1.

Copy of a Despatch from Governor General Viscount Monck to the Right Honourable Edward Cardwell, M.P.

(No. 83.)

Sir, Quebec, 24th March 1865.

I have the honour to transmit for your information a copy of an approved Minute of the Executive Council of Canada appointing a Deputation from their body who are to proceed to England to confer with Her Majesty's Government on subjects of importance to the Province.

The gentlemen named on the deputation propose leaving by the steamer which sails on the 5th April.

I have, &c.
(Signed) MONCK.

The Right Honourable
Edward Cardwell, M.P.,
&c., &c.

Enclosure in No. 1.

Copy of a Report of a Committee of the Honourable the Executive Council, approved by his Excellency the Governor General on the 24th March 1865.

The Committee respectfully recommend that four members of your Excellency's Council do proceed to England to confer with Her Majesty's Government :

1st. Upon the proposed Confederation of the British North American Provinces, and the means whereby it can be most speedily effected :

2d. Upon the arrangements necessary for the defence of Canada in the event of war arising with the United States, and the extent to which the same should be shared between Great Britain and Canada :

3d. Upon the steps to be taken with reference to the Reciprocity Treaty, and the rights conferred by it upon the United States :

4th. Upon the arrangements necessary for the settlement of the North-west Territory and Hudson's Bay Company's claims :

5th. And generally upon the existing critical state of affairs by which Canada is most seriously affected :

The Committee further recommend that the following Members of Council be named to form the Delegation, viz., Messrs. Macdonald, Cartier, Brown, and Galt.

Certified,
Wm. H. Lee, C.E.C.

No. 2.

Copy of a Despatch from the Right Honourable Edward Cardwell, M.P., to Governor General Viscount Monck.

(No. 95.)

My Lord, Downing Street, 17th June 1865.

I have the honour to inform your Lordship that several conferences have been held between the four Canadian Ministers who were deputed, under the Minute of your Executive Council of March 24th, to proceed to England to confer with Her Majesty's

Government, on the part of Canada, and the Duke of Somerset, the Earl De Grey, Mr. Gladstone, and myself, on the part of Her Majesty's Government.

On the first subject referred to in the Minute, that of the Confederation of the British North American Provinces, we repeated on the part of the Cabinet the assurances which had already been given of the determination of Her Majesty's Government to use every proper means of influence to carry into effect without delay the proposed Confederation.

On the second point, we entered into a full consideration of the important subject of the defence of Canada, not with any apprehension on either side that the friendly relations now happily subsisting between this country and the United States are likely to be disturbed, but impressed with the conviction that the safety of the Empire from possible attack ought to depend upon its own strength and the due application of its own resources. We reminded the Canadian Ministers that on the part of the Imperial Government we had obtained a vote of money for improving the fortifications of Quebec. We assured them that so soon as that vote had been obtained the necessary instructions had been sent out for the immediate execution of the works, which would be prosecuted with despatch; and we reminded them of the suggestion Her Majesty's Government had made to them to proceed with the fortifications of Montreal.

The Canadian Ministers, in reply, expressed unreservedly the desire of Canada to devote her whole resources, both in men and money, for the maintenance of her connection with the Mother Country; and their full belief in the readiness of the Canadian Parliament to make known that determination in the most authentic manner. They said they had increased the expenditure for their Militia from 300,000 to 1,000,000 dollars, and would agree to train that force to the satisfaction of the Secretary of State for War, provided the cost did not exceed the last-mentioned sum annually, while the question of confederation is pending. They said they were unwilling to separate the question of the works at Montreal from the question of the works west of that place, and from the question of a naval armament on Lake Ontario. That the execution of the whole of these works would render it necessary for them to have recourse to a loan, which could only be raised with the guarantee of the Imperial Parliament. They were ready to propose to their Legislature on their return a measure for this purpose, provided that the guarantee of the Imperial Parliament were given now, and that they were authorized to communicate to the Parliament of Canada the assurance that, the occasion arising, England will have prepared an adequate naval force for Lake Ontario. They thought that if the guarantee were not obtained now it was probable that the Canadian Government and Parliament would think it desirable that the question of defensive works should await the decision of the Government and Legislature of the United Provinces.

On the part of Her Majesty's Government we assented to the reasonableness of the proposal that if the Province undertook the primary liability for the works of defence mentioned in the letter of Lieutenant Colonel Jervois, and showed a sufficient security, Her Majesty's Government should apply to Parliament for a guarantee for the amount required; and we said that Her Majesty's Government would furnish the armaments for the works. But we said that the desire and decision of the Provincial Legislature ought to be pronounced before any application was made to the Imperial Parliament. On the subject of a Naval Force for Lake Ontario, we said that, apart from any question of expediency, the convention subsisting between this country and the United States rendered it impossible for either nation to place more than the specified number of armed vessels on the lakes in time of peace. In case of war it would, as a matter of course, be the duty of any Government in this country to apply its means of naval defence according to the judgment it might form upon the exigencies of each particular time, and the Canadian Ministers might be assured that Her Majesty's Government would not permit itself to be found in such a position as to be unable to discharge its duty in this respect. This was the only assurance the Canadian Ministers could expect, or we could give.

Upon a review of the whole matter, the Canadian Ministers reverted to the proposal which has been mentioned above, that priority in point of time should be given to the Confederation of the Provinces. To this, we, on the part of Her Majesty's Government, assented. In conformity, however, with a wish strongly expressed by the Canadian Ministers, we further said, that if, upon future consideration, the Canadian Government should desire to anticipate the Confederation, and to propose that Canada should execute the works, they would doubtless communicate to Her Majesty's Government that decision; and we trusted that after what had passed in these conferences they would feel assured that any such communication would be received by us in the most friendly spirit.

On the third point, the Reciprocity Treaty, the Canadian Ministers represented the great importance to Canada of the renewal of that treaty, and requested that Sir F. Bruce might be put in communication with the Government of Lord Monck upon the subject. We replied that Sir F. Bruce had already received instructions to negotiate for a renewal of the treaty, and to act in concert with the Government of Canada.

On the fourth point, the subject of the North-western Territory, the Canadian Ministers desired that that territory should be made over to Canada, and undertook to negotiate with the Hudson's Bay Company for the termination of their rights, on condition that the indemnity, if any, should be paid by a loan to be raised by Canada under the Imperial guarantee. With the sanction of the Cabinet, we assented to this proposal, undertaking that if the negotiation should be successful we on the part of the Crown being satisfied that the amount of the indemnity was reasonable, and the security sufficient, would apply to the Imperial Parliament to sanction the arrangement and to guarantee the amount.

On the last point, it seemed sufficient that Her Majesty's Government should accept the assurances given by the Canadian Ministers on the part of Canada, that that Province is ready to devote all her resources both in men and money to the maintenance of her connexion with the Mother Country, and should assure them in return that the Imperial Government fully acknowledged the reciprocal obligation of defending every portion of the Empire with all the resources at its command.

The Canadian Ministers in conclusion said, that they hoped it would be understood that the present communications did not in any way affect or alter the correspondence which had already passed between the Imperial Government and the Governments of the British North American Provinces on the subject of the Intercolonial Railway. To this we entirely agreed.

I have, &c.

(Signed) EDWARD CARDWELL.

Governor General
Viscount Monck,
&c. &c.

PAPERS

RELATING TO

The CONFERENCES which have taken place between HER MAJESTY'S GOVERNMENT and a DEPUTATION FROM THE EXECUTIVE COUNCIL OF CANADA appointed to confer with Her Majesty's Government on Subjects of Importance to the Provinces.

Presented to both Houses of Parliament by Command of Her Majesty,
19th June 1865.

LONDON:
Printed by GEORGE E. EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty.
For Her Majesty's Stationery Office.

[*Price* $\frac{1}{2}d$]

NORTH AMERICA. No. 2. (1865.)

PAPERS

RESPECTING THE

TERMINATION

OF THE

RECIPROCITY TREATY

OF

JUNE 5 1854,

BETWEEN

GREAT BRITAIN AND THE UNITED STATES.

Presented to both Houses of Parliament by Command of Her Majesty,
1865.

LONDON:
PRINTED BY HARRISON AND SONS.

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Papers respecting the Termination of the Reciprocity Treaty of June 5, 1854, between Great Britain and the United States.

No. 1.

Mr. Adams to Earl Russell.—(*Received March* 17.)

My Lord, *Legation of the United States, London, March* 17, 1865.

UNDER instructions from the Government of the United States, I have the honour to transmit to your Lordship a certified copy of a joint resolution of the Congress of the United States, approved by the President on the 18th of January, 1865, in regard to the termination of the Treaty concluded between the United States and Her Britannic Majesty on the 5th of June, 1854, commonly known as the Reciprocity Treaty.

I have the honour further to inform you that I am directed to notify Her Majesty's Government that, as it is considered no longer for the interests of the United States to continue this Treaty in force, it will terminate and be of no further effect, as provided by the terms of the instrument, at the expiration of twelve months from the date of the reception by your Lordship of this notice.

I pray, &c.

(Signed) CHARLES FRANCIS ADAMS.

Inclosure in No. 1.

Joint Resolution providing for the Termination of the Reciprocity Treaty of June 5, 1854, *between the United States and Great Britain.*

WHEREAS it is provided in the Reciprocity Treaty concluded at Washington, the 5th of June, 1854, between the United States of the one part, and the United Kingdom of Great Britain and Ireland of the other part, that this Treaty "shall remain in force for ten years from the date at which it may come into operation: and further, until the expiration of twelve months after either of the High Contracting Parties shall give notice to the other of its wish to terminate the same;" and whereas, it appears by a Proclamation of the President of the United States, bearing date 16th March, 1855, that the Treaty came into operation on that day; and whereas, further, it is no longer for the interests of the United States to continue the same in force; therefore,

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That notice be given of the termination of the Reciprocity Treaty, according to the provision therein contained for the termination of the same; and the President of the United States is hereby charged with the communication of such notice to the Government of the United Kingdom of Great Britain and Ireland.

Approved January 18, 1865.

No. 2.

Earl Russell to Mr. Adams.

Sir, *Foreign Office, March* 17, 1865.

I HAVE the honour to acknowledge the receipt of your letter of this day, containing a Resolution of the Congress of the United States approved by the President, in regard to the termination of the Treaty of 1854, commonly known as the Reciprocity Treaty.

Her Majesty will instruct Sir Frederick Bruce, on his proceeding to Washington as Her Majesty's Envoy Extraordinary, upon this subject.

I am, &c.
(Signed) RUSSELL.

NORTH AMERICA.

No. 2. (1865.)

Papers respecting the Termination of the Reciprocity Treaty of June 5, 1854, between Great Britain and the United States.

Presented to both Houses of Parliament by Command of Her Majesty. 1865.

LONDON:
PRINTED BY HARRISON AND SONS.

PAPERS

RELATIVE TO

THE PROPOSED UNION

OF

BRITISH COLUMBIA AND VANCOUVER ISLAND.

Presented to both Houses of Parliament by Command of Her Majesty,
31*st May* 1866.

LONDON:
PRINTED BY GEORGE EDWARD EYRE AND WILLIAM SPOTTISWOODE,
PRINTERS TO THE QUEEN'S MOST EXCELLENT MAJESTY.
FOR HER MAJESTY'S STATIONERY OFFICE

[*Price* 6*d.*] 1866.

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PAPERS

RELATIVE TO

THE PROPOSED UNION

OF

BRITISH COLUMBIA AND VANCOUVER ISLAND.

No. 1.

No. 1

Copy of a DESPATCH from his Grace the Duke of Newcastle, K.G., to Governor Sir James Douglas, K.C.B.

(Separate.)

Sir, Downing Street, May 26, 1863.

As the Act for the Government of British Columbia will expire at the end of the present session of Parliament I think it necessary to inform you of the course which it is my intention to pursue with respect to the future administration of that Colony.

I shall, in the first place, propose to Parliament a Bill continuing the present Act for another year, and annexing to British Columbia what is at present the Stekeen territory.

I shall also submit to Her Majesty an Order in Council, constituting a Legislative Council in British Columbia, in pursuance of the 3rd section of the Act of 22 Vict. cap. 99. The power of nominating the members of this Council will, in the first instance, be vested in the Governor, but I wish it to be so exercised as to constitute a partially representative body, capable of making the wishes of the community felt, and calculated to pave the way for a more formal, if not a larger introduction of the representative element. I shall of course make you more fully acquainted with my views in this respect hereafter; but I think it best to communicate to you confidentially the draft of an Order in Council, which I have caused to be prepared, but which may possibly be altered in some of its details before it is finally passed.

I have, &c.

Governor Sir J. Douglas, K.C.B. &c. &c.

(Signed) NEWCASTLE.

No. 2.

No. 2.

Copy of a DESPATCH from his Grace the Duke of Newcastle, K.G., to Governor Sir James Douglas, K.C.B.

(Separate.)

Sir, Downing Street, June 15, 1863.

I have long had under my consideration the various questions which have arisen respecting the form of Government which should be adopted in British Columbia and Vancouver Island; and I have now to communicate to you the decision at which I have arrived.

I should have much desired, if it had been possible, that these two Colonies should have formed one Government. I feel confident that economy and efficiency would be promoted, that commerce would be facilitated, that political capacity would be developed, that the strength of the Colonies would be consolidated, and generally that their well-being would be greatly advanced by such an union; and I hope that moderate and far-seeing men in both communities will be convinced of this, and will bear in mind the expediency of avoiding or removing all that is likely to impede, and favouring all that is

British Columbia and Vancouver Island.

likely to facilitate such a result. But I am aware that the prevailing feeling is at present strongly adverse to such a measure, and in deference to that feeling I am prepared to take steps for placing them under different Governors, so soon as proper financial arrangements are made for the permanent support of the Government.

With regard to Vancouver Island I think that a permanent Act of the Legislature should be passed, securing to the principal officers of the Government salaries at the following rates, which the importance of the Colony and the prospects of its revenue appear to render no more than fitting:—

	£
Governor - - -	3,000
Chief Justice - - -	800—(to be 1,200*l.* when a lawyer is appointed.)
Colonial Secretary - -	600
Attorney General - -	300, with practice.
Treasurer - - -	600
Surveyor General - -	500

The initiation of all money votes should also be secured to the Government.

When this is done I am prepared to hold the Crown revenue of Vancouver Island at the disposal of the Legislature of that Colony, retaining only such temporary power over the land as will enable Her Majesty's Government to close its transactions with the Hudson's Bay Company. When this is effected I shall be ready to transfer the management of the revenue to the Colonial Legislature.

With regard to British Columbia, adverting to the magnitude of the colonial interests and to the steady progression of the local revenue, I should wish you at once to proclaim a permanent law enabling Her Majesty to allot salaries to the Government officers of British Columbia at the following rates:—

	£
Governor - - - -	3,000, with a suitable residence.
Chief Justice - - - -	1,200
Colonial Secretary - - -	800
Attorney General - - -	500, with practice.
Treasurer - - - -	750
Commissioner of Lands and Surveyor General -	800
Collector of Customs - - -	650
Chief Inspector of Police - - -	500
Registrar of Deeds - - -	500

It will then follow to give effect to the enclosed Order in Council, which Her Majesty has been pleased to issue, in order to prepare the way for giving the inhabitants of the Colony a due influence in its government. I should have wished to establish there the same representative institutions which already exist in Vancouver Island; and it is not without reluctance that I have come to the conclusion that this is at present impossible.

It is, however, plain that the fixed population of British Columbia is not yet large enough to form a sufficient and sound basis of representation, while the migratory element far exceeds the fixed, and the Indian far outnumbers both together.

Gold is the only produce of the Colony, extracted in a great measure by an annual influx of foreigners. Of landed proprietors there are next to none, of tradesmen not very many, and these are occupied in their own pursuits at a distance from the centre of Government, and from each other. Under these circumstances I see no mode of establishing a purely representative Legislature, which would not be open to one of two objections. Either it must place the Government of the Colony under the exclusive control of a small circle of persons naturally occupied with their own local, personal, or class interests, or it must confide a large amount of political power to immigrant, or rather transient foreigners, who have no permanent interest in the prosperity of the Colony.

For these reasons I think it necessary that the Government should retain for the present a preponderating influence in the Legislature. From the best information I can obtain I am disposed to think it most advisable that about one-third of the Council should consist of the Colonial Secretary and other officers who generally compose the Executive Council, about one-third of magistrates from different parts of the Colony, and about one-third of persons elected by the residents of different electoral districts.

British Columbia and Vancouver Island.

But here I am met by the difficulty that these residents are not only few and scattered, but (like the foreign gold-diggers) migratory and unsettled, and that any definition of electoral districts now made might, in the lapse of a few months, become wholly inapplicable to the state of the Colony. It would, therefore, be trifling to attempt such a definition, nor am I disposed to rely on any untried contrivances which might be suggested for supplying its place—contrivances which depend for their success on a variety of circumstances, which, with my present information, I cannot safely assume to exist.

I have, therefore, thought it most advisable to have recourse in British Columbia to the tried machinery of a Legislative Council, with the intention, however, that the appointments to that Council, which by the enclosed Order you are authorized to make, shall be made, if not in exact accordance with the outline which I have traced, yet at any rate with the object of securing that at least one-third of the councillors shall be persons recognized by the residents in the Colony as representing their feelings and interests. By what exact process this quasi-representation shall be accomplished, whether by ascertaining informally the sense of the residents in each locality, or by bringing the question before different public meetings, or (as is done in Ceylon) by accepting the nominee of any corporate body or society, I leave you to determine. I also leave it you to determine the period for which (subject to Her Majesty's pleasure, which involves a practical power of dissolution,) the councillors should be appointed. What I desire is this: that a system of virtual though imperfect representation shall be at once introduced, which shall enable Her Majesty's Government to ascertain with some certainty the character, wants, and disposition of the community, with a view to the more formal and complete establishment of a representative system as circumstances shall admit of it.

I shall hold the proceeds of the Crown lands at the disposal of the Legislative Council, who will also be at liberty to pass laws for the regulation and management of these sources of revenue, subject of course to disallowance in this country, and subject also to the qualification which I have mentioned as indispensable in Vancouver Island, viz., that the Crown must retain such legal powers over the lands as are necessary for disposing of all questions (if any) which remain to be settled with the Hudson's Bay Company—questions which, without such uncontrolled power, might still be productive of embarrassment.

With these explanations, I have to instruct you, first, to proclaim a law securing to Her Majesty the right to allot the above salaries to the officials of British Columbia; and having done so, to give publicity to the enclosed Order in Council, and to convene as soon as possible the proposed Legislature.

Order in Council.

I have, &c.

Governor Sir J. Douglas, K.C.B. &c. &c.

(Signed) NEWCASTLE.

Enclosure in No. 2.

Encl. in No. 2.

British Columbia.

At the Court at Windsor the 11th day of June 1863.

PRESENT:

The Queen's Most Excellent Majesty.

Lord President. Earl Russell. Lord Privy Seal. Mr. Milner Gibson.

Whereas by an Act passed in the twenty-second year of the reign of Her Majesty, entitled "An Act to provide for the Government of British Columbia," it was declared lawful for Her Majesty, by Order in Council, to authorize and empower such officer as she might from time to time appoint to adminster the Government of British Columbia, to make provision for the administration of justice therein, and generally to make, ordain, and establish all such laws, institutions, and ordinances as might be necessary for the peace, order, and good government of Her Majesty's subjects and others therein; provided that it should be lawful for Her Majesty, as soon as She might deem it convenient by any such Order in Council as aforesaid, to constitute, or to authorize and empower such officer to constitute a Legislature, to make laws for the peace, order, and good government of British Columbia, such Legislature to consist of the Governor or Officer administering the government of the Colony, and a Council or Council and Assembly to be composed of such and so many persons, and to be appointed or elected in such manner, and for such periods, and subject to such regulations as to Her Majesty might seem expedient: And whereas by an Order in Council bearing date on the 2nd day of September in the year 1858, Her Majesty was pleased to authorize such Governor or Officer as aforesaid to make provision for the administration of justice, and as therein mentioned to make laws and ordinances for the peace, order, and good government of Her Majesty's subjects and others in the said Colony: And whereas it is expedient to revoke the said Order in Council, and to constitute a Legislature for the

BRITISH COLUMBIA AND VANCOUVER ISLAND.

said Colony, consisting of the Governor or Officer administering the government thereof, and the Legislative Council herein-after established.

1. It is hereby ordered by Her Majesty, by and with the advice of Her Privy Council, and in pursuance and exercise of the powers vested in Her Majesty by the said Act of Parliament, or otherwise in that behalf, that the said recited Order in Council shall be and the same is hereby revoked: Provided always, that nothing herein contained shall be held to invalidate any act or thing done, nor any appointment made in pursuance or under authority of the said Order in Council, but that every such act, thing, and appointment shall remain of the same force and effect as if the said Order in Council were still in operation.

And it is hereby further ordered as follows, that is to say:

2. In this Order in Council the term Governor shall mean the officer for the time being lawfully administering the government of the Colony of British Columbia.

3. There shall be in the said Colony a Legislative Council constituted as herein-after mentioned.

4. It shall be lawful for the Governor, with the advice and consent of the said Legislative Council, to make laws for the peace, order, and good government of the said Colony.

5. The said Council shall consist of such public officers within the said Colony as shall from time to time be designated, and of such persons as shall from time to time be named by or in pursuance of any instructions or warrant under the Royal sign manual and signet, and of such other persons as may from time to time be appointed by the Governor by instruments to be passed under the public seal of the said Colony: Provided that every such last-mentioned appointment shall be provisional only until the same shall have been approved by Her Majesty through one of Her Principal Secretaries of State, and may be made to determine at a period named in the instrument making the same, and that the total number of councillors shall not by any such appointment be raised above the number of 15: Provided also, that every member of the said Council shall hold office during Her Majesty's pleasure only.

6. The precedence of the members of the said Council may be from time to time determined by any such instructions as aforesaid. In the absence of such determination, the members shall take rank according to the order of their appointment, or if appointed by the same instrument according to the order in which they are named therein.

7. The Governor, or in his absence any member of the Council appointed by him in writing, or in default of such appointment, the member present who shall stand first in order of precedence, shall preside at every meeting of the said Council. All questions brought before the Council shall be decided by the majority of the votes given, and the Governor or presiding member shall have an original vote on all such questions, and also a casting vote if the votes shall be equally divided.

8. No business (except that of adjournment) shall be transacted unless there shall be present four members of Council besides the Governor or presiding member.

9. The Council shall, in the transaction of business and passing of laws, conform as nearly as may be to the directions conveyed in that behalf to the Governor of British Columbia in certain instructions under the sign manual and signet bearing date the 2nd day of September 1858, until otherwise provided by us, and to such further instructions under the said sign manual and signet as may hereafter be addressed to the Governor in that behalf.

10. Subject to such instructions the Council may make standing rules and orders for the regulation of their own proceedings.

11. No law shall take effect until the Governor shall have assented to the same on behalf of Her Majesty, and shall have signed the same in token of such assent.

12. Her Majesty may, by Order in Council, or through one of Her Principal Secretaries of State, disallow any law passed by the said Governor and Council at any time within two years after such law shall have been received by the Secretary of State, and every law so disallowed shall become null and void so soon as the disallowance thereof shall be published in the Colony by authority of the Governor.

13. If any councillor shall become bankrupt or insolvent, or shall be convicted of any criminal offence, or shall absent himself from British Columbia for more than three months without leave from the Governor, the Governor may declare in writing that his seat at the Council is vacant, and immediately on the publication of such declaration, he shall cease to be member of the Council.

14. The Governor may, by writing under his hand and seal, suspend any legislative councillor from the exercise of his office, proceeding therein in such manner as may from time to time be enjoined by any such instructions as aforesaid, and until otherwise ordered according to such directions respecting the suspension of public officers as are contained in the above-mentioned instructions bearing date the 2nd day of September 1858. And the Most Noble the Duke of Newcastle, one of Her Majesty's Principal Secretaries of State, is to give the necessary directions herein accordingly.

(Signed) ARTHUR HELPS.

No. 3.

No. 3.

COPY of a DESPATCH from his Grace the Duke of NEWCASTLE, K.G., to Governor Sir JAMES DOUGLAS, K.C.B.

(No. 35.)

SIR, Downing Street, July 14, 1863.

I THINK it best to inform you that I am about to submit for Her Majesty's approval certain instructions appointing the following officers to be members of the Legislative Council in British Columbia.

The Colonial Secretary.
The Attorney General.
The Treasurer.
The Chief Commissioner of Lands and Works.
The Collector of Customs.

I think it also advisable to point out that as doubts may be entertained respecting the binding authority of any proclamation issued by you subsequently to the date of the Order in Council constituting a Legislative Council (viz., the Colonial Secretary, the Attorney General, the Treasurer, the Chief Commissioner of Lands and Works, and the Collector of Customs,) your first step in convening the Council should be to re-enact in the form of an Ordinance any proclamation or proclamations which you may have issued after the above date, including the proclamation (if any) by which you may have paid the salaries of public officers.

I have, &c.

Governor Sir J. Douglas, K.C.B. &c. &c. (Signed) NEWCASTLE

No. 4. No. 4

COPY of a DESPATCH from his Grace the Duke of NEWCASTLE, K.G., to Governor Sir JAMES DOUGLAS, K.C.B.

(Separate.)

SIR, Downing Street, August 1, 1863.

WITH reference to my Despatch, No. 35* of the 14th ultimo, I transmit to you herewith instructions † under the Queen's sign manual and signet, appointing the following officers, viz.:

* Page 4.

† Not printed

The Colonial Secretary,
The Attorney General,
The Treasurer,
The Chief Commissioner of Lands and Works,
The Collector of Customs,

to be members of the LegislativeCouncil of British Columbia.

I have, &c.

Governor Sir J. Douglas, K.C.B. &c. &c. (Signed) NEWCASTLE.

No. 5. No. 5.

COPY of a DESPATCH from the Right Hon. EDWARD CARDWELL, M.P., to Governor KENNEDY, C.B.

(No. 2.)

SIR, Downing Street, April 30, 1864.

I HAVE received Sir James Douglas's Despatch No. 3, of the 12th of February, enclosing a Resolution of the House of Assembly of Vancouver Island, in which the House declines to pass the Civil List Act proposed in the Duke of Newcastle's Despatch marked "Separate," of the 15th June last.‡

‡ Page 1.

I regret that the House of Assembly did not feel able to concur in the proposals submitted to it on this subject.

I am desirous, however, to prevent as far as possible the disappointment and inconvenience to individuals which this decision might occasion.

It appears from the Resolution of the Assembly that the Crown land fund for the year 1863 amounted to 4,500*l.*, but that a considerable portion of this sum consisted of the proceeds of sales effected in former years. There may be sources of revenue, such as fines and forfeitures, fees of office, the proceeds of which the Crown could justly appropriate, but in the absence of any precise information on this head I can only authorize you to issue warrants for the payment of the salaries of the Governor and the Colonial Secretary, at the respective rates of 3,000*l.* and 600*l.* per annum assigned to them by my predecessor, out of any funds which may be under the direct control and at the disposal of the Crown.

It will of course rest with the Legislature to make provision for the remuneration of the other officers employed under the Government in any way and from any source which may seem most appropriate to them.

Besides the Civil List, Sir James Douglas's Despatch raises a still larger and more important question, namely, the union of both Colonies under one Governor, though with some distinct administrative department.

BRITISH COLUMBIA AND VANCOUVER ISLAND.

On this subject I am desirous of having the benefit of your views as soon as you shall have acquired on the spot sufficient experience and knowledge to enable you to form your opinion, and to supply reliable information for the assistance and guidance of Her Majesty's Government in considering the question. I shall in like manner ask Governor Seymour, to whom I shall communicate a copy of this Despatch, to furnish his views on the same matter, and I need scarcely say that it will not only be unobjectionable but highly desirable, that you and he should consult freely on the subject, although it will be the most convenient course that, ultimately, each should report to me independently, the conclusions which he may form on the subject.

I have, &c.

Governor Kennedy, C.B., &c. &c. (Signed) EDWARD CARDWELL.

No. 6.

No. 6.

COPY of a DESPATCH from Governor KENNEDY, C.B., to the Right Hon. EDWARD CARDWELL, M.P.

(No. 14. Separate.)

SIR, Victoria, March 21, 1865.

(Received May 15, 1865.)

27th Jan. 1865.

I HAVE the honour to transmit a copy of Resolutions passed by the Legislative Assembly of Vancouver Island on the subject of union with British Columbia, and in doing so I will shortly trace their history.

They were introduced by Mr. De Cosmos, one of the members for Victoria, and passed on the 27th January 1865, after a warm debate, by a majority of 8 to 4.

It was thereupon alleged by the minority that the majority did not fairly represent public opinion, and to test this fact, Mr. De Cosmos, who proposed, and Mr. C. B. Young, who opposed the resolutions (being two members for the city of Victoria), agreed to resign their seats, and went before their constituents for re-election, which resulted in the return of Mr. De Cosmos and Mr. McClure, both advocates of union and a tariff, by a large majority.

The majority of the House of Assembly in favour of *unconditional* union with British Columbia is now, I believe, 11 to 4, and I have no doubt that a dissolution of the House would undoubtedly increase that majority by two more.

I submitted these resolutions to the Legislative Council for their information, and the majority present being *ex officio* members, resolved that it was inexpedient for the Council to express any opinion on the subject; but two dissenting members, Messrs. Finlayson and Rhodes, recorded their views in the protest herewith.

I am in a position to know that the majority if not *all* the *ex officio* members are in favour of union, with some small differences of opinion on matters of detail, and that they refrained from a public expression of their opinion from a desire to avoid possible complication, and with a view to giving their untrammelled support to such measures as Her Majesty's Government may deem most fitting, on a future occasion.

The local Legislature of Vancouver Island have thus, I think, adopted the only course by which the union of these Colonies can be satisfactorily effected, namely, leaving conditions and details, even to the form of government, to your decision.

Enclosure.

I enclose newspaper copies of the debates on the subject, and will reserve my further observations for another Despatch of this date, in reply to yours dated 30th April 1864,* No. 2.

* Page 5.

I have, &c.

Right Hon. Edward Cardwell, M.P., &c. &c. &c. (Signed) A. E. KENNEDY.

Encl. 1 in No. 6.

Enclosure 1 in No. 6.

VANCOUVER ISLAND.

RESOLUTIONS REPORTED FROM COMMITTEE, 25th January 1865; CONFIRMED BY HOUSE, 27th January 1865.

Resolved,

That this House, after having taken into consideration the present state of the Colony, is firmly convinced that it is expedient at the present time to observe the strictest economy in the public expenditure compatible with the efficiency of the public service. And that the immediate union

of this Colony with British Columbia, under such Constitution as Her Majesty's Government may be pleased to grant, is the means best adapted to prevent permanent causes of depression, as well as to stimulate trade, foster industry, develop our resources, augment our population, and ensure our permanent prosperity; and this House pledges itself, in case Her Majesty's Government shall grant such union, to ratify the same by legislative enactment, if required.

Resolved,—

That the above resolution be transmitted to his Excellency the Governor, with the respectful request that he may take the same into his earnest and immediate consideration.

(Signed) R. W. Torrens,
Clerk of the House.

Enclosure 2 in No. 6.

Vancouver Island.

Extract from the Minutes of the Legislative Council, 2nd March 1865.

Mr. Finlayson, pursuant to notice, introduced the following resolutions, which were seconded by the Hon. Henry Rhodes:—

1. That Her most Gracious Majesty may be requested to annex the Colony of Vancouver Island to the Colony of British Columbia.

2. That Her most Gracious Majesty may be pleased to direct the passage of an Act of the Imperial Parliament to provide a constitutional mode of Government, with representation on the basis of population to the British possessions in the North Pacific.

The Treasurer handed in the following amendment to the proposed resolutions of the Hon. R. Finlayson:—

"That this Council regards it as undesirable to express an opinion as to the expediency or otherwise of uniting the Colonies of Vancouver Island and British Columbia."

The chairman having put the amendment of the Treasurer, the following were the Ayes and Noes:—For the amendment—The Acting Colonial Secretary, the Acting Attorney General, the Treasurer, the Acting Surveyor General. Against the amendment—The Hon. R. Finlayson, the Hon. Henry Rhodes.

Amendment carried.

The Hon. Henry Rhodes gave notice that he would hand in a protest against the resolution.

Enclosure 3 in No. 6.

Vancouver Island.

Extract from the Minutes of the Legislative Council, 6th March 1865.

The Hon. Henry Rhodes handed in the following protest, which was ordered to be placed on the minutes:—

To the Honourable the President of the Legislative Council.

We, the undersigned, being the only unofficial members of the Legislative Council present at the meeting on the 2nd instant, and being merchants in the city of Victoria, do protest against the resolution of the Legislative Council in regard to the union resolutions which then came up for discussion.

Because,

1st. The resolution—"That the Council regard it as undesirable to express an opinion as to the "expediency or otherwise of uniting the Colonies of Vancouver Island and British Columbia" was carried by the official members of the Council only, who are at all times the majority of the said Council.

2nd. We consider it unwise and impolitic to postpone indefinitely the consideration of the subject, for the reason that we know the feeling of the Colony to be in favour of union of the Colonies, and that since the question has been so thoroughly considered recently and the entire community agitated upon the subject, the present is the most desirable time for decisive action in the matter.

That the postponement of the settlement of the question will greatly disturb commerce, prevent enterprise, and do much injury to both Colonies, while on the other hand the sooner the question is settled the better it must be for all the interests of both Colonies.

(Signed) Henry Rhodes,
Rodk. Finlayson.

Enclosure 4 in No. 6.

House of Assembly, Wednesday, January 25th.

House met at 3.15 p.m. Members present—Messrs. De Cosmos, Franklin, Young, Trimble, Tolmie, Dickson, Southgate, Duncan, Cochrane, Burnaby, Carswell, Bayley, Dennes.

Encl. 4 in No. 6.

State of the Colony.

Mr. De Cosmos said he would ask that the committee have leave to consider the internal condition of the Colony.

Mr. Burnaby asked the hon. senior member for Victoria to lay before the House the resolutions he had prepared.

Mr. De Cosmos replied that he was then re-writing them.

Mr. Young said a great deal of irrelevant matter had been delivered in the House on this question of the state of the Colony. The state of the Colony was all right, but the state of some men's heads was all wrong. The great want in the Colony was population. (Hear, hear.) As for the revenue he was vain enough to assume the reins of Chancellor of the Exchequer for the moment, and show how it might be raised by a proper system of taxation. A great deal had been said about a tariff, but we would see what good it would do. The hon. gentleman alluded to lumberers not being benefited by a tariff, nor tailors and shoemakers, &c., who had now as much as they could do; he also alluded to a brewer who was the greatest protectionist in the Colony, but who would not get his grain any cheaper with a 20 per cent. tariff. The position of this Colony was such as to make it a great commercial emporium, and it was such already. It was asked how we were to get the gold of British Columbia. Why, by going to dig it out, as so many of our people did. As to the estimates asked for, if we thought them too large, all we had to do was not to vote them; and he could not see any reason why they should be larger this year than last. As to customs, the cost of collecting would be enormous, to prevent the smuggling, for which such great facilities were afforded by our numerous bays and inlets. What was to hinder our farmers from competing with foreign farmers? Why, because they had not the land. This was destined to be a mineral country, not an agricultural. He could not see in any way how this Colony was to be benefited by taxation. If a man pays 20 per cent. more taxation, how can it benefit him? Suppose a man paid $10 for a coat last year, and this year has to pay $12 for the same, what is his advantage? He thought $150,000 could be struck off the estimates very easily, by dispensing with lazy clerks who did nothing, and constables who played euchre in public houses and such like. He certainly could not see the benefits of a tariff, and would, therefore, do all he could to oppose it.

Mr. De Cosmos submitted the following resolutions to the committee—

Resolved:—

That this House, after having taken into consideration the present state of the Colony, is firmly convinced that it is expedient at the present time to observe the strictest economy in the public expenditure compatible with the efficiency of the public service; and that the immediate union of this Colony with British Columbia, under such constitution as Her Majesty's Government may be pleased to grant, is the means best adapted to prevent permanent causes of depression, as well as to stimulate trade, foster industry, develop our resources, augment our population, and ensure our permanent prosperity; and this House pledges itself, in case Her Majesty's Government shall grant such union, to ratify the same by legislative enactments if required.

Resolved,—

That the above resolution be transmitted to his Excellency the Governor, with the respectful request that he may take the same into his earnest and immediate consideration.

Mr. Burnaby said he had hailed the resolutions with satisfaction on their first appearance as connected with the consideration of the estimates. These estimates were, he must confess, rather startling in amount in proportion to the revenue of the Colony. (Much of this hon. gentleman's speech was inaudible at the reporter's table.) He was sorry to hear some people, who had fomerly held different opinions, say that, even if the country stood alone as a separate Colony the system of taxation must be changed and a tariff imposed (no, no). If we stand alone as a Colony we must stand in a respectable and honourable position before the world. We must pay our Governor's salary, and maintain a proper establishment. We must persist in our system of direct taxation. He was free to admit that taxation here was very unequally divided, and would wish to see it arranged so as to touch all classes; but if we stood alone we must have direct taxation (hear, hear). Some two years ago at the general election a pledge was exacted from nearly every hon. member of this House in favour of the free port, and they could not have got in without it. At that time also the union question had come up, and he (Mr. Burnaby) had entertained and expressed the views that we were not prepared for union. His views of that date as to the free port and union were unchanged, and his faith in the resources of the Colony were still as strong as ever. Since that period gold had been discovered on the Island; it had got to be developed, but it was here beyond a doubt. Again the new district of Kootenay in British Columbia was pronounced to be highly productive. We had been told that the free port was a failure. He respectfully demurred to that proposition. True a great depression had existed here for some time. During the whole of last year a most severe financial pressure had been felt in England. In California, in addition to drought and hard winter, a severe prostration had occurred in mining affairs. Again in British Columbia vast sums had been expended in works, trade, mining, &c., which had not produced as yet the remuneration which was expected. All this had, to a certain extent, caused a temporary depression, and he was sorry to say that the temporary stagnation and depression had been turned to a bad account by what he might term a sort of assiduous journalism. The free port had been gradually and cautiously attacked during the last nine months. The attack commenced first by letters in the papers, followed by sly insinuations against the policy of free trade; the country had to be inoculated with the feeling, and he must admit it had been well and skilfully done. All the troubles and depression in the Colony had been carefully attributed to it, and now the remedy proposed was the imposition of a tariff. This change in public opinion, which the hon. senior member for Victoria dignified by the title of a great revolution, he

maintained was made without reason. The hon. member who had introduced the resolution had dwelt at some length on the danger of our present position ; that in ourselves we had no resources outside the trade of British Columbia, and no position of importance (hear, hear). Those engaged in trade here had been taunted that they had not properly developed the trade and commerce of the country. He would remind hon. gentlemen that the action of the House was the best proof of the wisdom of our merchants in not accepting the free port as a fixed and permanent fact. The free port required to be firmly established before our merchants would import large stocks of goods suitable for distant and foreign markets; they could not be expected to do so, if they thought they would be liable to a duty in six months or a year. So long as there was a possibility of a change in the public mind on the free port, much would not be done towards making this a great distributing centre. The House had two positions before it: one was that of absolute independence coupled with a free port, and a resolution to carry out the policy at all costs and every risk and in a dignified manner, trusting to the hope afforded by our geographical position that we would ultimately become a great distributing port. He took his stand on the free port, and he would continue to stand on that policy so long as the country would support him. This was the opinion of all the merchants in the community and of our neighbours in California. He did not fear the imposition of a differential duty of 7 or 10 per cent. by British Columbia. If necessary, our merchants here could establish branches at New Westminster, but here was the depôt, the open free port, the *locus standi* of the capital. If the country should decide to give up the free port there was no alternative but unconditional union; he was not too proud to call it annexation (hear, hear). It was simply saying to British Columbia, we are not strong enough to stand alone, come and help us. But before we decided on this question in the House let us request his Excellency to appeal to the country; let us be sure that the country stands with us in a matter so vital to the well-being of the Colony. He did not propose to go into the arguments for protection to industry. The idea was exploded long ago. As to British Columbia being our greatest market, he had always held that she was far more indebted to us; nine-tenths of all the enterprise, capital, energy, expended in that Colony had come from here, and nine-tenths of all the results had come back here.

Mr. Duncan.—Yes, and gone through here. (Laughter.)

Mr. Burnaby, if this House should decide to adopt the resolutions he hoped they would appeal to his Excellency to dissolve the House, and go before their constituents to hear the views of the country. (General cries of hear, hear.)

Dr. Helmcken said it seemed to be expected that he should declare himself (applause), and he admitted that the public had a right to know who he was as much as he had to have an opinion of himself. He believed that the Colony was suffering under great depression at present, and he was convinced that it was caused by overtrading. Cariboo had turned out far less gold than had been expected, and miners had returned with less gold. There had been no returns for the money expended in mining. That he looked on as a temporary difficulty. But the great cause of the depression was the vast amount of accommodation afforded to traders by our merchants. The goods were either locked up in the mines or sold at a great loss. A great deal of capital had been locked up also in quartz and copper mines. This, however, he looked on as also a temporary suffering, and he fully expected we would recover from it in time. It was not alone here that the unemployed men who had been alluded to were to be found. In California it was just as bad, and from similar causes. One might almost stop here, and say that if the depression was only temporary it would soon be got over. But other topics had been entered on. It had been said that the depression had been caused by our neglecting to foster local industries. This he totally denied (hear, hear). For himself he was still as much in favour of free trade as ever. He did not consider free trade had anything whatever to do with the present depression (hear, hear). They were told that of the $4,000,000 of imports about $1,000,000 was left for local consumption. It seemed to him singular that our consumption was only $1,000,000 with a population larger than that of British Columbia, which consumed nearly $2,000,000. He could only assume from that that the production of Vancouver Island with free trade was greater than the production of British Columbia with protection. His own impression was that free trade was the best policy, both hitherto and still (hear, hear). The next subject was union of the two Colonies. His opinion was that union with British Columbia and free trade in Vancouver Island would conduce to the best interests of both Colonies (hear, hear), and also be a very large saving in expense. Unfortunately our neighbours did not see it in the same light. Free trade, as it hitherto existed, had kept the trade of British Columbia in the possession of Vancouver Island. He did not think we were likely to have any great extension of trade to any other of the surrounding countries, to India, or China, or Mexico. He did not believe in any such extension. There was no doubt union was the great thing to be aimed at, and that free trade in Vancouver Island was the best policy, but let us unite with British Columbia unconditionally (hear, hear), unconditionally (applause), with one single exception, that the laws of Vancouver Island should remain unchanged till altered by the United Legislature, and he felt sure that the arguments which would be brought forward in the United Legislature would prove that free trade in Vancouver Island was the best policy for both Colonies. In any case the great good would be attained,—the Colonies united (hear, hear). But if the Colonies were to be separate, the only thing to be done was for each man to strip "to the buff" if necessary, and fight to the death for the free port (hear, hear). As to protection for agriculture in this Colony, he was convinced it was not required. In British Columbia, where there was greater protection than anywhere else in the world, agriculture had not progressed.

Mr. De Cosmos. It has; a great deal.

Dr. Helmcken continued that this Colony had not the land for agriculture, but British Columbia had, and the two united would combine their respective agricultural and commercial advantages in one. He repeated his position, united with British Columbia and with free trade in Vancouver Island, or united, at any rate, and still keeping the commerce of British Columbia, which our natural position ensured to us ; or if separate from British Columbia, then free trade in every sense. These were his views. But he would not go to the British Columbians like a mendicant, rather would he vote for eternal separation than go to beg a thing which was a mutual benefit. As to our foreign trade, he would sacrifice all the trade with surrounding nations to unite the two peoples and make one great country.

Dr. Tolmie would wish to add a few remarks. It was not always best to buy in the cheapest and sell in the dearest markets. Free trade was not always the policy of great countries. Great Britain had

British Columbia and Vancouver Island.

grown rich and powerful by protection. In the United States the question had been thoroughly argued, and the United States had gone on protecting their industries, and at the same time increasing their population and rapidly augmenting their wealth. We, ourselves, had given the thing a noble trial of six years, and although he would not say it had done no good, still he thought the time was past for free trade, and the country demanded protection. Take the familiar example of the saw mill, quoted yesterday, (a laugh). He had seen the working of saw mills under protection on Puget Sound, and had seen their beneficial effects in building up the country. Our geographical position, which had been so much talked about, and praised in the "*Times*" so early as 1849, would be best brought out and developed by union with British Columbia, and by going into connexion with the great federation of the eastern Colonies (applause).

Dr. Helmcken said there was no doubt whatever that even if we should remain separate we could raise all the revenue we required (hear, hear). He had not a doubt of it.

Mr. Bayley said the present state of the Colony was one of insolvency (no, no, and laughter). He maintained that this was the case, and it had been caused by the falling off in gold and the over-speculation in real estate. He held that the trade of Victoria was dependent on British Columbia and not on the phantom trade with foreign countries which had been held up so long before our eyes. He had stood up in the House and opposed union with British Columbia, but that was because he had been led to look at this country as the Great Britain of the Pacific. He had now seen reason to change his opinion. He looked on Victoria as reduced to a mere shopkeeper (a laugh), who had to depend on British Columbia to buy her wares. The moment that British Columbia was able to buy for herself from the manufacturers and producers, what were we to do with our goods? Our warehouses would be full, but no one to be purchasers, that was the state to which we were fast coming unless we adopted a different policy.

Dr. Dickson said he had no fears about our ability to exist as a separate Colony; but union was strength, and he was fully satisfied that a complete and thorough union was for the best interests of both Colonies (hear, hear). He had taken the trouble to see the great majority of his constituents, and had also heard the opinions of a great number of the inhabitants of the city, and he had come to the firm conclusion that nineteen-twentieths of the whole population were thoroughly and strongly in favour of union, and that they expected the House to take active steps to bring it about. Hon. members might depend on it, too, that if they did not move in the matter their constituents would soon turn them out and get in better men.

Mr. Franklin said he now found resolutions on the table, which had been ruled in order, opening up the question of union. The question of union had already been settled; British Columbia had rejected our offers, and we were now asked to go on bended knee and pray for a union. He had been returned to this House on free trade principles, and he could not give a vote on the question without going before his constituents, and he thought every honourable member was bound in honour to follow the same course. He was unprepared to abandon the policy of this country and to adopt unconditional union, and he felt sure that was the general opinion of the country (laughter).

Dr. Helmcken said hon. members had said that the union of the Colonies had been rejected by British Columbia. He denied it entirely (applause).

The Legislature of British Columbia had never taken the resolution of this Legislature into consideration at all (hear, hear). He felt sure the British Columbia Legislature would not be guilty of such discourtesy as to throw our resolutions over without an answer (hear, hear). The question had evidently never been considered, as we never have had an answer (applause).

Mr. Southgate said if he could see his way clear to a union which would preserve free trade in Vancouver Island he would heartily support it, but he did not see how it could be brought about. He alluded to his recent visit to San Francisco, and to the interest felt by merchants there in our free port.

The resolutions were then put *seriatim*, and the first section carried unanimously.

Section 2 was also carried.

Ayes—De Cosmos, Helmcken, Tolmie, Dickson, Duncan, Cochrane, Carswell, Dennes (8).

Noes—Franklin, Young, Burnaby, Trimble, Southgate (5).

Section 3 was also carried by the same vote.

On section 4, M . Burnaby moved the following amendment:

That in view of the resolutions passed by this House, and adverting to the pledges given by hon. members at their election on the subject of the free port, respectfully requests that his Excellency will dissolve this House and submit the question to the country.

The amendment was lost, and the original resolution carried by the previous majority—8 to 5.

The committee rose and reported the passage of the resolutions, and the Speaker informed the House that they would come up for adoption on Friday next.

Legislative Assembly.

Friday, Jan. 27, 1864.

House met at 3.20 p.m. Present, The Speaker, and Messrs. Burnaby, Young, Tolmie, Franklin, Powell, Dickson, Duncan, Dennes, Carswell, De Cosmos, Bayley, Cochrane, and Southgate.

Petition of Chamber of Commerce.

Mr. Burnaby, on leave, presented a petition from the Chamber of Commerce of this city. It reads as follows, and was laid on the table:

To the Honourable the Speaker and Members of the Legislative Assembly of Vancouver Island.

The humble Petition of the Members of the Victoria Chamber of Commerce,

Sheweth,

That your petitioners, having had under their serious consideration the subject now under discussion in your Honourable House, and which being of vital importance to the welfare of this Colony, is also engaging the marked attention of all classes of the community, viz.: the maintaining of Victoria as a free port and raising the necessary revenue for carrying on the Government by direct taxation, or abolishing the free port and raising the required revenue by imposing duties on importations; beg re-

spectfully to present for the consideration of your honourable body the following resolutions passed by them at a meeting held this day:

Your petitioners therefore humbly pray that your Honourable House will take such action as will maintain the free port in all its present integrity.

Resolved.—

1. That, in the opinion of the Victoria Chamber of Commerce, the maintenance of the Free Port system is of vital importance to the prosperity of Victoria and of Vancouver Island.
2. That commerce should not be subjected to any species of restraint, because freedom from restraint is calculated to give the utmost extension to foreign trade, and the best direction to the capital and industry of the country.
3. That the adoption of a protective tariff would be detrimental to the commercial interest of the Colony without benefit to the farmer or manufacturer.
4. That a tariff for revenue would necessitate such an outlay of expenditure for the collection of the duties that it would not answer the requirements of the Government, and would inflict a heavy loss on the commerce of Victoria.
5. That direct taxation is the only politic and equitable mode of raising a revenue.
6. That a general system of taxation by which all classes of the community would be made to contribute to the support of the Government is the most simple and economical.

And your petitioners as in duty bound will ever pray.

For the members of the Victoria Chamber of Commerce.

Chas. W. Wallace, President.
A. F. Main, Secretary.

Victoria, Vancouver Island, Jan. 26th, 1865.

State of the Colony Resolutions.

The Speaker read over the resolutions passed by the committee of the whole, on Wednesday last respecting the state of the Colony.

Mr. Young moved for a recommittal of the resolutions, and was proceeding to give his reasons, when

The Speaker said, that if any discussion arose on the resolutions they would have to be postponed until Monday next.

Messrs. Franklin and Burnaby had some further remarks to make.

Mr. De Cosmos called "question."

The Speaker—"That I do now leave the chair?"

Mr. De Cosmos—No!

On the suggestion of the Speaker, Mr. De Cosmos moved that the order of the day be discharged.

Mr. Franklin stated that the House had waited a long time for the estimates, and it was known that Government business took precedence of all other. He hoped that the House would go on with the business of the day.

Mr. Burnaby moved "that the Speaker do now leave the chair."

Mr. Young said that according to "May," Government business cannot be superseded.

Motion to leave the chair was lost by a vote of 8 to 5. The order of the day respecting the "state of the Colony" was carried.

Mr. Young then moved that the resolutions be recommitted, and called the attention of the House to the results of the meetings held in the city, and whether the almost unanimous opinion of the Chamber of Commerce is to go for nothing, when there was but one voice in 20 against the maintenance of the free port, and subsequently 7 others entered the room and acquiesced with the decision of that body. He was about to advert to the decision in regard to the question at the Mechanics' Debating Club, when he was called to order. Mr. Young stated that the question was not intended for the benefit of the Colony, but for the benefit of individuals. [Mr. De Cosmos—no! no!] It was not the case, as stated by the press, that 9 out of 10 were in favour of a tariff. The hon gentleman (Mr. Young) quoted Washington territory to show that, with all its protection, the revenue derived from the custom house there only sufficed to pay one quarter of the expenses connected therewith. It used to produce 80,000 bushels of wheat, and now but 25,000 bushels, and all from the beautiful system of protection. He had his information from a reliable authority. He would ask the House, what would be more humiliating than for this Colony to go begging to British Columbia, asking to have its destiny hooked on with theirs. With regard to the cereal productions of this Colony, Mr. Y. quoted the phrase, "the woodman's axe" had not rung in the primeval forest, &c.," which will be remembered was used by an honourable member in connexion with the Crown Lands' report of last session of the House, and it caused much merriment. The Hudson's Bay Company also came in for a share of the hon. gentleman's censure. Mr. Young went on to state that a paid Legislature would be brought about by the course proposed; he had often heard hon. gentlemen deprecate a paid Legislature, and he would not say that any hon. member ever thought of such a thing for their own benefit. No, no. (Laughter.) He was surprised that an hon. gentleman in the House, in the retail business, should favour a tariff of 20 per cent., and how could he delude his customers or make them believe that there would be no consequent advance in his goods? To talk of union, with dissent on both sides, seemed to him most paradoxical. If the resolutions were brought forward in a less humiliating manner to ourselves, we might arrive at something. He hoped that hon. gentlemen would look to the serious consequences which would arise from the passage of the resolutions, and he trusted that hon. members would not be deaf to the arguments used.

Dr. Tolmie said that they had heard nothing from Mr. Young approaching reason why the resolutions should be recommitted; as to the personalities, those he would leave out altogether. As regards the wheat raised in Washington territory, Mr. Tolmie stated that it arose from the poverty of the soil and was not reproductive. With respect to the Chamber of Commerce, that body only dealt with a portion of the question; union was not submitted at all. As to the dissent on both sides alluded to, the question was never put before British Columbians as it was now put, and in British Columbia there was a great deal of assent to union with this Colony.

Mr. Burnaby rose to make a last appeal, but from appearances he feared that he had but a small

chance. He would say a few words in order to put the question off for a short period, that the people might be enabled to gain more time to consider the matter. He was not disposed to jest in the matter. He would confess that he was unable to see the great advantages to be gained that other hon. gentlemen saw. Doubts are expressed that the free port had not tended to the building up of this city, but he was convinced that without free trade up to this time, the place would be comparatively small. Mr. Burnaby alluded to the enterprise of our neighbours, who would take advantage to build up a rival city on the opposite coast, and he brought to the notice of the House the petition of the Chamber of Commerce, which represented the views of a portion of the community which paid a very large share of the taxes and who developed the resources of the country to a great extent. That body naturally, he said, felt the deepest interest in the matter. In regard to the question of union, they foresaw that without it unconditional, there was no chance of the free port being given up. They did not touch on union because they felt that it would be dealing with a political matter. Mr. B. expressed his astonishment that hon. gentlemen who sat around that table and pledged themselves to their constituents 18 months ago to support the free port could now scatter those principles to the wind. By reason of the pledges extracted from them they now sat in that House. How they could reconcile their conduct with their conscience now he could not see. Union was desirable, but he could not see what there was in the position of the Colony now, as compared with it 18 months ago, which should make hon. members change their views. He would now ask hon. gentlemen, especially in deference to the petition of the Chamber of Commerce which he laid before them, to postpone the further discussion of the question for three weeks.

Mr. Franklin supported the motion of Mr. Burnaby, and would like also to treat the matter seriously. They had arrived at a crisis in the history of the Colony. For the first time in the House it is proposed to abolish the free port. [No, no, from Mr. De Cosmos.] He (Mr. F.) would accept the no, no, but he questioned the sincerity of those no, noes. The hon. gentleman stated that he saw members before him for whom he voted, and helped to gain a seat in the House, because they advocated free port principles, and he had a right in his place to demand consistency from them. (Hear, hear.) He thought that as guardians of the public they had no right to place the interests of the people in the hands of the Secretary of State to do as he thought fit, and could they for a moment say we will do as we please? Mr. Franklin touched on the subject of the claims made out by the Committee on Crown Lands against the Hudson's Bay Company, and reminded hon. members if all these were to be swept away in a moment, and with one dash of the pen, he urged hon. gentleman to maintain the rights of the people, and not to abandon them from selfish ambition. Were they to throw out Americans, Frenchmen, Germans, Chinese, by substituting a restrictive policy? The hon. gentleman here mentioned, as an instance of the many chances of fostering the free port, the recent order for issuing passports by the American Government to people leaving the Colony. He would say with the hon. gentleman who had just spoken (Mr. Burnaby), that they should think seriously before they abandon the advantages of a free port. Remember the question which is taken up by gentlemen who do not enter into politics at all, and who say that if the free port is given up, they will leave the country; and he was assured that several were about to establish themselves in the neighbouring territory. Once destroy the free port, and the supremacy of Vancouver Island will go with it. Mr. F. wanted no political advancement; *he* would accept no office. British Columbia, with its revenue for this year of $400,000, in comparison with ours of $230,000, would, from the nature of things, control our revenue, and it would be expended for their interests. Selfishness governs public men. The dreams of those who imagine that they are going to become *prime ministers*, if reflected upon, cannot be realized. Again, if after nearly seven years' existence, are three days going to change the entire policy of the country without giving the people a chance to express their opinion? He would say that to change the system would be a political wrong, and a crime which should not be countenanced, and should disable any public man from ever entering the House again. The delay asked by Mr. Burnaby should be granted.

Mr. Young offered a few further observations.

Mr. Tolmie was agreeable to postpone the question for one week. It would give ample time.

Mr. Burnaby accepted the amendment.

Mr. De Cosmos would accept nothing less than the bare resolutions passed by the Committee. He replied with respect to the pledges given; he pledged himself to support a union of the two Colonies. He was of opinion that if the country went against free port principles and remained a separate Colony, that they would be committing political suicide. Mr. DeCosmos next spoke in relation to the views of the Chamber of Commerce which so much stress had been laid upon, and he stated that the views of some of the members were in favour of union. In relation to placing the interests of the Colony in the hands of the Imperial Secretary of State, he was satisfied that the interests of the Colony would be fairly dealt with; but if not, they (the House) could soon rectify it, as is to be seen in the case of the appointing of the two Governors on the representation of the people of British Columbia. Any motion to postpone would gain nothing, but would to a certain extent endanger their interests.

The Speaker then put the amendment to postpone the question for one week, but it was lost by the following vote: Ayes—Burnaby, Tolmie, Franklin, Young, Southgate; (5.) Noes—Dickson, Powell, Dennes, Duncan, Carswell, De Cosmos, Bayley; (7.)

The original resolution was then put, and clause 1 was passed, when Mr. Franklin moved an amendment to come in after the word "grant" in clause 2, as follows: "with the exception of abandoning "the free trade of the Colony."

Mr. De Cosmos said that the amendment was designed to clog the resolutions.

Messrs. Tolmie and Dickson took much the same view of the matter; Dr. Dickson stating that it did not necessarily follow that if there was a union of the Colonies, the free port would be done away with.

Mr. Franklin did not mean the amendment as a "clog," but as a means to test the sincerity of hon. members.

The amendment was lost.

Mr. Young moved another amendment, to the effect that the resolutions be transmitted to the Governor of British Columbia. Lost: 7 to 5.

Mr. Franklin said that it was an incongruity for the House to pledge itself to abide by the decision of the Secretary of State for the Colonies. He hoped to see the present House dissolved, and then they would get a dissolving view of the question. They could not legislate beyond the session, and besides some of the members may resign, and the sense of the country might change in a couple of years.

British Columbia and Vancouver Island.

Mr. Tolmie cited the example of the eastern British North American provinces, wherein they pledged themselves to abide by the decision of the Home Government in their action with respect to the Confederation scheme.

A few further remarks were made, and the resolutions passed as a whole by a vote of 8 to 4.

Ayes:—Tolmie, Dickson, Powell, Duncan, Dennes, Carswell, DeCosmos, Bayley.

Noes:—Burnaby, Young, Franklin, Southgate.

No. 7.

No. 7.

Copy of a DESPATCH from Governor Kennedy, C.B., to the Right Hon. Edward Cardwell, M.P.

(No. 15.—Separate.)

Victoria, March 21, 1865.

Sir, (Received, May 15, 1865.)

Referring to my Despatch No. 14,* of this date, I have the honour to transmit certain resolutions and a report of the Chamber of Commerce of Victoria, on the subject of union with British Columbia.

* Page 6.

I have, &c.

The Right Hon. Edward Cardwell, M.P., &c. &c. &c

(Signed) A. E. KENNEDY, Governor.

Enclosure in No. 7.

Encl. in No. 7.

Sir, Chamber of Commerce, Victoria, Vancouver Island, March 9, 1865.

Herewith I have the honour to hand you a series of resolutions, and a report relative thereto, passed unanimously at a meeting of the Chamber of Commerce, held on the 6th instant, and signed by the members.

On behalf of the Chamber, I have to beg that you will be good enough to lay these resolutions before his Excellency the Governor, with the request that his Excellency will be pleased to comply with the prayer therein contained, and to transmit the documents to the Secretary of State for the Colonies.

I have, &c.

(Signed) Jules David,
President of the Victoria Chamber of Commerce.

Henry Wakeford, Esq.,
Acting Colonial Secretary.

(Signed) A. F. Main, Secretary

Victoria, Vancouver Island, March 6, 1865.

The committee appointed by the Chamber of Commerce to draft a series of resolutions on the subject of union with British Columbia, as viewed in connexion with the new tariff, respectfully submit the following resolutions and report for the consideration of the Chamber:—

Resolved,—

1. That an equitable union of the Colonies of British Columbia and Vancouver Island at as early a date as possible is essential to the maintenance of imperial and local interests in the British possessions of the North Pacific.
2. That the Chamber of Commerce adhere, nevertheless, to its resolutions on the subject of the free port lately adopted, believing that the interests of the two Colonies, whether united or separate, will be best maintained by the preservation in its integrity in this Island of the free trade policy hitherto pursued.
3. That these resolutions, with the annexed report, be signed by the whole of the members of the Chamber of Commerce, and transmitted by the president to his Excellency the Governor, with the prayer that they may be forwarded for the consideration of the Secretary of State for the Colonies, with the resolutions of the House of Assembly on the same subject.

Passed unanimously at a general meeting of the Chamber of Commerce held the 6th day of March 1865.

In adopting the aforegoing resolutions the members of the Chamber of Commerce of Victoria, Vancouver Island, representing as they do the chief part of the capital that has been invested in the joint development of British Columbia and Vancouver Island, deem it proper to place on record the facts and circumstances that necessitate their present expression of opinion.

Prior to the year 1858 the British possessions in the North Pacific attracted but slight attention; the trading posts and forts of the Hudson's Bay Company, and a few farming establishments on Vancouver Island under their control, being the only inducements for commerce, which, therefore, remained entirely in the hands of the company by whom Vancouver Island was then held under a charter from the Crown.

The discovery of gold on the River Fraser in 1858, and the large floating population it attracted, chiefly from California and Oregon, gave an entirely new impetus to commerce. Merchants and traders

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followed the new community with capital and enterprise to supply its requirements in the quickest manner and from the most convenient point.

The action of the Hudson's Bay Company in its corporate capacity, as well as of the several members in their individual interests, proves conclusively that from the first the main land and Vancouver Island were regarded as identical, and their separation, as a temporary condition of imperial policy, arising out of the grant of the Island to the Company.

Victoria, as early as 1843, was selected by the Hudson's Bay Company as the most eligible spot for carrying on business in North-west America to the best advantage, and the merchants who followed them in 1858 ratified the wisdom of that choice.

It should be borne in mind that there were many reasons why American merchants should have settled by preference on the opposite coast, and should have thus derived on their own territory the privileges for a coasting trade as well as of importing American produce duty free; there were the further inducements of good town sites, excellent harbours, and access to British Columbia overland; but Victoria, with the *prestige of a free port*, offered greater advantages still.

The commanding nature of its geographical position, its convenient and capacious harbours of Victoria and Esquimalt (the only safe harbours on the sea-board north of San Francisco, a distance of 700 miles, and approachable at all times by night or day for sea-going ships of any burthen); the comparatively large area of open land in its vicinity; its proximity to the coal-fields of Nanaimo, and its temperate and delightful climate, all indicated it as a natural depôt, from whence might be supplied not only the requirements of British Columbia, but of Puget Sound, Oregon, California, Mexico, the Hawaiian Islands, and the Russian possessions in the North Pacific (all of which have since become the customers of Victoria, and give promise of increasing trade), and thus to build up an entrepôt for British commerce and influence, the vast results of which, in course of time, can only be matter of conjecture, occupying as Victoria does a most important position in what, when overland communication is opened through British Columbia, will be the shortest and healthiest route from Great Britain to her many valuable possessions in the east.

The recent action of the United States Congress, in voting a subsidy for monthly mail steam communication between China and San Francisco evinces that our neighbours are fully alive to the value of securing this important traffic for themselves.

The selection of Esquimalt as the naval station for the North Pacific proves that these several points have been duly weighed by the Imperial Government and their value recognized.

The internal resources of Vancouver Island, extensive and promising for the further successful working of minerals, farming, and manufactures, are only casually referred to, as being but partially developed. The same may be said of the gold fields discovered last year, which have yet to be proved, and their richness and extent to be ascertained.

But the commercial interest of Vancouver Island, which is the peculiar province of this Chamber, is an ascertained fact.

After the formal separation of the Colonies in 1858, and the establishment in 1859 of New Westminster as the capital of British Columbia, their relative positions remained the same, and under the judicious rule of Sir James Douglas, then the joint Governor of both, the progress of the Colonies was coincident, and their division merely nominal. The advancement of each was regarded as the benefit of the other.

The shipping and importing interests were unable to avail themselves of New Westminster, (although original purchasers, and still extensive holders of property there,) other than as a port of entry to the interior of British Columbia, for the following reasons:—

The great additional risks and delay for sea-going ships without steam, navigating between Victoria and the Fraser River.

The intricate, narrow, and uncertain channel through the sand-heads, at the mouth of the Fraser, available only for ships drawing 16 feet at the utmost, and then requiring the assistance of steam.

The subsequent danger and delay attending river navigation to New Westminster, the current during the summer freshets being very rapid.

The closing of the river by ice from time to time during the winter season, extending over four months.

The general inconvenience of the situation for import and export to and from foreign markets, and the limited and uncertain nature of the mere local demand.

Accordingly, in no spirit of rivalry to the sister Colony, but with the clearly-defined purpose of fostering her advancement as the best means of promoting their own, the merchants, without an exception, settled down in Victoria, and under a free trade policy assisted to build it up to its present flourishing condition, investing considerable sums of money in permanent improvements, and in the establishment of business connexions, under the belief that the relative positions of the Colonies would remain without material alteration.

It was hoped they would still work harmoniously together, and that Vancouver Island in maintaining her independence, and with it her free trade, would find in British Columbia her best customer and her staunchest supporter; and on these grounds the members of the Chambers of Commerce of Victoria, Vancouver Island, declined to touch upon union, as being more a political than a commercial question.

The further reconstruction of British Columbia in 1863, and the arrival in 1864 of separate Governors with distinct establishments for that Colony and for Vancouver Island, somewhat altered the relations of the two, and now threatens seriously to imperil the mutually beneficial relations hitherto existing between them, which would directly tend to destroy the good effect already springing from the free trade policy of Vancouver Island, and would build up rival towns on the adjacent American territory to the sacrifice of British interest in the North Pacific.

The members of the Chamber of Commerce of Victoria, Vancouver Island, view with surprise and astonishment the passing of enactments by the Legislative Council of British Columbia intentionally antagonistic to Victoria, from whence the great proportion of capital that has been and still is employed in trading, mining, and other enterprises in British Columbia, has been supplied on a very liberal credit, and where it is still owned, there not being at this moment one single importing mercantile establishment throughout that Colony.

The annexed tariff recently passed by the Legislative Council of British Columbia, and put into operation *the same day*, without any notice to the mercantile community, most clearly indicates a desire to sacrifice the material interest of the Colony of British Columbia at large, provided that in so doing a blow is aimed that will elevate New Westminster at the expense of Victoria.

It is certain that the miners, traders, and packers of British Columbia, who are chiefly affected by this measure, are not sharers in the feeling of opposition against Vancouver Island prevalent at New Westminster; such of them as were in Victoria have already given expression to their views at a public meeting, and petitions are in active circulation against it.

Another instance may be cited as evincing the spirit of antagonistic legislation, in compelling vessels from Victoria, bound for the N.W. coast of British Columbia, to proceed 27 miles up the river to New Westminster, at great risk and loss of time (in the case of large craft involving the additional delay of going and returning 70 miles each way, as the inner passage by Johnson's Strait is only available for small vessels or steamers), for the simple purpose of entering and clearing, instead of being allowed as heretofore to clear from Victoria.

It frequently happens that sailing vessels, so bound, are unable, from ice in winter, and from freshets in summer, to reach New Westminster at all. A case recently occurred, as set forth in the declarations in the appendix, in which a schooner bound for Queen Charlotte Island with supplies for some miners supposed to be short of provisions, could not enter the Fraser owing to the ice. She went round to Burrard Inlet, from whence New Westminster has constantly received supplies when the river was closed, a distance of seven miles overland from New Westminster, was refused a clearance, unless she came to New Westminster, and ultimately returned to Victoria; in this particular instance the action of the authorities may prove to have been fatal to life.

From such ill-advised legislation most serious issues must spring, and it is the deliberately expressed opinion of this Chamber that the paramount interest of the Imperial Government in the North Pacific will be seriously jeopardised by it.

The want of concord between two Colonies in such close proximity, whose limited populations are mutually dependent on each other, can only result in access of strength to our American neighbour at the expense of British influence in a quarter of the world where it is needless to state that influence ought to be fostered to the utmost.

Finally, as bearing on the question of union with British Columbia, public opinion in opposition to the views of this Chamber, seems to be wavering and unstable on the question of free trade, and it is obvious that unless that policy is adhered to, the natural advantages of Vancouver Island can only be made available by the establishment of perfect harmony and union of interest between it and British Columbia.

In view of which, and regarding the general progress of the two Colonies as far above mere local considerations, the members of the Chamber of Commerce of Victoria, Vancouver Island, can only see in equitable union a practical solution of existing difficulties, and while feeling that Victoria as a free port depôt, established with so much forethought and maintained at such cost, to the substantial benefit of British Columbia as well as of Vancouver Island, may be weakened for a time, they are content to leave the solution of the whole question to the wisdom of Her Majesty's Government, feeling sure that the true interest of all parties will be carefully estimated and provided for.

Adopted unanimously at a general meeting of the Chamber of Commerce held the sixth day of March 1865.

Declaration of the President and Secretary of the Queen Charlotte Mining Company, Limited.

1. The company have had men at the mines since June last whose time had expired. Some delay had already occurred in sending a vessel with supplies for them. They were supposed to be nearly out of provisions and clothing, and it was a matter of necessity that a vessel should be sent to them.

2. We were present at a meeting of the board of directors held on 21st January, at which a resolution was passed authorizing the secretary "to contract with a vessel to go to the mines and bring back the " men there, and all tools and moveable property of the company."

3. The schooner "Onward" was chartered for the purposes specified in the resolution on the 26th January, and despatched the following day.

4. The schooner returned to this port on or about the 7th February, in consequence of being refused a clearance at the custom-house at New Westminster.

5. The delay in sending a vessel may be fatal to the men, and is extremely detrimental to the interests of the company.

6. The provisions shipped on board were intended for the use of the men returning, and the value of them was $64,90-100.

7. And I, Robert George, further declare that the paper writing marked "A" is the original memorandum of agreement made with Hugh McKay, the captain and owner of the British schooner "Onward," and the paper writing marked "B" is the original receipt for all the goods shipped by the Queen Charlotte Mining Company on board the said vessel. And we, Robert Burnaby and Robert George, do solemnly and sincerely declare that the above-mentioned statement is true and correct, and we make this declaration conscientiously believing the same to be true.

Robert Burnaby,
President, Queen Charlotte Mining Company, Limited.
Robert George,
Secretary, Queen Charlotte Mining Company, Limited.

Declared before me at Victoria, Vancouver Island, this eighth day of March, A.D. 1865, in due form of law.

Quod attestor.
M. W. Tyrwhitt Drake,
Notary Public.

Seal.

British Columbia and Vancouver Island.

A.

This agreement, made this 26th day of January 1865, by and between Hugh McKay, master and owner of the schooner "Onward," of the first part, and the Queen Charlotte Mining Company, Limited, of the second part, witnesseth that for and in consideration of the sum of $225 agreed to be paid by the party of the second part on the completion of this agreement, the party of the first part will proceed without delay to the Company's mines at Sockalu Harbour, Queen Charlotte Island, and will remain there long enough to take on board and will take on board the men to the number of at least three, now or then at the mines, and also all and any material, tools, stores, or other articles belonging to the Company, which the foreman of the Company may direct, and bring the same with as little delay as possible to the port of Victoria and alongside a convenient wharf at said port, and deliver the same to the said party of the second part, or their agents or assigns. And the said party of the second part agrees to pay the said sum of $225 on the delivery of the said material, tools, stores, and articles, and landing of said men.

Dated in Victoria, Vancouver Island, this 26th January 1865. Hugh McKay.

James Duncan,
Witness.

For the Queen Charlotte Mining Company, Limited,
R. George, Secretary.

This is the document marked A. referred to in the annexed declaration, dated 8th March 1865.
M. W. Tyrwhitt Drake, Notary Public.

B.

Victoria, Vancouver Island, January 26, 1865.

Shipped in good order by Sporburg and Reuff, on board the "Onward," whereof McKay is master, and bound for Q. C. M. Co., the following packages (the dangers of fire and navigation excepted) consigned to Q. C. M. Co., of Q. C. Island, and marked Q. C. M.

One Bhl. Flour.
One Sk. Beans.
One Bhl. Molasses.
One Sk. Potatoes.
One Pn. Bacon.
One. Pkg. Sundries.
Two Boxes Bread.

This is the document marked B. referred to in the annexed declaration of Robert Burnaby and Robert George, dated 8th March 1865.

M. W. Tyrwhitt Drake, Notary Public.

To all to whom these Presents shall come,—

I, Montague William Tyrwhitt Drake, Notary Public, duly authorized, admitted, and sworn, residing and practising in Victoria, Vancouver Island, do hereby certify that Hugh McKay, personally known to me, appeared before me and signed the declaration hereto annexed, in due form of law, and that the name "Hugh McKay" thereto subscribed is of the proper handwriting of the said Hugh McKay.

In faith and testimony whereof, I, the said notary, have hereunto set my name and affixed my seal of office.

Seal.

Dated in Victoria aforesaid, the twenty-first day of February, A.D. 1865.
M. W. Tyrwhitt Drake, Notary Public.

Declaration of Hugh McKay, Master and Owner of the British Schooner "Onward," of Victoria, Vancouver Island.

I am master and owner of the British schooner "Onward."

I made a written agreement on the 26th January last, with the Queen Charlotte Mining Company, Limited, to go to their mines at Queen Charlotte Island, and bring thence to Victoria (3) three men and the material left there.

I took on board goods to the value of $160, all of which were "stores," except two bhls. molasses and five boxes bread, of the value of about ($57.00) 57 dollars.

I sailed and reached the entrance of Fraser River and attempted to get up to New Westminster, to clear my goods, but found so much float ice coming down the river, that I did not dare to risk my vessel against it.

I went out of the river and round to Burrard's Inlet, to which place vessels customarily go in the winter, when they cannot reach New Westminster by the river.

From my anchorage there I sent over my manifest and clearance, and money to pay duties.

The custom-house officer asked if those (on the manifest) were all the goods on board. My messenger replied all, except "grub," but they could send an officer over and examine. He was then told to bring over a list of everything on board.

He returned to the vessel, and I made out a list of all the stores and everything I had on board, even to a bottle of pepper, and sent the man back with it, telling him if they would not send an officer over and clear me for the north, then to get a clearance back to Victoria. Upon his arrival with this list, after some debate about sending an officer over, they finally said that they could not clear any vessel for the north, except the vessel herself was brought to New Westminster.

After much difficulty they gave me a clearance for Victoria.

I lost 10 days in the trip and the contract with the Queen Charlotte Mining Company. From the anchorage to New Westminster my man had to go eight miles in a canoe, and then six miles over a trail through mud and ice, and this back and forth four times. And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of an Act made and passed in the sixth year of the reign of His late Majesty King William the Fourth, intituled An Act to amend an Act of the present session of Parliament, entitled an Act for the

more effectual abolition of oaths and affirmations taken and made in various departments of the State, and to substitute declarations in lieu thereof, and for the more entire suppression of voluntary and extra-judicial oaths and affidavits, and to make other provisions for the abolition of unnecessary oaths.

Hugh McKay.

Declared in due form of law, this 21st day of February, A.D. 1865,
before me,
M. W. Tyrwhitt Drake, Notary Public.

British Columbia.

V. R.

No. 3.—An Ordinance to amend the Duties of Customs.

[15th February 1865.]

Whereas it is expedient in some respects to alter the duties of customs as now by law established in British Columbia, and to make further provision for the levying thereof. Preamble.

Be it enacted by the Governor of British Columbia, by and with the advice and consent of the Legislative Council thereof, as follows:

I. From and after the passing of this Ordinance, the duties of customs hitherto chargeable on goods, animals, and articles imported into and landed in British Columbia, shall be and are hereby repealed. Former duties repealed.

II. In lieu thereof, from and after the passing of this Ordinance, there shall be levied, assessed, collected, and paid to the use of Her Majesty, Her heirs and successors: To be substituted.

a. Upon all goods, wares, merchandise, animals, and things imported into and landed in British Columbia, and more particularly mentioned in Schedule A. hereto, and according to the value thereof, the several *ad valorem* duties in such Schedule set opposite the respective articles therein named. *Ad valorem* duties in Schedule A.

b. And (in addition to the *ad valorem* duties leviable on certain of the same articles) upon all goods, wares, merchandise, animals, and things imported into and landed in British Columbia, the several specific duties of customs more particularly mentioned in Schedule B. hereto, and set opposite the respective articles therein named. And specific duties in Schedule B.

c. And so long as the Proclamation made and passed on the 10th day of December, A.D. 1859, is in force, and the dues thereby leviable shall be levied upon wares, goods and merchandise transported from New Westminster to any place in British Columbia, there shall be so levied, collected, and paid as aforesaid upon every ton of wares, goods, and merchandise imported into the Colony by way of the Southern Boundary, the sum of twelve shillings, and so on for a greater or less quantity; and on cattle, horses, mules, and asses so imported by way of the Southern Boundary, the sum of two shillings and one penny per head beyond the specific duties charged on animals in Schedule B. hereto. Tonnage dues on imports by Southern Boundary.

d. The articles mentioned in Schedule C. hereto shall be admitted into British Columbia free of duty. Free list in Schedule C.

III. With the bill of entry of any goods, there shall be produced to the collector of customs an invoice of the goods, and the bill of entry shall also contain a statement of the value for duty of the goods therein mentioned, and shall be signed by the person making the entry, and verified if required by his declaration to the truth thereof, and no entry shall be deemed perfect unless a sufficient invoice of the goods to be entered has been produced to the collector. Invoice to be produced.

IV. If any person passes or attempts to pass through the custom-house any false or fraudulent invoice, or makes out or passes, or attempts to pass a bill of entry of any goods at a value below the fair market value of such goods in the country from which such goods were last directly shipped or exported, or in any way, by under-valuation or otherwise, attempts to defraud the revenue of any part of the duty on any goods or things liable thereto, every such person shall on conviction (in addition to any other penalty or forfeiture to which he may be subject for such offence) be liable to a penalty not exceeding 100*l.*, and the goods so undervalued shall be and be taken and deemed to be forfeited. Penalties for fraudulent invoice.

V. And inasmuch as it is expedient to make such provisions for the valuation of goods subject to *ad valorem* duties as may protect the revenue and the fair trader against fraud by the undervaluation of any such goods, therefore the Governor may from time to time, and when he deems it expedient, appoint fit and proper persons to be appraisers of goods at the port of entry, and every such appraiser shall before acting as such take and subscribe the following oath of office before some justice of the peace for this Colony, and deliver the same to the collector. Every such appraisement shall be final. Appraisers how appointed.

I, A. B., having been appointed an appraiser of goods, wares, and merchandise, and to act as such at the port of (or as the case may be), do solemnly swear (or affirm) that I will faithfully perform the duties of the said office, without partiality, fear, favour, or affection, and that I will appraise the value of all goods submitted to my appraisement, according to the true intent and meaning of the laws imposing duties of customs in this Colony; and that I will use my best endeavours to prevent all fraud, subterfuge, or evasion of the said laws, and more especially to detect, expose, and frustrate all attempts to undervalue any goods, wares, or merchandise on which any duty is chargeable. So help me God. Oath to be taken by appraiser.

A. B.
Appraiser for (as the case may be).

Sworn before me, this day of 186

E. F.
J. P. for (as the case may be).

VI. If no appraiser is appointed to any port of entry, the collector there shall act as appraiser, but without taking any special oath of office as such; and the Governor may at any time direct any appraiser to attend at any port or place, for the purpose of valuing any goods, or of acting as appraiser there during any time, which such appraiser shall accordingly do without taking any new oath of office, and every appraiser shall be deemed an officer of the customs. Collector when to act as appraiser.

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Value of goods to be fair market value.

VII. In all cases where any duty is imposed on any goods or things imported into this Colony according to the value of such goods, such value shall be understood to be the fair market value thereof in the principal markets of the country whence the same were last shipped or exported direct to this Colony, and the collector and appraiser shall, by all reasonable ways and means in their power, ascertain the fair value of such goods as aforesaid, and estimate the value for duty accordingly.

Duties to be collected as customs duties.

VIII. The duties hereby imposed shall be deemed to be customs duties, in all respects subject to the Customs Consolidation Act, 1853, the Supplemental Customs Consolidation Act, 1855, and this Ordinance; and shall be under the care and management of the collector of customs for the time being for the Colony, who by himself and his officers shall have all the powers and authorities for the collection, recovery, and management thereof, as are under or by virtue of the said Customs Consolidation Acts, or either of them, or this or any other Act, Ordinance, or Proclamation, vested in the said collector for the collection, recovery, and management of duties of customs, and all other powers and authorities requisite for levying the said duties.

Penalties for evasion.

IX. Every evasion, or attempt at evasion of, or offence committed by any person or persons to defeat the payment of any of the duties hereby made payable on any goods or things imported into British Columbia (which shall include its dependencies) will, in addition to the penalties by this Ordinance imposed, be prosecuted and punished in the manner prescribed by the said Customs Consolidation Acts.

Short Title.

X. This Ordinance shall be cited as "The Customs Amendment Ordinance, 1865."

Passed the Legislative Council this 15th day of February, A.D. 1865.

CHARLES GOOD, Clerk. ARTHUR N. BIRCH, Presiding Member.

Assented to, in Her Majesty's name, this Fifteenth day of February 1865.

FREDERICK SEYMOUR, Governor.

SCHEDULE A.

AD VALOREM CUSTOMS DUTIES.

Everything not enumerated under Schedules A., B., and C., shall be subject to a duty of 12½ per cent.

Ale and Porter	20 per cent.	Earthenware	12½ per cent.	Potatoes	12½ per cent.
Axes	12½ „	Fish (preserved)	12½ „	Pork (salt)	10 „
Bacon	15 „	Fire Arms	12½ „	Quicksilver	12½ „
Barley	12½ „	Flour	15 „	Rice	20 „
Beans	20 „	Fruits (preserved)	12½ „	Rope and Cordage	12½ „
Beef (salt)	12½ „	Furniture (excepting that as provided for in Schedule C.)	12½ „	Shot	12½ „
Billiard and Bagatelle tables	12½ „	Glass and Glassware	12½ „	Soap	12½ „
Bitters	40 „	Groceries (not otherwise provided for)	12½ „	Stationery	12½ „
Blankets	20 „	Gunpowder	15 „	Sugar	20 „
Boots and Shoes	15 „	Hardware and Ironmongery	12½ „	Tar and Pitch	12½ „
Bread	15 „	Harness and Saddlery	12½ „	Tea	25 „
Bricks	12½ „	Iron and Steel	12½ „	Tin and Tinware	12½ „
Butter	15 „	Lard	15 „	Tobacco	30 „
Candles	20 „	Leather	12½ „	Vegetables	12½ „
Camphene	12½ „	Lime	12½ „	Do. preserved	12½ „
Cheese	15 „	Meat (preserved)	12½ „	Waggons	12½ „
Chocolate	12½ „	Molasses	12½ „	Wheat	10 „
Cider	12½ „	Nails	12½ „	Window Sashes and Doors	10 „
Clothing	15 „	Nuts and Almonds	12½ „	Wine, Champagne	40 „
Coffee, green	15 „	Oils	15 „	„ Claret	25 „
Do. manufactured	20 „	Oats	12½ „	„ Various	25 „
Confectionery	12½ „	Opium	50 „	Woodware	12½ „
Cordials	12½ „	Paints	12½ „	Yeast Powders	12½ „
Drugs and Chemicals	20 „			Playing Cards	50 „
Dried Fish	30 „				
Dry Goods	15 „				

SCHEDULE B.

AD VALOREM AND SPECIFIC.

Spirits and Distilled Liquors of all kinds, for every gallon imperial measure, of full strength or less than full strength of proof by Syke's hydrometer - - 6*s.*

And so on in proportion for any greater strength than proof.

And on the value thereof at the place from whence last imported - - 20 per cent.

Chinese Medicated Wine and Spirits, per gallon - - - - - 6*s.*

And on the value thereof at the place from whence last imported - - 20 per cent.

Cigars and Cheroots, per 100 - - 4*s.* 2*d.*

And on the value thereof at the place from whence last imported - - 20 per cent.

SPECIFIC.

Bulls, Cows, Calves, Oxen, Horses, Asses, and Mules, per head - - 4*s.* 2*d.*

Sheep, Goats, and Hogs, per head - 2*s.* 1*d.*

SCHEDULE C.

ARTICLES FREE OF DUTY.

All materials required for ship or boat building, all kinds of Machinery, Pig Iron, Agricultural Implements, Coin, Fresh Fish, Fruit, Poultry alive or dead, Seeds and bulbs and roots of plants to be used in agriculture and not as food, Coals, Eggs, Hay, Salt, Lumber, empty Gunny Sacks, Printed and Manuscript Books and Papers, Baggage and Apparel, Household Furniture which has been in use, belonging to and arriving with *bonâ fide* immigrants, and professional apparatus of passengers. And also all goods, animals, and articles whatsoever, imported for the public service, or uses of the Colony of British Columbia, or for the use of Her Majesty's Land or Sea Forces, or of any person holding any command or appointment in Her Majesty's Forces aforesaid: Provided always that all articles so excepted from duty as above mentioned, are the property of passengers and officers, for use, and not for making a profit by the sale thereof.

No. 8.

EXTRACT from a DESPATCH from Governor KENNEDY, C.B., to the Right Hon. EDWARD CARDWELL, M.P.

(No. 16.) Victoria, March 21, 1865.

(Received May 15, 1865.)

I HAVE deferred replying to that part of your Despatch No. 2,* dated 30th April, 1864, on the proposed union of Vancouver Island with British Columbia, until I could report some definite action of the Legislature of this Colony on the subject.

* Page 5.

After various abortive proceedings (the details of which I need not trouble you with) the resolutions communicated in my Despatch No. 14† of this date were adopted by the Legislative Assembly on the 27th January 1865.

† Page 6.

These resolutions, coupled with those of the Chamber of Commerce, transmitted in my Despatch No. 15,‡ also of this date, will enable you to judge of the public feeling on the subject.

‡ Page 13.

I took an early opportunity, after the expression of opinion by the Legislative Assembly, to have a personal consultation with Governor Seymour * * *

A year's experience and close observation in this Colony have led me to adopt a very decided opinion of the expediency—I might almost say necessity (for to that I think it must come)—of uniting British Columbia and Vancouver Island under one Governor, one Legislature, and equal laws.

The proposal of my predecessor, adverted to in your Despatch, that there should be one Governor, "that the Colonies should each have its separate Legislature, make its "own laws, raise and apply its own revenue, as at present, for its individual benefit," seems to me to be surrounded by difficulties, and fraught with the elements of dissolution and discord.

The difficulty of one Governor administering two neighbouring Governments, conducted upon different and antagonistic commercial principles, as they exist at present, seems to me insuperable.

If these Colonies progress (as it is hoped), the ports of one being free and the other levying import duties, it would ultimately require a large portion of the revenue of the one to suppress smuggling from the other, a fact well illustrated by the contraband trade at present carried on with Vancouver Island and the neighbouring American territory, between which similar conditions at present exist.

As regards the control and management of the Indian population (which is a most important subject of consideration), who migrate between the two Colonies, the necessity of uniform legislation and *policy* are, I think, self-evident.

A uniform postal system, and all other subjects on which united action are necessary, could hardly be carried out, or at best would be weakened by separate Legislatures.

The population of each Colony is and will long continue to be too small for healthy political action.

All the advantages derivable from mutual aid and co-operation would be lost, and a bitter and senseless rivalry (as at present growing up) engendered in their stead.

I think it would be difficult to find two Colonies or communities who are so necessarily dependent on each other for progress and support.

The readiness of the Legislative Assembly of this Colony to abandon the free port of Victoria at once removes the only serious difficulty which has hitherto beset this question, a course of action approved of by an overwhelming majority of their constituents.

The separate existence and possibly hostile legislation of these Colonies affords a

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bad public example, and must continue to be an increasing embarrassment to Her Majesty's Government.

I will not enter upon the question of relative gain of each Colony in the event of union, beyond expressing my opinion that the resources of this Colony, by means of direct taxation alone, are ample to defray the expenses of Government, with the maintenance, if necessary, of its free port; and that its financial condition on the whole is quite as satisfactory as that of British Columbia.

The form of Government under which these united Colonies could be most easily and successfully governed is an important subject for consideration.

The form of Government at present existing in this Colony, namely, an Elective Assembly of 15 Members, and a nominated Legislative Council, does not, and in my opinion never can, work satisfactorily. There is no medium or connecting link between the Governor and the Assembly, and the time of the Legislative Council (which comprises the principal executive officers) is mainly occupied in the correction of mistakes, or undoing the crude legislation of the Lower House, who have not and cannot be expected to have the practical experience or available time necessary for the successful conduct of public affairs. On financial subjects they are always greatly at fault.

I would therefore recommend (should the opportunity for remodelling the form of Government occur) that there should be one Chamber only, composed of elective Members, as at present, with the addition of nominees of the Crown in the proportion of one third, with power to resolve itself into two separate Chambers, when the state of the population would justify or render it necessary, a contingency which is, I think, far distant.

I believe that this change would find favour with the intelligent portion of the public, and a large number, if not a majority, of the present Assembly, whose constitution it would affect.

I have abstained from expressing any public opinion, or exercising any influence I may possess, in encouraging this movement, but I have no doubt that the expression of the former and legitimate use of the latter, if acquiesced in by Governor Seymour, would immediately remove all serious opposition to a union of these Colonies, which I consider a matter of great imperial, as well as colonial interest.

No. 9.

No. 9.

Copy of a DESPATCH from Governor SEYMOUR to the Right Hon. EDWARD CARDWELL, M.P.

(No. 30.)

New Westminster, March 21, 1865.

SIR, (Received, June 29, 1865.)

I HAVE the honour to forward a printed Paper of which I have become accidentally possessed, containing certain resolutions passed and statements made by the Chamber of Commerce at Victoria.

2. You will observe that these resolutions and statements, which attribute somewhat unworthy motives to the Government of this Colony, were transmitted to you before I became officially aware of their existence. I feel that I should be neglecting my duty to Her Majesty's Government and to British Columbia were I to pass unnoticed statements emanating from a respectable source, and which have been published with something approaching to accuracy in the daily periodicals of the neighbouring Colony. Of the resolutions, had they been unsupported by the statements, I should not have had to complain. They are the expression of the opinion of a beaten party. You are aware that the candidates on the Free Port side were rejected at the last Victoria elections. The beaten party have, however, the support of the people of Vancouver, in so far as they advocate a union with this Colony. With us, the Legislative Council has on more than one occasion unanimously protested against the proposed connexion.

3. I will pass over the earlier portions of the statements, but must pause when I reach the assertion that Victoria—I have no word to say against Esquimalt—possesses "a "capacious and convenient harbour, approachable at all times, by night or day, for sea-"going ships of every burthen." I must refer on this point to the highest authority I can procure, that of Captain Richards, R.N., the present Hydrographer to the Navy. In his sailing directions for Vancouver Island, page 20, I find, "The entrance to "Victoria Harbour is shoal, narrow, and intricate, and with S.W. or S.E. gales a heavy

" rolling swell sets on the coast, which renders the anchorage outside unsafe, while " vessels of burthen cannot run in for shelter unless at or near high water. Vessels " drawing 14 or 15 feet may, under ordinary circumstances, enter at such times of tide, " and ships drawing 17 feet of water have entered, though only at the top of spring " tides." Captain Richards proceeds to state that in the harbour " the space is so " confined and tortuous, that a long ship has great difficulty in making the necessary " turn; a large per-centage of vessels entering the port, small as well as large, con- " stantly run aground from these causes." Further on, " it appears not a little remark- " able that, with the excellent harbour of Esquimalt within two miles, Victoria should " have been continued as the commercial port of a rising Colony, whose interests cannot " but suffer materially from the risks and delays which shipping must encounter in " approaching the commercial capital." He concludes his notice of the harbour, while allowing that Victoria suited the former wants of the Hudson's Bay Company, " it has " been a fatal mistake at a later date not to have adopted Esquimalt as the commercial " capital."

4. I will add my own personal testimony, though entirely unnecessary, to that of Captain Richards. After threading in safety by the chart and compass on a dark night the narrow channels among the islands of the Gulf of Georgia, I have found myself scarcely able to determine which of the indentations of the coast was the Harbour of Victoria. No light of any kind marks its entrance, and in a small steamer, drawing but 3 feet 6 inches, we have shared the fate of the " large per-centage of vessels, small as " well as large," and run aground.

5. I wish to dispose of the questions relating to natural features, raised by the Chamber of Commerce, before following their arguments into political matters. Having thus lauded the harbour of Victoria, they proceed to deal in a less generous manner with Fraser River. The statements assert that the " intricate, narrow, and uncertain channel " through the sand heads at the mouth of the Fraser is available only for ships drawing " 16 feet of water at the utmost, and then requiring the assistance of steam." They go on to speak of the " subsequent danger and delay attending river navigation to New " Westminster, the currents during the summer's freshets being very rapid." Either the Chamber of Commerce of Victoria or the Hydrographer of the Navy is very much mistaken. I beg leave to refer to page 97 of the book already quoted: " Fraser River, " in point of magnitude and present commercial importance, is second only to the " Columbia on the North-west Coast of America. In its entire freedom from risk of " life and shipwreck, it possesses infinite advantages over any other river on the coast, " and the cause of this immunity from the dangers and inconveniences to which all great " rivers emptying themselves on an exposed coast are subject is sufficiently obvious." Captain Richards then alludes to the " fixed and unvarying character of the shoals " through which this magnificent stream pursues its undevious course into the Gulf of " Georgia; and there can be little doubt that it is destined at no distant period to fulfil " to the utmost, as it is already partially fulfilling, the purposes for which nature meant " it—the outlet for the products of a great country." In descending the stream on reaching Langley, 12 miles above New Westminster, Captain Richards finds that " the " river becomes a broad, deep, and placid stream, and, except during the three summer " months, the influence of the flood stream is generally felt, and vessels of any draught " may conveniently anchor. The depth is ten fathoms; the current not above three " knots. Vessels of from 18 to 20 feet draught may enter the Fraser, and proceed as " high as Langley, or a few miles above it, with ease, provided they have or are assisted " by steam power. The only difficulty is at the entrance, and that is easily overcome " by providing pilots and the means of maintaining the buoys in their position." The Chamber of Commerce speaks of the " intricate, narrow, and uncertain " entrance. I have already quoted Captain Richard's expression of " undevious." He adds later, " that " the stream has forced an almost straight though narrow passage." I may strengthen the refutation of the alleged " uncertainty " of the entrance. I had the channel recently re-surveyed by Mr. Pender, R.N., charged with the Admiralty survey of this coast. He found that it had sustained scarcely any appreciable change since the passage was first marked out on the settlement of the Colony.

6. The statements made by the Chamber of Commerce on matters susceptible of proof are somewhat remarkable. I hardly assume, in a body professing to represent the commercial capital and intelligence of the two Colonies, an ignorance of a book of sailing directions for their coasts, " published," as the title page would show them, " by " Order of the Lords Commissioners of the Admiralty." If Captain Richards is in error, and his sailing directions calculated to lead ships into danger, his statements ought, in the interest of commerce, to have been boldly met. But he has been left aside

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unnoticed, and assertions directly opposed to those made public by the Admiralty have been officially forwarded to you.

7. Although my own considerable yachting experience has led me to rely with the utmost confidence upon Captain Richards' directions, I feel that statements emanating from a Chamber of Commerce are at least entitled, where I allow myself to doubt their correctness, to the respect which requires care in refutation. I add, therefore, in support of the directions of the Hydrographer of the Navy, the enclosed letters from Vice-Admiral Kingcome, lately Commander-in-Chief of the Pacific Squadron, and Captain Lord Gilford, commanding Her Majesty's ship "Tribune," authorities worthy surely of weight with the Victoria Chamber of Commerce. These letters were published in the official Gazette of this Colony.

8. Admiral Kingcome notices that the arrival of Her Majesty's ship "Tribune," drawing 19 feet 6 inches, opposite this town, most "conclusively proves "that direct "communication with New Westminster can be carried on by ocean ships of large "tonnage." He says further, "the approach to the entrance of Fraser River possesses "many advantages over that of the Thames. In the first place, the water is much "smoother, and it is not exposed to any sea such as that raised in the North sea by "easterly gales, which, in many instances, has caused the loss of ships. Secondly, there "are no outlying sands, and the channel is not near so tortuous, and marks can be "placed on the land, which in the Thames is nearly impossible. Thirdly, the weather "is much clearer, and the position of a ship more easily fixed." "Fourthly, the anchorage "in English Bay is far preferable to that in the Downs. In both rivers ships must wait "for the tides, and with the same or even half the precautions in the Fraser that are "used in the Thames a perfect stranger would have no difficulty in taking ships "drawing 19 or 20 feet to New Westminster."

9. In leaving the river, the "Tribune" unfortunately grounded. Lord Gilford, in showing that the accident was caused by the dull white colour of a pole which marks the Channel, reports to the Commander-in-Chief on the station: "I deem it my duty "to state that, notwithstanding Her Majesty's ship under my command having taken "the ground on her outward passage, I am of opinion that vessels drawing from 18 to "20 feet could enter the Fraser in perfect safety, provided the channel be properly "buoyed with marks which can be seen at a reasonable distance." The Chamber of Commerce is aware that great improvements have, since Lord Gilford wrote, been made in marking the Channel; that iron buoys have been ordered out from England, and tenders are invited, not only in our local papers, but in those of Victoria, for the construction of a light-ship for the mouth of the Fraser.

10. I admit that Esquimalt possesses all the advantages ascribed to it jointly with Victoria, but the "fatal" mistake alluded to by Captain Richards now causes irritation and inconvenience in both Colonies. I can see no objection to merchandise destined for us being transhipped in Esquimalt, but I do object to the present system under which our traffic is artificially conducted up the narrow and tortuous harbour of Victoria, causing a great loss of time and increase of expense. I have no certain information as to the amount of delay, but I believe that a fortnight to three weeks elapses after the arrival of a ship in Esquimalt harbour before any portion of her cargo reaches New Westminster.

11. The 12th paragraph states that under a former rule the advancement of each Colony was regarded as the benefit of the other. Unquestionably, even now, the legitimate advancement of each Colony is regarded as the benefit of the other.

12. I am in ignorance of the motives which induced Her Majesty's Government to make two Colonies of the British possessions to the westward of the Rocky Mountains, to lay out the plan of a city of vast dimensions near the mouth of the Fraser, and to sell the lots on the faith that on them would stand the future capital of British Columbia. If the mainland was to continue to be the dependency of an outlying island, no second capital was required, and steps ought boldly to have been taken, regardless of the private interests of the Hudson's Bay traders and others, to erect a great commercial town on the fine harbour of Esquimalt. Unquestionably, under the rule of my predecessor, Victoria became the principal English port on this coast, and New Westminster commenced a retrograde course early in its history. It could hardly have been otherwise. The Governor and other public officers drew their full salaries from British Columbia and resided in Vancouver Island. Victoria escaped all indirect taxation, while heavy duties were collected on all articles consumed on the mainland. The Hudson's Bay Company ran their steam vessels to the Fraser to connect with the river steamers, and draw down to the seat of government and of commerce the miners immediately on their arrival from the gold fields. The San Francisco steamers called at

Esquimalt only, and thus passengers for California had no inducement of any kind to remain even a few hours, voluntarily, in this Colony. While waiting for the steamers the miners spent their money in Victoria, and thus billiard rooms and drinking saloons arose, and the place acquired sufficient importance to depopulate New Westminster without attaining any solid foundation or considerable prosperity for itself. The Chamber of Commerce speaks of the trade with China, the Sandwich Islands, Russian America, and other places. How, if this be important, is it that the prospect of a portion of the traffic of British Columbia, taking the short and undevious route by the Fraser, shakes the whole of Victorian society to its foundations, and causes a state of political ferment such as the island had never seen? Victoria did not attain any solid prosperity while having her interests set above those of this Colony and of the whole of Vancouver Island not included in her town lots. Let me state how British Columbia fared.

13. I had not seen even in the West Indies so melancholy a picture of disappointed hopes as New Westminster presented on my arrival. Here, however, there was a display of energy wanting in the tropics, and thousands of trees of the largest dimensions had been felled to make way for the great city expected to rise on the magnificent site selected for it. But the blight had early come. Many of the best houses were untenanted. The largest hotel was to let, decay appeared on all sides, and the stumps and logs of the fallen trees blocked up most of the streets. Westminster appeared, to use the miners' expression, "played out."

14. But it would have been urged, before the late excitement in Victoria, that the two Colonies prospered, and that, therefore, it mattered but slightly if those who bought land in New Westminster were losers by the speculation. It is not for me to report on the condition of Vancouver Island, but I have to state that British Columbia did not prosper. You are aware of the passionate appeals for separation which came from this Colony. The revenue of 1864 fell short of the estimate by 15,000*l.*, and, but for the accidental discovery of gold on the Kootenay, at the close of the year, the receipts would have shown a deficiency of 21,000*l.* on the estimated revenue. At the time of my taking over the government there was a local debt of 53,858*l.*, in addition to that incurred in England, composed chiefly of Road Bonds and an overdrawn account at the Bank of British Columbia. The miners were not prosperous, and the labourers in Cariboo had diminished in number. What class was then thriving? Merchants there are but few. The Chamber of Commerce states (para. 22) that there is not at this moment a single importing mercantile establishment throughout the Colony. Yet the number of traders who have taken advantage of the Insolvent Debtors Act was one-third greater in 1864 than in 1863. Perhaps, however, the country gentlemen who had introduced large capital and acquired land at a low price were the class who flourished while other interests drooped. Not so, I regret to say. Prosperity has not yet favoured their meritorious labours. The Legislative Council expressed a wish that some unpaid magistrates should be appointed. I offered a commission to three of the principal country gentlemen; one accepted the office; a second told me frankly he had sunk everything, and was on the brink of insolvency, unless further remittances arrived from England; the third sent me in a statement of his circumstances, showing that, if pressed by his creditors, he would be unable to meet his liabilities.

15. This is the state upon which British Columbia entered the London market as an applicant for a further loan of 100,000*l.* What security had it to offer? The merchants of Victoria were in no way liable; the miners, owners of the most valuable claims, have no habitation in the Colony. The statement respecting the importing merchants is not wide of the truth. Our creditors have, therefore, but the hard pressed owners of the soil to depend on.

16. It will hardly be cause for surprise if a document which deals loosely with facts should exhibit carelessness when it comes to deal with motives. The Chamber of Commerce, without any communication with myself or the Legislature of this Colony, state that our recent legislation has been "intentionally antagonistic to Victoria." This view was adopted at a public meeting held in that town. I enclose a copy of the petition which they originated and of my reply. The Legislative Council attached so little weight to the signatures, that the petition was not even taken up by the House. My answer will, I trust, dispose of the statements in the 23rd paragraph. As to the dissatisfaction supposed in the 24th to exist, I may at once say, that miners, like other men, are not partial to taxation, but that, although they have been worked upon in every way by the political agitators of Victoria, the only public manifestations of feeling which we have seen recently were the receiving the steamer (which, I believe, brought up the petition) in New Westminster with three groans for the Hudson's Bay Company, whose agents are prominent among the agitators against recent legislation. The last batch of miners on

landing here spontaneously gave three cheers for the Governor, whom, had they attended to the directions of the Victoria press, they would have opposed by all means, fair or unfair. Immediately after cheering the Governor, three cheers were given for Mr. O'Reilly, the Gold Commissioner of Cariboo, who had, in the council, taken a prominent part in recent legislation.

17. The 25th paragraph alludes to the circumstance of vessels having to clear at New Westminster instead of Victoria for the north-west trade. I would venture to call your attention to the Duke of Newcastle's Despatch, No. 33, of 15th June 1860, which states, what the Chamber of Commerce is well aware of, that the collecting of duties at Victoria on vessels bound for this Colony cannot be enforced. If the commerce of Vancouver Island is put to inconvenience by coming up the Fraser, I can only say it is by the action of my predecessor. His proclamation of 2nd June 1859 declares New Westminster to be the only port of entry in the Colony. I have induced the Legislative Council to give me, by ordinance, the power of creating additional ports, and I shall avail myself of its provisions in relief of the north-west trade.

18. You will observe in the 26th paragraph a minute account of the inconvenience and loss to which a vessel was exposed by having no alternative but to clear at New Westminster when the doing so became physically impossible on account of the ice on the river. I send a statement of the case, made by the collector of customs at this port, from which you will observe how widely inaccurate are the statements of the Chamber of Commerce. Mr. Hamley also disproves all the assertions respecting the closing of the river by ice for four months in the winter. Without further explanation let me simply say that, during an official experience of upwards of 20 years, I have not met with a series of statements so carelessly made by so respectable a body.

19. But I take this carelessness or absence of candour as the most convincing proof of the earnestness of the signers. There must be great feeling; respectable men must suffer much before they allow themselves to deviate, however slightly, from the strict paths of truth. Doubtless, the old position of the merchants of Victoria, engrossing the whole traffic of British Columbia without sharing in its burdens, was an enviable one, but the larger Colony languished and grew weaker under the operation, and threatened to deprive Victoria of its commerce by simply relapsing into wilderness. Let us hope that a time will ere long arrive, when, sharing equally in the public burdens, the merchants of Victoria may derive a solid prosperity from the increased vigour which a respite from the exactions of absentee traders will give this Colony.

20. I enclose an article from the "North Pacific Times," of the 17th March, on the subject of the resolutions and statements of the Chamber of Commerce.

I have, &c.

The Right Hon. Edward Cardwell, M.P., &c. &c. &c.

(Signed) FREDERICK SEYMOUR.

Encl. 1 in No. 9.

Enclosure 1 in No. 9.

Colonial Secretary's Office, 8th June 1864.

The Governor has directed the publication of the following letter he has received from Vice-Admiral Kingcome, Commander-in-Chief, respecting the navigation of Fraser River. The suggestion contained in the early part of Admiral Kingcome's letter will be carried out, and a light ship will, in addition, be placed on the Sand Heads.

By command,

Arthur N. Birch.

Sir, "Tribune," at New Westminster, 7th June 1864.

I deem it right to bring under your notice that, in coming to this place yesterday, I did not find any marks, except the two outermost buoys, for the channel from the Sand Heads to New Westminster, and that it was only through the ability and intimate local knowledge of Mr. Titcomb, pilot, that the "Tribune" was enabled to reach this port.

As it must be of vast importance to the future commercial prosperity of British Columbia, that the approach to New Westminster should be made as easy of access and free from danger as possible, and the presence of the "Tribune" (drawing 19 feet 6 inches) in these waters proving most conclusively that direct communication with New Westminster can be carried on by ocean ships of large tonnage, I would submit for your Excellency's consideration the expediency of having the channel carefully examined and marked out by large spar buoys, distinguished by different colours, placed on the banks or edge of the shoal water on each side, and securely moored with running chains, on the plan suggested by Captain Richards, late in charge of the Admiralty Survey of these coasts. The narrowest part of the channel and the shoalest water is about midway between Garry Point and the Sand Heads, and

here I think two well-marked beacons should be placed on the land in such a position that when in line they would lead over that part of the bar where the deepest water is to be found.

With the aid of a powerful steam tug, ships can reach New Westminster with facility, for the approach to the entrance of the Fraser River possesses many advantages over that of the Thames. In the first place the water is much smoother, and it is not exposed to any sea such as that raised in the North Sea by easterly gales, and which, in many instances, has caused the loss of ships.

Secondly, there are no outlying sands, and the channel is not near so tortuous, and marks can be placed on the land, which on the Thames is nearly impossible.

Thirdly, the weather is much clearer, and the position of a ship more easily fixed.

Fourthly, the anchorage in English Bay is far preferable to that in the Downs.

In both rivers ships must wait for the tides, and with the same or even half the precautions in the Fraser that are used in the Thames, a perfect stranger would have no difficulty in taking ships drawing from 19 to 20 feet to New Westminster.

I have, &c.
(Signed) John Kingcome,
Vice-Admiral, Commander-in-Chief.

His Excellency Governor Seymour,
&c. &c. &c.

Sir, H.M. Ship "Tribune," Esquimalt, 13th July 1864.

With reference to your communications of the 7th and 9th June to his Excellency the Governor of British Columbia, relative to the navigation of the entrance to the Fraser River, I deem it my duty to state that, notwithstanding Her Majesty's ship under my command having taken the ground on her outward passage, I am of opinion that vessels drawing from 18 to 20 feet could enter the Fraser in perfect safety, provided the channel be properly buoyed with marks that can be seen at a reasonable distance.

2. The "Tribune" took the ground because the inner buoy (which is a pole painted a dull whitish colour, only showing 4 feet above water), could not be seen until after a careful search with a spy-glass for 10 minutes, although only 600 yards distant when the ship struck; the next buoy (No. 4, black and red), a mile further down the channel, being plainly in view at the time. The colour of the water and the inner buoy were almost the same.

3. The Chart No. 1,922 was useless, and having no local knowledge, I could not judge by my distance from Garry Point that I was running into danger.

I have, &c.
(Signed) Gilford, Captain.

Enclosure 2 in No. 9.

Encl. 2 in No. 9.

Colonial Secretary's Office, 24th March 1864.

The Governor directs the publication of a petition, with 321 signatures, forwarded to him from Victoria, praying for the amendment of the Customs Act of the present session, together with his reply.

By command,
Arthur N. Birch.

To his Excellency Frederick Seymour, Governor of British Columbia, &c. &c.

The petition of the miners, traders, and others, citizens of British Columbia, now in Victoria, and unanimously adopted at a public meeting held February 25th, 1865,

Humbly sheweth:

Whereas our honourable Law makers have lately passed an Act increasing largely the duties on imports into our Colony, and we, the miners, traders, and citizens of the Colony, who have all our interests there, and a natural earnest desire to see it progress and prosper, deem it to be our privilege as well as our duty to consider calmly, deliberately, and most respectfully this action, and to give the full and honest expression of our views on the subject; therefore:

I. *Resolved*, That in our judgment the Customs Amendment Ordinance, 1865, is an act of legislation which is inopportune, unwise, impolitic, unjust, and inequitable in its general provisions.

It is inopportune:

1st. Because it largely increases the cost of living in the Colony at a time when the mining and trading interests of the country can least afford to bear such an increase. The past season was in every sense an unprofitable one. The miner's labour was to a great extent spent in preparing for future operations, and his profits were consequently small. The trader shared the small profits of the miner. This has produced a general feeling of distrust and depression in the country. The increased taxation only tends to add to this feeling, and thus deter both men and capital from going into the country.

2nd. Because a gold export tax of three per cent. has just been imposed on all treasure leaving the Colony, which is in itself a heavy increase upon our former taxes. When to this is added a high tariff on all the necessaries of life, it becomes a burden from which men regarding their best interest will flee when the first opportunity is offered.

It is unwise and impolitic:

1st. Because it will not increase the revenue of the Colony, The great diminution in the amount of imports into the Colony caused by this tariff will diminish the aggregate revenue so much that there will be a large deficit to be made up next year, when the mining population will be so small under the operation of onerous taxes that it cannot be collected. No direct importations into the country can prevent this result, even if such importations should enable traders to furnish supplies at the same cost that they could have done under the old tariff.

British Columbia and Vancouver Island.

2nd. We believe there are rich deposits of gold in the wildest and most inhospitable portions of the Colony. These gold fields are as yet unexplored and undiscovered; it will require men and capital combined to discover and develop them. In many instances large companies have been organized and other preparations made to send capital into the country for this purpose. This tariff discourages and cripples all such operations by an unfair increase upon all the articles and implements required for their work. Prospecting in the Colony, upon which so much of our future success depends, is thus checked, if it is not entirely prohibited.

3rd. There are hundreds of men in the Colony who have spent all their means and time during the past three or four years without success. Within the small distance of one and a half miles on Williams Creek, six hundred thousand dollars have been thus spent. These men have experience in the country, they are not altogether discouraged, and they purpose to go again into the mines with the hope that they will yet be able to get something in return for their lost labour and means. This tariff discourages such men, and will force them to gather up their small earnings for the season and leave the country for ever.

4th. The small trader and packer, who has invested his means in provisions, and is now on his way or about to start for the Colony, will be compelled to seek another market. He cannot pay a double tariff and compete with those traders now in the country. He will find a better and more profitable market in the neighbouring gold fields of Washington and Idaho territories.

It is unjust and inequitable:

1st. Because the increase in the absolute necessaries of life far exceed that on the luxuries, thus making the labourer in the country bear the main, if not the whole, burden of the taxation. As an instance, the tariff on beans, one of the principal articles of consumption by the miner, is increased from 3 to 20 per cent., while that on ale and porter is only increased from 10 to 40 per cent.; the tariff on flour is increased more than threefold, while that on wines is only doubled.

2nd. The tariff is made to take effect at once, thus causing a sudden and quick rise in provisions in the mines just as the season begins. By this means the miner will be forced to pay famine prices in the spring, and perhaps be driven by necessity to leave the country before he has had a fair chance to go to work profitably. A reasonable notice for the enforcement of such a measure is customary in other countries, as it is equitable and fair.

II. *Resolved*, That in our opinion the idea that such a tariff will encourage direct importations to the Colony from distant ports is a fallacy, with reference to British Columbia, which has no foundation in reason, and will result in no good to our Colony. The legislators of British Columbia cannot control the laws of commerce. Such legislation is not more onerous to the consumers of the country than it is impracticable and futile for the purposes for which it was enacted.

III. *Resolved*, That we will hereafter vote for no man who favours an increase of taxation in British Columbia, believing as we do that the burdens of the people of that Colony are greater than they can bear.

IV. *Resolved*, That a copy of these resolutions be prepared for signature, and when signed by the miners and traders of British Columbia, now in this city, and by none others, they be forwarded to his Excellency Governor Seymour, who is hereby most respectfully requested to lay them before the Honourable Council and Legislative Assembly for their consideration, with this as our prayer, that they will cause the Customs Amendment Act to be revised, to suit the circumstances of the country.

Signed by Joseph F. Pascoe and 320 others.

Gentlemen, New Westminster, 23rd March 1865.

I have had the honour to receive, on the 18th instant, from the hands of the gentleman selected by the people of Cariboo East to represent their interests in the Legislative Council, the petition adopted at a public meeting held in Victoria on the 25th February 1865. You object to the Customs Ordinance lately passed in forcible terms, and give your reasons for the objections you entertain. You state that your expressions are full and honest. Of this I feel no doubt, and I am induced in return to give you some honest explanations. Though I do not observe appended to the petition many of the names most familiar to me in Cariboo, yet the opportunities of direct communication between the Governor and the mining population are so few, that I am willing, for the purpose of replying, to consider your petition as expressing in some measure the opinion of the miners of British Columbia.

The general principles of the Bill which has now become law were adopted by the Legislative Council before my arrival in the Colony. Understand that I am not wishing to throw any of the responsibility that belongs to me on others. I shall not assent to any measure that I am not prepared to defend. The law I found in force, and which has now been repealed, contained the objectionable and unusual clause, that the value of the commodities introduced to this Colony should be calculated at the place of import; thus taxing freight, and making the ship while on her voyage contribute to the support of the public institutions of this Colony. The rate of duty appeared in the tariff to be so much, whereas at the Custom House a very considerable additional tax was added. Many of the miners of the Colony were not aware of this arrangement, and a comparison of the schedules attached severally to the late and the present Acts was calculated, with them, to give rise to the impression that large additional duties have been imposed—an impression totally unfounded where articles are water borne to this Colony from the place of their growth or manufacture. In all such cases the duties are now lower than they were; and if you see the import duties estimated in our Ways and Means as more productive than last year, it is because we expect to have a much larger population in the Colony, not that we have a wish or an expectation to raise an additional cent in the import duties from any one of you. But your own practical experience may lead you to say that at the present moment you pay a heavier import duty than you did last year. I reply that goods landed and stored at Victoria still pay, in conformity with the principles of the new measure, a duty higher than those coming direct from the place of their manufacture or growth.

It will probably be represented to you, in the town from which you address me, that the late Customs Act has been drawn upon principles hostile to Vancouver Island. Such is not the case. All the products raised by the agriculture or manufactured by the skill and industry of the sister Colony

receive, from her proximity, a protection in our markets. The beer, the cider, the carriages, whatever is made or grown on the island, enters on highly favourable terms into competition with similar articles introduced from California or Europe. If Vancouver Island is not in a position to profit by this beneficial arrangement of our law, you will see that that is no reason why Victoria should, by doing the principal commercial operations of this Colony, levy a toll on all we use or consume.

But I by no means wish to deny that there is an appearance of unfriendliness towards the place from which you write, and I doubt not but that the expressions of "unjust and inequitable," which you apply to our recent legislation, would find wide echo there. But the reasons which induced me to give my sanction to the new law were exactly the reverse of those attributed by you to the legislation of this Colony.

It is, beyond all things, just and equitable that a community, like an individual, should make arrangements for the payment of the debts it may incur. You are aware that British Columbia has been a large borrower of money, laid out, you will allow me to say, almost entirely in facilitating access to the gold mines, and thus reducing the expense of living there. What is the security of this debt? We can hardly flatter ourselves that the Colony, which most of you gentlemen leave by the very first opportunity when the mining season closes, would have sufficient attractions to induce you to return to our gold creeks if richer temptations offered themselves elsewhere. The non-resident traders, who derive nearly all the profit from the commercial transactions of this Colony, are not, of course, in any way liable for its debts. The best security would be in a resident population, and it is but reasonable that those who have made of this Colony their home, at whatever risk, should have the larger share of the profits of its commercial transactions. Let the merchants who wish to share in the benefits come to the Colony and share likewise the risks; and I would venture to remark that, if you and the other miners who now live but half the year in British Columbia were to remain here during the 12 months, the taxation would fall much lighter on all.

You will perhaps here observe, why do we not, by accepting the proffered union with the neighbouring Colony, extend our responsibilities and area of taxation over the merchants of Victoria and the miners who spend their winter in that town? I do not feel called upon to pronounce now an opinion on this subject, but I would observe that no proposal for union, which offered any prospect of acceptation here, was made in Vancouver Island until the formal notice was given of the Customs Act to which you object.

I have, however, no fear as to the ability of the Colony to meet its present and probable prospective indebtedness; but this should not be left to chance. The reduction in the cost of living, which, I will show you, must take place at Cariboo, will make your labours more profitable, and thousands are now approaching our southern boundary to work our newly-discovered gold fields and share temporarily at least in the public burdens.

You see that I do not assent to the main propositions contained in your address, therefore I will not follow you into details. I know that the immediate operation of the new Customs law is disagreeable; its benefits not yet within your reach.

You have selected the article of beans specially for comment; an article bulky, but of small intrinsic value. Compare the price of beans at New Westminster and Williams Creek, and see what makes them dear at the latter place. It is the transport, not the tax. If all the beans for future consumption were to be stored in Victoria, introduced at the highest duty, and no improvements were made in the communications, the difference of price would be infinitesimal and utterly inappreciable in the miner's daily meals. But we look for direct importation, which would, before the season is over, reduce the price of all articles in Cariboo to a lower standard than yet seen there. With moderate charges, telegraphic communication, and a road completed, as I anticipate, through from New Westminster to Williams Creek, the northern mines will present more attractions to the fortunate holders of claims than they have yet done.

I will only notice one other remark in your petition. You say "a reasonable notice for the enforce-
" ment of such a measure" (the Customs Ordinance) "is customary in other countries, as it is
" equitable and fair." You may perhaps not be aware that when the Chancellor of the Exchequer's financial statement is made in the House of Commons, an order is at once given for the enforcement of any alteration of duties he may suggest in anticipation of an Act of Parliament for the purpose. However, in the instance of the British Columbian Customs Ordinance there was elaborate notice given. The principles were adopted by the Legislative Council on the 18th February 1864, before I reached the Colony. I stated on the 28th April that I should consider the question in the recess. On the 12th December I gave notice that a measure of the kind would be introduced. On the 12th of January I distinctly stated the Bill to be that of last year. No approaching measure could well have had more thorough ventilation.

And now that it has passed it must be allowed to be to a certain degree tentative. You and I differ widely as to its merits. Let us give it a fair trial, and before the next session I shall be prepared to receive (I hope, personally, on Williams Creek), with every respect, your more experienced opinion. Depend upon it the last thing the Government of this Colony would desire to do is to discourage the miners from developing its resources, or allow any large body of our population to lapse into a state of political discontent.

The Standing Orders which I framed for the adoption of the Legislative Council provide that no petition shall be presented without an endorsation stating that it is "perfectly respectful and deserving
" of presentation." I am half inclined to doubt whether the terms "unjust and inequitable" applied to recent legislation can come within this definition, but I have no doubt that respect for the presenter and to the petitioners, whom the Governor is willing to consider as, to a certain extent, representing the miners of Cariboo, will secure for it an indulgent reception when I lay the petition, together with a copy of this letter, before the House.

I have, &c.

(Signed) FREDERICK SEYMOUR.

Messrs. J. F. Pascoe, S. Hodge, Hugh Gartland,
And the other signers of the Victoria petition.

Enclosure 3 in No. 9.

Memorandum by the Collector of Customs, New Westminster.

Encl. 3 in No. 9.

At the end of last January the schooner "Onward" went into Burrard's Inlet, and the master, McKay, sent one of his hands across to the custom house to enter and clear the vessel for Queen Charlotte's Island. The man brought a manifest with two articles only entered on it. Of the provisions on board that would be subject to duty he knew nothing, and I told him to return to the vessel and bring me a written account of them. He came back (the next day, I think) with the list I had asked for, but with a message at the same time from the master to say that he had got a cargo of shingles at the inlet to take to Nanaimo, which suited him better than going north, and I gave him at once a clearance for Nanaimo. I would as readily, if he had asked for it, have given him a clearance for the north coast. It was a matter entirely of calculation on the part of the master; and the statement of the Chamber of Commerce, that a clearance was refused unless the vessel came to New Westminster, is untrue.

In the same paragraph of the report of the Chamber of Commerce it is stated that New Westminster has constantly received supplies from Burrard's Inlet when the river has been closed. It has happened, within my experience of six years, once, and once only, in 1862, when the weather was unusually severe.

In this present year the weekly steamer has missed but one trip, and that was not because of ice in the river, but because the mail was brought to us by another vessel.

Custom House, (Signed) W. Hamley.
30th March 1865.

P.S.—On the 4th of January the "Meg Merrilies" went into the inlet with provisions for the working party at Port Neville; the duty was paid here, and I sent Mr. Wylde across to examine and pass the goods.

(Signed) W. H.

Encl. 4 in No. 9.

Enclosure 4 in No. 9.

The "North Pacific Times," Friday, March 17, 1865.

Resolutions of the Victoria Chamber of Commerce.

Hitherto the outcry of the Victorians against the recent action of our Legislative Council has seemed to spring from a feeling of panic—blind and without reason. Our own new tariff came close upon the heels of the most exciting election ever held in Victoria, and at a moment when the party who were seeking to change its entire policy had emerged from the struggle flushed with success. De Cosmos and McClure, in their eagerness to establish their union and tariff sentiments as the voice of the people, and undoubtedly contending against the whole moneyed power of Victoria, can well be excused for forgetting in the heat of the contest that another party must be consulted in the affair, quite as much interested in the question as the merchants of Wharf Street. This party so overlooked was the small Colony of British Columbia—the cause of the very existence of Victoria as a town of any importance, and at present the consumer of nearly three-fourths of its entire exports. When, therefore, by exertions far surpassing any that had ever been made before they had achieved their return to the Assembly, we can imagine how like a thunder-clap came our new revenue law, and can pass over the bitter things which have been said by them, impugning not only the judgments of our legislators, but their motives also.

Next to this came the "miners' meeting," originating in political trickery, conducted by men who have served a long apprenticeship in "wire-pulling" in the United States, and during the whole proceedings of which, although concealed by the intentional gloss of newspaper reports, we can see a very evident attempt on the part of all influential and sensible men to shirk the responsibility of joining in it. Would it be a difficult matter in any community to persuade a mass of unthinking labouring men that an apparent additional duty upon their supplies was a hardship, while the aim of such duty, and the eventual expenditure of the money collected from it, was steadily kept out of view? And yet, after all the manufactured enthusiasm which was brought to bear upon these men, and the insidious appeals which were made to their selfishness, at the last accounts the whole roll of names upon their monster petition has reached only a little over *two hundred!*

But by the last express we are put in possession of an appeal of a different nature, viz., a series of resolutions by the Chamber of Commerce, addressed to the Secretary of State for the Colonies, and accompanied by a lengthy memorial explaining the causes of the resolutions. This is the voice of capital—a voice entitled to a hearing in every country, yet not apt to be more truthful or unselfish than that of the rabble. In the present instance, we think, this plausible and specious document can be shown to be onesided, not in all respects entitled to credence, and in every line breathing attachment to Victoria, without the slightest reference to the interests of our own Colony.

Our limits preclude us from giving these resolutions at length. Suffice it, the first one proclaims "an equitable union between the two Colonies as essential to the maintenance of imperial and local "interests on the North Pacific." The second one declares "the maintenance of the free port system "to be of vital importance to the prosperity of Victoria and Vancouver Island," and "direct taxation to "be the only politic and equitable method of raising a revenue."

It strikes us that in the very outset of the report a strange error was committed by gentlemen of so much intelligence, and representing as they do the commercial interests of so important a town as Victoria. They ask first in strong terms for union with British Columbia; then, in the whole of the

subsequent report, every argument that is adduced is simply applicable to Vancouver Island alone, and not the sightest reference is made to any measures or policy calculated to benefit us should union be granted. Would not their report have been far more suggestive of their business habits if they had first urged the advantages of union, and then have proposed a code "equitable" and fair to both Colonies in the event of such union taking place? Either their present report is a piece of special pleading, to attract the attention of the Home Government from the real point to be considered, or the astuteness of these gentlemen shows them that union will not probably take place against our will, and that their only hope is to retain their free port. We are inclined to the latter view of the case.

Let us consider this question passed over in so politic a manner by these gentlemen, and see what would be an "equitable union." Clearly in their minds, a single Government for both Colonies, whose head-quarters should be in Victoria, and an amalgamation of their revenue of 30,000*l.*, and our own of 150,000*l.*, to be used jointly for the support of both Colonies. Well may they ask for this for Victoria, for it at once relieves the Government of the immense burden of that deficit shown in the recent estimates. But in return for the pecuniary favours received from this Colony, what is given? The privilege of being governed by absentees — a privilege, the value of which has in former years been fully tested. A continual struggle against the moneyed power of Victoria in all elections (and the unscrupulous manner in which the last election was conducted gives us a slight foretaste of what it would be in other circumstances)—a monopoly of all business, and all freedom from taxation for Victoria, to the entire ignoring of our own claims! They are willing to consent to union with our revenue, but not to give up their pet free port! Why, if we were one Colony, should the inhabitants of Victoria be free from indirect taxation more than any other part of the country. Where would the line be drawn, enclosing the favourite town within its limits, and excluding all the rest of the population of Vancouver Island from its benefits? Or would they admit Nanaimo and the other towns on the island into their family circle? We should then see the anomaly of the residents of one side of the Gulf of Georgia paying 15 and 20 per cent. duties on their supplies, and the other going scot free. In no event could the free port be continued without a gross injustice to all who were excluded from its privileges.

The idea is advanced in this report that British Columbia is indebted largely to Victoria for its prosperity, because, forsooth, our merchants buy their goods of Victoria houses! Is not this a strange idea for mercantile men to promulgate? What has built up Victoria but the mines of British Columbia? What supports its extensive trade now but British Columbia demands? What makes the price of real estate rise and fall like the tides, but reports from Cariboo? And which is the most indebted — we who may perhaps owe in dollars for the last shipments of bacon and beans that were made,—or they who owe their prosperity and even their very existence as a community to our exertions?

There is *not*, as they say, a disposition on the part of our rulers "to sacrifice the material interests "of British Columbia at large," in order to elevate New Westminster above Victoria. Instead of that, before the passing of the last tariff, the question was carefully considered, and it was admitted on the part of the Government, that with a resident population of 10,000 persons in this Colony, sufficient to induce direct trade, the revenue would be diminished instead of increased.

But our limits will not allow us to show up this report thoroughly. In addition to the points to which we have alluded above, we are sorry to state that in some instances they have seriously deviated from the truth. A paper emanating from so important a body as this one does is supposed to be based upon *facts* alone, and correct even in its minutest particulars. What weight will be attached to it by the Secretary for the Colonies when it is proved that statements are made which are absolutely incorrect?

We will refer briefly to two or three. They say, "A case recently occurred in which a schooner "bound for Queen Charlotte's Island, with supplies for some miners supposed to be short of provisions, "went to Burrard's Inlet, a distance of seven miles overland from New Westminster, was refused a "clearance unless she came to New Westminster, and ultimately returned to Victoria."

The facts, as we obtain them from the custom-house authorities, are simply these: about a month since the schooner "Onward," Captain McKay, came to Burrard Inlet, and sending a man into the custom house without a manifest, asked for a clearance for Queen Charlotte's Island. He was sent back with directions to the captain to send the manifest of the vessel, and pay the custom duties on the cargo, when a clearance would have been given him. Instead of doing this, he found a cargo of shingles, and returned to Vancouver Island. No clearance was refused on account of his not being in port, but one would have been granted upon his payment of the usual duties.

Again, they declare that they are unable to avail themselves of New Westminster as a port of original shipment on account of "the intricate, narrow, and uncertain channel through the Sand Heads at the "mouth of the Fraser, available for ships drawing 16 feet at the utmost,"—"the subsequent danger "and delay attending the river navigation, and the closing of the river by ice from time to time during "the winter season, extending over four months." Thus discourseth the Victoria Chamber of Commerce. About our navigation what says Captain Richards, who spent years in surveying the Gulf of Georgia and waters in this vicinity? "Fraser river, in point of magnitude and present commercial importance, "is second only to the Columbian on the north-west coast of America. In its entire freedom from risk "of life and shipwreck, it possesses infinite advantages over any other river on the coast. Vessels of "18 to 20 feet draught may enter the Fraser and proceed as high as Langley, or a few miles above it, "with ease, provided they have or are assisted with steam power."

Which will be received as worthy of evidence at home, the *ex parte* and interested statement of a body of men seeking to establish the stability of their own investments, or the written testimony of a navigator whose charts are universally acknowledged to be singularly reliable and free from error? The last paragraph, regarding the ice, is a very grave misstatement. Never, except during the winter of 1862, since New Westminster was a city, has the navigation been impeded a month during the winter; and during the present and the last two winters not a week has elapsed when it was impossible to reach the town. Even during the winter of 1862, when the Columbia river was entirely closed, the ice blockade continued here but two months and four days, instead of four months. The same thing occurred to Portland, a town situated inland more than five times the distance that we are, struggling against the

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same difficulties of navigation, threefold enhanced, and yet retaining, without an effort, its position of a commercial depôt of supplies for a population of 75,000 people.

With these remarks we will leave this document. Its specious arguments, and its gross misstatements of facts, render it unworthy of the body from which it emanated. Its evident bias will destroy its effects upon those to whom it is addressed.

No. 10.

No. 10.

Copy of a DESPATCH from Governor SEYMOUR to the Right Hon. EDWARD CARDWELL, M.P.

(Separate.) New Westminster, March 29, 1865.

(Received May 30, 1865.)

SIR,

I AM aware that I have not communicated with you as fully and rapidly recently as I ought to have done. My first apology must be an extreme pressure of business during the Legislative Session; my second, the extreme irregularity of the postal arrangements. The American steamers are very irregular in their arrival at Esquimalt; and during the winter the Hudson's Bay Company run their steamers as seldom as they can to New Westminster.

I presume that the Governor of Vancouver Island will have informed you of the efforts made in that Colony to procure annexation to this. Here the feeling is strongly opposed to the proposed connexion. Indeed I cannot see how it could in any way benefit British Columbia; and it is impossible to avoid perceiving how, under the former Government, this Colony was unduly depressed to raise Victoria to an artificial prosperity. New Westminster presented a miserable aspect of decay and disappointment, while Victoria, though considerably more prosperous in appearance, astonished all strangers at the little progress a town, through which had passed many millions of gold, had made.

Among the means adopted by the people of Victoria for bringing about union has been that of trying to create in our mining population dissatisfaction with the financial arrangements of this Colony. I enclose an address presented to me by a body of Victoria shopkeepers and Cariboo miners, together with my reply.* There are but three names in the 300 which would carry weight in Cariboo, and it is by no means out of respect for the petitioners that I have answered so fully. My answer appears to have given satisfaction, and I would beg leave very respectfully to call your attention to the statements it contains.

* These will be found enclosed in Governor's Despatch, No. 30, of 21 March 1865, page 20.

I learn, on inquiry from the Governor of Vancouver Island, that he sent on to you without notice to me, or comment from himself, certain resolutions and statements passed and made by the so-called Chamber of Commerce of Victoria. The statements are very incorrect, and I have expressed to Governor Kennedy my regret that he should have sent them on without my having the opportunity of refuting them.

There seems every likelihood of our having a rush to the newly-discovered gold diggings. The season is, however, unusually unfavourable, and the upper roads blocked with snow.

The Legislative Session is progressing satisfactorily, and I expect to prorogue next week.

The telegraph which will connect this place with Newfoundland will be completed in about 10 days.

I trust that you will forgive this informal communication made just as the steamer is about to sail.

I have, &c.

The Right Hon. Edward Cardwell, M.P., &c. &c. &c. (Signed) FREDERICK SEYMOUR.

No. 11.

No. 11.

Copy of a DESPATCH from Governor KENNEDY, C.B., to the Right Hon. EDWARD CARDWELL, M.P.

(No. 92, Separate.) Government House, Victoria, December 1, 1865.

(Received January 24, 1866.)

SIR,

(Answered, No. 6, February 1, 1866, page 34.)

I HAVE the honour to forward herewith a petition from certain merchants, traders, and others resident in Victoria, Vancouver Island, which has been entrusted to me for transmission.

2. I have numbered the paragraphs of the petition to facilitate reference.

3. It is to be regretted that this petition was not presented when the resolutions of the local Legislature in favour of union with British Columbia were passed and transmitted to you in my Despatches Nos. 14 and 16,* dated 21st March 1865.

4. It will be within your recollection that I then informed you that a very decided majority of the electors of the city of Victoria were advocates for the union of the Colonies, accompanied by a tariff, or the imposition of import duties, as evinced in the return of two members to the Legislative Assembly, who at that time offered themselves upon those principles.

* Pages 6 and 19.

5. I now observe with some surprise that several influential persons who supported and *voted* for those members, and whose influence contributed materially towards their return, have appended their names to the enclosed petition, praying for the "continuance "of the free port policy in its fullest integrity."

6. The following analysis of the signatures appended to the memorial is substantially correct:—

British subjects - - -	88
Americans - - - -	33
Germans - - - -	21
French - - - -	8
Unknown - - - -	7
	157

7. You will also observe that many of the petitioners sign as the agents for absentees, whether with or without their concurrence is not shown.

8. I will now proceed to offer such remarks upon the petition as appear to me necessary for your information.

9. Paragraph No. 2. It is an undoubted fact that "great commercial depression" has existed, and still exists in both these Colonies, and I am sure that you would have been glad to have learned the petitioners' opinion of the cause or causes of it.

10. These causes, in my opinion, rest with the petitioners themselves, and are beyond the reach of any remedy which you can apply. They may be found in a system of reckless credit, competition, and over-trading. It is notorious that large quantities of goods were thrown into Cariboo market this year by the merchants of Victoria which did not realize the cost of carriage. The supply far exceeded the demand. While this proved a great boon to the working miner, it left the *Cariboo* traders without means of paying their debts to Victoria, and the Victorian merchants without payment for the goods they supplied. To this obvious cause for "depression" may be added the more stringent administration of the customs laws at San Francisco and neighbouring American ports where a large amount of goods were formerly introduced from Vancouver Island without going through the formalties of the custom house.

11. I may further remark that this "depression" is by no means confined to British Columbia and Vancouver Island. Many thousand persons are departing monthly from San Francisco, owing to the same causes which my experience leads me to believe are common to all mining or gold producing countries, and will continue more or less till men become honest and prudent.

12. Paragraph 4. As regards Vancouver Island, I am of opinion that the character and small number of the population render the present form of government inapplicable and expensive. The statistics and taxes, as shown in the annual blue book, will enable you to judge whether it can be truthfully termed "a most onerous burden upon all "classes." On this subject I would refer you to a recent Despatch of mine, No. 81, 22nd September 1865.

13. Paragraph No. 8. The proclamation declaring Victoria and Esquimalt free ports, simply declares that they "shall be (free ports) until otherwise determined by proper "authority."

14. Paragraph 9. The petitioners are obviously in error in stating or thinking that "the vote of the House of Assembly praying Her Majesty to grant an union of these "Colonies on such terms as to Her Majesty may seem meet, is not inconsistent with "the prayer of your petitioners for the continuance of the free port policy in this "Colony." A reference to my Despatches Nos. 14 and 16, 1865, together with the whole tenor of the debates clearly point to "union with a tariff."

15. I concur with the petitioners in thinking that the uncertainty existing on this subject is producing very ill effects upon the business and prosperity of these Colonies,

British Columbia and Vancouver Island.

but this uncertainty is, and has been mainly caused by the action of their own representatives, over whom Her Majesty's Government has no control in this behalf.

16. Paragraph 10. My opinion on the subject of this paragraph will be found in my Despatch No. 16, 21st March 1865 I see no reason to alter it.

17. I refrain from offering any opinion on the merits of the different systems of "free port" or import duties as applicable to the circumstances of this Colony, as it must be contingent upon union or no union of these Colonies, on which subject I look daily for information or instructions from you.

18. In conclusion I have only to state that I think this petition ought to have been addressed to the local Legislature rather than Her Majesty's Secretary of State for the Colonies.

I have, &c.

The Right Hon. Edward Cardwell, M.P., &c. &c. &c.

(Signed) A. E. KENNEDY.

Encl. in No. 11.

Enclosure in No. 11.

To the Right Honourable Edward Cardwell, Her Majesty's Principal Secretary of State for the Colonies, &c., &c.

The humble Petition of the undersigned Merchants, Traders, and others, resident in Victoria, Vancouver Island,

Humbly sheweth,

1. That, your petitioners having expended a large amount of capital, time, and labour in this Colony, are deeply interested in its welfare and success.

2. That your petitioners view with much anxiety the great commercial depression which has existed for some time, and still exists, both in this Colony and also in British Columbia.

3. Your petitioners beg further to show, that, although the interests of British Columbia and Vancouver Island are identical, yet, since the appointment of a separate Governor for each, a policy (as instanced by the imposition of "*ad valorem*" duties, amounting in effect to differential duties), has been inaugurated by the Government of British Columbia, which has unfortunately proved not only specially adverse to this Colony, but is operating most disastrously upon both, and in British Columbia even to the extent of driving people to abandon houses and farms, and leave the Colony.

4. Your petitioners further show that the number of inhabitants in the two Colonies is so small, that the expense of separate Governments is a most onerous burden upon all classes.

5. That only upon the faith of the permanent maintenance of Victoria as a free port, the mercantile class, capitalists, and others, expended large sums in the purchase of land, and the erection of wharves, warehouses, and buildings, and made Victoria so entirely the source of supply for British Columbia, that up to this time there is not a single importing house in that Colony.

6. With Victoria capital nearly the whole business of British Columbia is carried on, and almost every enterprise in British Columbia, whether of trade, mining, or the building and employment of steam boats, has been undertaken by the commercial community of Victoria.

7. That Vancouver Island, as far as it has been already explored, does not contain much land fit for agricultural purposes, the greater portion of it being mountainous, and densely wooded, but it is known to be rich in deposits of coal, iron, copper, gold, and other minerals.

8. From its commanding geographical position, Victoria is eminently adapted for a commercial depôt for the North Pacific, and owing to its free port, has attracted commerce from Mexico, California, the Sandwich Islands, Oregon, Washington Territory, the Russian possessions, India, China, and Japan.

9. Your petitioners are of opinion that the vote of the House of Assembly of this Colony, praying Her Majesty to grant an union of these Colonies on such terms as to Her Majesty may seem meet, is not inconsistent with the prayer of your petitioners for the continuance of the free port policy in this Colony, a policy which they fully believed when they settled here, and invested their means in permanent improvements, was fixed and decided upon by Her Majesty's Government, and strictly guarded by the instructions issued to Her Majesty's representative here, and published in a proclamation of 18th January 1860, declaring the port of Victoria to be a free port. And your petitioners now pray that in any union of the two Colonies which may be decided upon, the continuance of the free port policy in its fullest integrity in this Colony, may be provided for and definitely settled, so that confidence in the policy of the Government may not be shaken, as the uncertainty existing in this respect had been for some time past producing most disastrous effects upon the business, prosperity, and property of both Colonies.

10. That the union of these Colonies that would be most advantageous for both, in the opinion of your petitioners, would be one having the nature of a federal union, having one Governor, with one civil list, as far as practicable, one code of laws, common jurisdiction of the law courts over both Colonies, with a court of appeal, and leaving the financial matters of either Colony separate, as at present.

11. Your petitioners are strengthened in their opinion of the vital importance to this Colony of the continuance of the free port policy, by the views expressed in a report and series of resolutions of the Chamber of Commerce of Victoria, and of which your petitioners desire to be allowed to append a copy, and make part of this petition.*

12. Your petitioners lastly urge, that in this Colony there are many engaged in commercial pursuits not entitled to the exercise of the franchise, but whose interests are bound up in the Colony in which their capital is largely invested and employed, and whose voice cannot be heard unless in the way of

* The Report and Resolutions of the Chamber of Commerce will be found as an Enclosure to Governor Kennedy's Despatch, No. 15, of the 21st March 1865, printed at page 13.

special memorial like the present; and this your petitioners beg respectfully to set forth will appear by a reference to the Government Real Estate Tax Lists of the city and district of Victoria, the list of voters for the same, and the Governmental list of trades licences appended hereto, and which they pray to make part of this petition, by which they affirm that the bona fides of this petition will be fully established. British Columbia and Vancouver Island.

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

(Signed) D. Babington Ring, Chairman, late Acting Attorney-General and Member of the Legislative Council in the Administration of Sir James Douglas; and 140 others.

No. 12. No. 12.

Copy of a DESPATCH from Governor Kennedy, C.B., to the Right Hon. Edward Cardwell, M.P.

(No. 97, Separate.) Government House, Victoria, December 16, 1865.

Sir, (Received February 12, 1866.)

I have the honour to enclose the copy of Resolutions passed by the Legislative Assembly of this Colony, on the 13th instant, on the subject of union of this Colony with British Columbia. 13th Dec. 1865.

I have nothing to add on this subject beyond that which is contained in my Despatches, Nos. 14 and 16,* of the 21st March 1865.

I also enclose, for your information, copies of communications which have passed between the Legislative Assembly and myself on this subject.

* Pages 6 and 19.

Resolution of Legislative Assembly. 7th Dec. 1865.

Message of Governor Kennedy. 12th Dec. 1865.

I have, &c.

The Right Hon. Edward Cardwell, M.P. (Signed) A. E. KENNEDY,
&c., &c., &c. Governor.

Enclosure 1 in No. 12. Encl. 1 in No. 12.

Vancouver Island.

Resolution passed the Legislative Assembly December 13, 1865, read second time and agreed to, December 1865.

"1. Resolved,—That this House fully endorses the union resolutions passed by this House on January 25, 1865, and would again repeat its conviction, that an immediate union of Vancouver Island and British Columbia is necessary, beyond every other measure, to impart confidence to the public mind, and place both Colonies on a prosperous footing.

"2. Resolved,—That although this House has already shown its willingness to accept whatever constitution 'Her Majesty's Government may be pleased to grant,' it would fail in its duty to the people of this Colony, as well as to Her Majesty, did it not express its conviction that no constitution would be adapted to the growing wants of these Colonies that did not embrace a representative government that would give to the people the right to determine the mode as well as the amount of taxation, and that would make the official heads of departments responsible to the people of the United Colony.

"3. Resolved,—That the above resolutions be transmitted to his Excellency the Governor with the respectful request that they be forwarded as early as possible to Her Majesty's Secretary of State for the Colonies."

(Signed) R. W. Torrens,
Clerk of the House.

Enclosure 2 in No. 12. Encl. 2 in No. 12.

Vancouver Island.

Resolution passed the Legislative Assembly December 7, 1865.

"Resolved,—That an humble address be presented to his Excellency the Governor, praying him to lay before this House copies of all public despatches forwarded by his Excellency to Mr. Cardwell in reference to the resolution passed by this House in June 1864, in connexion with the Crown Lands, and all Despatches sent to Mr. Cardwell in reference to the Union Resolutions which passed this House in January last."

(Signed) R. W. Torrens,
Clerk of the House.

Enclosure 3 in No. 12. Encl. 3 in No. 12.

Vancouver Island.

No. 92. Government House, Victoria, December 12, 1865.

To the Honourable the Speaker and Members of the Legislative Assembly:

Gentlemen,

I have the honour to acknowledge the receipt of an address from the Legislative Assembly, praying that I would lay before the House "copies of all Despatches forwarded to Mr. Cardwell in "reference to the Resolution passed by this House in June 1864, in connexion with the Crown Lands

British Columbia and Vancouver Island.

No. 10, Feb. 2, 1865 and enclosures. No. 23, April 15, 1865.

" and all Despatches sent to Mr. Cardwell in reference to the Union Resolutions which passed the " House in January last.".

With the most earnest desire to meet the wishes of the Legislative Assembly, and afford the fullest information on these subjects, I regret that I am precluded from complying with the conditions of their address without the sanction of Her Majesty's Secretary of State for the Colonies previously obtained.

I now, upon my own responsibility, lay before the House extracts of Despatches transmitted by me on the subject of the Crown Lands of Vancouver Island, relating to the matters treated of in the Despatch of Her Majesty's Secretary of State recently laid before the House; but the production of Despatches addressed by me to Her Majesty's Secretary of State on the subject of the "Union Resolu- " tions," either in whole or in part, before I had received replies thereto, would be a manifest breach of duty, and wholly without precedent.

The object of the Legislative Assembly in the present instance will be probably attained by my stating that in addressing Her Majesty's Secretary of State in March 1865, I expressed my deliberate conviction that the union of these Colonies would be conducive to the best interests of both, and my earnest desire that it should be consummated.

My subsequent experience having fortified that conviction and sentiment, I continue to be firmly of opinion that the Colonies of British Columbia and Vancouver Island should be united, and that the union of them would be an important means of securing their substantial progress and prosperity.

I have, &c.

(Signed) A. E. Kennedy,
Governor.

No. 13.

No. 13.

Copy of a DESPATCH from the Right Hon. Edward Cardwell, M.P., to Governor Kennedy, C B.

(No. 6.)

Sir, Downing Street, February 1, 1866.

* Page 30.

I have the honour to acknowledge the receipt of your Despatch, No. 92,* of the 1st of December, enclosing a petition addressed to me by the merchants, traders, and other residents in Victoria, Vancouver Island.

I have to request that you will inform the memorialists that the interests to which they advert will not fail to receive careful consideration.

I have, &c.

Governor Kennedy, C.B. &c. &c.

(Signed) EDWARD CARDWELL.

No. 14.

No. 14.

Copy of a DESPATCH from Governor Seymour to the Right Hon. Edward Cardwell, M.P.

Rue de la Paix, Paris, February 17, 1866.

Sir, (Received February 24, 1866.)

As you did me the honour of consulting me respecting the resolutions of the Legislative Assembly of Vancouver Island, praying that that Colony might be united to British Columbia, I would now venture to express in writing, I believe in accordance with your wish, my views upon the subject.

2. I think that the Assembly has faithfully represented the desire of the majority of the population. So great is the anxiety for union existing in Victoria, the political centre of the Island, that the conditions are left entirely for you to determine. Nanaimo, the second town, I believe, faintly wishes for the amalgamation of the two Colonies, but the people there are prosperous, contented, and the best feeling exists between them and the colonists of the mainland.

3. The question of the relations of the two Colonies is one of great difficulty. They were, until recently, united to the extent of having a Governor in common. But the dissatisfaction in British Columbia, at the state of things which then existed, was such that your predecessor effected the separation now found so irritating to Victoria.

4. Under the system which the Duke of Newcastle abolished, the government of British Columbia was carried on from the capital of another Colony. The Governor and principal public officers drew full pay from the main land and lived on the Island. The people of Victoria profited by the expenditure of the proceeds of taxation levied on another community, and were at the same time, by the freedom of the ports, relieved from the payment of the heavy import duties, which fell on those who made of British Columbia their home. Whether it was wise ever to make two Colonies of the territories lying west of the Rocky Mountains, it is useless now to inquire; but colonists having been invited to settle on the continent on the faith that they were to form an independent

community, possessing their own government and capital, the old system was found to be manifestly unjust, and your predecessor, listening to the voice of the protesting colonists, effected the separation so joyously received in British Columbia.

5. I say confidently that that Colony has not altered its views. It has had the one great wish gratified and dreads all change. I have heard this denied by Victoria politicians, and I have in vain asked them for any evidence to support their denial. If a desire for union has arisen in the Colony, how does it show itself? The gentlemen who successfully appeal to the people for nomination to the Legislative Council pledge themselves to opposition to union. The Council, on this subject entirely unfettered by me, vote unanimously against it. The issue was fairly tried wherever there was a chance of success. Petitions were printed in Victoria recommending union and the abolition of unpopular taxation and circulated in the mining districts, but they remained unsigned. Indignation meetings were called in Cariboo, but no one would attend. A newspaper was started in that district specially to advocate union and oppose the local government. The miners merely protested against the scurrility of their professed organ, and when extraneous assistance was withdrawn it died from want of their support. I am, for many reasons, anxious that the desire for union should exist in British Columbia. It does not.

6. The efforts of the merchants of Victoria to create such a desire in the mining districts were, however, vigorous and well timed; not very high principled, but showing considerable political dexterity. It was felt that union, as a separate question, could stand no chance of obtaining a hearing in Cariboo, but it might meet with some attention on the hustings, coupled with an abrogation of the export duty on gold, and a general reduction of taxation. Systematic agitation might, possibly, stir up the feeling against the gold tax to a sufficient strength to drag into light its self-imposed associate, union. I do not deny the unpopularity of the export duty, but the miners are aware that it was imposed with the consent of their own Mining Board, and voted for by their elected Members of Council. They know the requirements of the Government, but above all they know that it requires no change in their political condition, no assistance from without, to relieve them from any burdens unanimously affirmed to be distasteful.

7. It would have been well if Victoria had earlier passed the resolutions in favour of unconditional union. It was not until the efforts to obstruct the Government of British Columbia, by shaking the confidence of the people in its justice, had proved vain that the wise course was adopted. Though, I shall presently show that the larger Colony has progressed greatly since it attained a separate existence, yet it did not escape entirely uninjured from the self-damaging attacks of the Victoria politicians. The prosperity of both Colonies depends principally on the power of the gold mines of the mainland to attract a considerable share of the large floating population which, centred in winter in California, seeks in the public prints and in every rumour, a guide to direct its steps to the most profitable field for summer labour. The Victoria papers and their Cariboo representative, during its short existence, represented British Columbia to be overtaxed and unjustly governed. Many persons, undoubtedly, in San Francisco took the English reports on English mines and management as correct, and turned their steps towards other gold fields which American speculators took care not to depreciate. The efforts of the Victoria agitators were thus partially successful. The great objects of intimidating the Government and exciting disaffection failed, but a feeling outside the Colony was created against the then recent legislation. This success, once obtained, caused alarm in Victoria. Then came the outcry that the miners were leaving the country; merchants from the Island waited on the Governor on the subject, and when the injury was done the Cariboo press was silenced.

8. Even in England, persons connected with Victoria have had a meeting where, in their eagerness for union, they have reported the two Colonies to be languishing or retrograding in their present separation. Reports on the subject, deficient either in candour or information, have been furnished to the leading London journals. I regret that the matter of union should not have been allowed to rest, where it was properly placed, in your hands. Who would emigrate from England to Colonies reported by their own reputed representatives to have early in their career entered on their decline? Who would seek investments in the funds of a community alleged to be daily diminishing in wealth?

9. I am prepared to allow that Victoria is not flourishing. I maintain that British Columbia is so. It may seem strange that their progress is not parallel, and I can believe that the cause has escaped the knowledge of some of the merchants of Victoria. The explanation is, however, simple.

10. The discoveries of gold on the Lower Fraser first attracted to British territory a large portion of the unattached population of Western America. The immigrants came

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from Oregon or California by sea. Their detention at the first place of landing created Victoria. The bars on the Fraser were gradually worked out. Now they are abandoned to the labours of Chinamen. But year by year the summer immigrants pushed farther into the interior, still by the valley of the great river. Finally Cariboo was discovered, and its prodigious wealth attracted large numbers of miners, who were fed and supplied from Victoria. Driven from their work by the severe climate in the winter, the "Caribooites" spent some time and much money in that town, and added to the profits of the merchants who had monopolized their market during the working season. There were no large settlements in British Columbia; it was only a Colony in name. There was a gold mine at one end of a line of road; a seaport town (under a different Government) at the opposite terminus.

11. Here was the real cause of the ill-feeling between the two Colonies. The settlers on the Frazer paid gold-miners' duties on all they consumed, while the people of the Island profited by the success of the diggers and paid no import duties. Everything was done to foster Victoria. Where public officers served both Colonies, the Island gave its own half-pay; the full salary was drawn from the heavily-taxed British Columbians, and the whole, this one salary and a half, was spent on the Island. Imperial interests were assumed to be involved in the welfare of Victoria, and people affected to believe that great destinies were in store for the town, they had early begun to name the "Queen "City of the Pacific." Meanwhile every man on the mainland knew that the town was kept alive by the British Columbian mines. They petitioned for separation, and they got it. Now, at all events, the proceeds of their taxation are spent among them. Trade is beginning to establish itself on the Fraser. On the other hand Victoria, descending to common sense, seeks, at the sacrifice of her free port and constitution, a close union with the Colony whose wealth is her support.

12. Cariboo was the great customer for Victoria; but Cariboo, with its prodigious wealth, has been found not to be "poor man's diggings," not competent, therefore, to support a very large population. The mines are of limited extent, the gold lies deep, and is expensive to extract. The number of spring immigrants began early to fall off, and in 1865 was smaller than usual. There was no dearth of labourers. Cariboo warned off fresh comers, as every place was full. So it seemed, for with a diminished population, the yield of gold was in the proportion of 9 to 5 as compared with the preceding year. Wages were steady at 40*s.* a day, and the necessaries of life far lower in price than they had ever been before. Victoria continued to do the principal business of these mines; but the population to feed was comparatively small, and Victoria suffered.

13. So did British Columbia to a certain extent. Road-side houses on the Cariboo line became bankrupt as traffic decreased, by diminished immigration and accelerated travelling. The general condition of the Colony was, however, prosperous. The customs' receipts at New Westminster were, by the last account which has reached me, 15,000*l.* in excess of the corresponding period of 1864. I learn that the British Columbian capital "is making great progress; houses and wharves, clearing and fencing "going on everywhere this autumn." And the most hopeful sign of all is beginning to show itself: a disposition on the part of the miners to purchase land in New Westminster or its neighbourhood, and commence the systematic colonization of the Lower Fraser. These benefits in no way assist Victoria, nor can it appreciate the improvement in the general condition of Cariboo, which now induces many miners to winter there instead of squandering their money in Vancouver Island or San Francisco.

14. To the merchant of Victoria the depression he felt in 1865 appeared to extend over British Columbia; but he could only see the valley of the Fraser, while a vaster view lay open before the eyes of the Government of New Westminster. The usual wave of immigration was seen to come to us in equal, if not larger volume than in former years. Many miners were, doubtless, prevented by the Victorian outcry from coming direct to the English Colonies, and the more united Americans secured the preference for their own gold fields of Boisé or Cœur d'Hélène. But disappointed hopes soon drove thousands in search of richer deposits. From the sea to the Rocky Mountains, on both sides of the boundary line, the country swarmed with eager prospectors, who rushed backwards and forwards as reports circulated that the gold which all knew to exist had at last been found.

15. Late in 1864 important discoveries had been made near the British Kootenay Pass of the Rocky Mountains, in our territory. It was first through American newspapers that I became aware of a rich and prosperous mining town existing within our limits, about 500 miles due east of New Westminster. Although the Kootenay mines could, at first, be only approached by passing through United States territory, we soon extended British institutions over the new diggings, established Courts of Justice, and collected

taxes. On the disruption of the mining camps of the Boisé country, Kootenay received a considerable accession of population, and in the season of 1865 the new diggings were paying to the Colonial Treasury, in taxes, upwards of a thousand pounds a week. Here was a tangible benefit to British Columbia, which brought no immediate advantages to Victoria. On the contrary, the new mines, which were fed from across the frontier, took away many persons from Victoria's best customer, Cariboo.

16. The American prospectors continued to pour in by every opening in our rugged frontier, and the attraction of the Kootenay itself soon dimmed before the discoveries on the Big Bend of the Columbia. I had fortunately consented to license the running of steamers, under the American flag, in the purely English waters of that river. Crowds arrived, freights poured in, and the advent of winter alone prevented the general rush which is confidently predicted for this year. I am credibly informed that these latest discovered gold mines have, in some places, yielded as much as eight hundred dollars a day to the hand, without machinery. If such be the case we need fear no competition. Victoria has, however, in no way shared, as yet, in the profits. The customs duties levied at Fort Shepherd, on the Columbia, belong to us British Columbians alone. In other parts of the Colony the prospectors have been successful. Near Lillooet, in a fine agricultural district, a stretch of nearly 70 miles of rich auriferous ground has been discovered, and high hopes are entertained as regards the next mining season. I say again that British Columbia is flourishing, and has a still brighter prospect in view.

17. I may observe, incidentally, that the unsuccessful miners from Boisé, or the Cœur d'Hélène, are as valuable to us as an equal number of those who come by Victoria and the Fraser. The citizens of the United States are our boldest prospectors, and not the least law-observing portion of our population. They come to us across the frontier prepared to accept our institutions, their heads undisturbed by political agitation. The carrying out of the last sentence of a Court of Lynch Law sometimes diminishes their numbers as they approach the boundary line; but once it is passed, the revolver and bowie knife are laid aside, and perfect tranquillity prevails under our vigorous administration throughout the Colony. Crimes of violence are now almost unknown in British Columbia, and on the late circuit the Supreme Court did not find a single prisoner for trial at the Kootenay.

18. While British Columbia is reputed to be languishing, it may be interesting for me to mention, though I write without official documents, some of the principal public works which have been accomplished by us in 1865. I premise with the statement that every surveyor and every engineer in the Colony was in Government employ last year. Every discharged sapper, possessing anything like adequate knowledge, was likewise induced to enter our service. A good trail for pack animals has been opened from the Fraser to the Kootenay. The Cascade Range, the Gold Range, the Selkirk Range, have been successively surmounted; with what labour may be imagined, when I state that at the end of May the cutting over the Cascade Mountains had, on each side, seven feet of snow. This trail not only runs through English territory to a gold mine, but it affords, by the British Kootenay Pass, an easy access from the Pacific to the Hudson's Bay lands beyond the Rocky Mountains. Its principal value, however, to the colonists is that it already enables the merchants of New Westminster to undersell those of Lewiston and Walla Walla at the new diggings. A sleigh road has been opened from the seat of Government to Yale, running for upwards of a hundred miles through the dense forests of the Lower Fraser. A bridge has, for the first time, been thrown over Thompson's River, on the main road to the northern mines. Upwards of twenty thousand pounds have been expended on the completion of the high road into Cariboo, allowing machinery at last to be introduced into William's Creek. A large sum in connecting, by a long street, the three mining towns in that locality. A good road now connects New Westminster with the sea at Burrard Inlet, and secures the inhabitants from inconvenience should an unusually severe winter close the Fraser. A light-ship, public libraries, new school buildings, testify to the energy of the Government. If I add that in the year just passed steamers have, for the first time, navigated the Upper Columbia, and that New Westminster has been brought into connexion with the whole telegraphic system of the United States, Canada, Newfoundland, and with Cariboo, I point out an amount of work accomplished in a single summer, I should think entirely unprecedented in so young a Colony. For the telegraphic communication, and the new line of steamers, the Government can only claim the credit of the earnest efforts it has made to second the enterprise of our republican neighbours.

19. I have endeavoured at considerable length to prove, first, that union with Vancouver Island, or the annexation of that Colony is not desired in British Columbia; secondly, that the larger Colony is not in a depressed condition. Possibly external

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agitation in connexion with the gold export duty may have to a certain extent impeded her progress. If, in the violent competition on the Pacific to make the mines in the Colony or the States superior to each other in attraction, it be found that the British export duty on gold acts unfavourably to us, I can only say that the tax will be at once repealed. Our great public works are done, and if the export duty, though just, is impolitic, we will not suffer our miners to be over weighted by it in the great struggle.

20. In the face of the reluctance of the Colony over which I preside, to be drawn into any union with Vancouver Island, some explanation is necessary of the motives which induce me to entertain the question at all, instead of confining myself to backing the prayer of my Legislative Council that the existing separation may continue unimpaired. I consider, however, my duty to require of me, that I should not confine my attention exclusively to the internal affairs of the tract of country under my Government, but that I should likewise see to the strengthening of British authority, British influence, and British power in the Pacific, and I at once admit that the existing division weakens all three. The dissensions between the two Colonies are looked upon in the neighbouring States, as rather a scandalous, but novel and amusing feature in English colonization. I am practically aware that it is extremely inconvenient for the Commander-in-Chief of the Pacific squadron to be in communication with two Governors of nominally equal position, close to each other, but many thousands of miles from head-quarters. I see that the Indian population of our north-west coast, wherever the schooner or canoe of the Victoria smuggler can reach, are withering and disappearing under the disastrous effects of the whisky traffic. I must remember that both British Columbia and Vancouver Island have occasionally questions to discuss with their American and Russian neighbours, and that, as things now are, there is nothing to secure uniformity of action or expression in the English representatives. The one may be on the most friendly terms with adjacent powers; the other, in a state of reserve, pending a reference to Europe. I find myself, under these circumstances, compelled to state that, in my opinion, England ought to be represented by one civil authority only beyond the Rocky Mountains. Her Majesty's prerogative could of course effect this, without the aid of Parliament, but if a Lieutenant-Governor be appointed to the smaller and poorer Colony, the change, though an undoubted improvement, would still leave Vancouver Island with a staff of public officers beyond her present ability to support. I fear that the bickerings would not cease, nor Victoria refrain from interference with the affairs of the neighbouring Colony.

21. Without any specific recommendation, I proceed to consider the terms upon which union could be carried out with moderate satisfaction to the one Colony and the least distaste to the other. The Imperial Act 21 & 22 Vict. c. 99. (which has been repealed) provided that, on the petition of the two Legislative Houses of Vancouver Island, Her Majesty might declare that Island to be an integral part of the Colony of British Columbia. This appears to me to be the principle upon which union should be carried out. But British Columbia has since then been favoured with a Legislative Constitution, by an Order in Council, and I am of opinion that no union should take place without the consent of the Legislative Body created under it. This, I think, might be obtained should Her Majesty's Government desire it and equitable terms be proposed. But I would here venture to state that if a return to the old state of things be sought to be imposed on British Columbia the outcry to which the Duke of Newcastle yielded but two years ago, will be renewed with increased volume.

22. An Act of Parliament somewhat similar to that above referred to having been obtained, the consent of the Legislature of British Columbia formally recorded, the Governor's proclamation of incorporation issued, the laws of the main land would at once be extended over the Island. An early revision of these laws would, however, be required. This would hardly be effected, with a due regard to the interests of the newly acquired territory by the present Legislative Council of British Columbia. That body should be dissolved and a new Legislature, with representatives from Vancouver Island, called into existence. Then arises the important question, what shall be the Legislative Constitution of the one great English Colony on the North Pacific?

23. The Legislature of Vancouver Island, of which the extinct provision of the Act, already quoted, contemplated the disappearance, consists of a Governor, a nominated Council, and an elected Assembly. Theoretically, perhaps, the best form of government. It is not for me to inquire how it has worked in Vancouver Island; I content myself with saying that British Columbia is not ripe for such institutions. I found my opinion upon the following grounds:—*First*, on account of the vast number of aliens resident in the Colony, who would, I presume, be excluded from the suffrage were a symmetrical constitution to be established. *Secondly*, because there are but few persons who could devote their time and attention to the public service. We should soon be

reduced to pay our legislators, or fall into the hands of the professional politicians, of whom the neighbouring States furnish to us the model. *Thirdly*, because the uncertain nature of gold mining allows of a "rush" here and a "rush" there, as rich leads are discovered, or old claims "cave in." Away goes the population from the "played out" town. Magistrate and constables follow, and the surveyor and his road-gang have to bring the new diggings into connexion with the markets of the Colony. The Governor must act at once on his own responsibility, and be able to rely with confidence on the passing of a supplementary Appropriation Act, to give a legal sanction to the unforeseen expenditure. *Fourthly*, because our population of Indians is in a proportion of about ten to one of ourselves. They will now obey the great white chief. They understand no division of authority. *Lastly*, because every one in British Columbia, Americans, even more than English, see the necessity of, and wishes for a strong government. All like the power to be mainly vested in one man, responsible to public opinion, and are averse to the professional politician. For the Colonies, if united, I would recommend an adherence to the principles of the legislative constitution of British Columbia, rather than to those of that conferred on Vancouver Island. I would, however, have a much larger proportionate infusion of the popular element than we at present possess.

24. Her Majesty has by Order in Council created a body authorized to make laws for British Columbia. It consists of 15 members, exclusive of the Governor, with whom it is optional to take his seat as a member of the Board, or to keep aloof, and by so doing constitute himself an entirely separate branch of the Legislature. One-third of the Council is composed of the under-mentioned public officers, who are, by a separate instrument, constituted likewise the Governor's Executive Council:—

1. The Colonial Secretary,
2. The Attorney General,
3. The Treasurer,
4. The Surveyor General,
5. The Collector of Customs.

The remaining two-thirds are selected by the Governor, but I believe that a Despatch from the Duke of Newcastle directs that five of the ten shall be chosen from the magistracy of the Colony, and that in the appointment of the other five the Governor shall endeavour to be guided by the wishes of the people as signified in five distinct districts. Under this constitution the Government can command a majority of votes, but the power has been rarely exercised by me, save in cases where demands were made upon the Colony by the Imperial Treasury, which the Legislature, if not coerced, would have rejected.

25. I would wish to make some observations upon the three divisions of the present Council. The five executive members are in such close communication with the Governor, that it is but rarely that one of them has an opportunity of asserting his independence by a vote against a measure introduced by the Government. Hence, however useful as men of business in the House, they do not, with the public, possess the same character for independence as the other two classes. I would recommend that in the new Legislature for the united Colonies the strictly official element be not increased.

26. Probably in British Columbia the section of the Legislature which possesses most the confidence of the people is that of the magistrates. It is the right of the Governor to change the stations of the paid justices of the peace whenever he shall see occasion for doing so, therefore, the best men are always selected for the most important trusts. As the winter closes most of the miners' operations, several of the magistrates can be spared to attend the meetings of the Legislative Council in New Westminster.

The under-mentioned districts are represented in this manner:—

1. New Westminster.
2. The Kootenay Gold Mines in the Rocky Mountains.
3. The Gold Mines of Cariboo, nearly 500 miles north-east of New Westminster.
4. The agricultural, and now mining district of Lillooet.
5. The pastoral and mining country intersected by the Columbia, bounded on the south by the American frontier.

27. The country magistrates, whose salaries are not sufficient to enable them to enjoy any of the luxuries of life in the expensive districts in which they are stationed, live in the manly state of freedom of intercourse with all classes, characteristic of British Columbian society. The magistrates at the mines, hundreds of miles from head-

BRITISH COLUMBIA AND VANCOUVER ISLAND.

quarters, are necessarily invested with duties of great variety and importance. The representative of the Government, the sole referee or judge in mining disputes, gold commissioner, bankruptcy commissioner, county court judge, the magistrate is constantly before the public. The smallness of the police force which we can allow to carry out his decisions, and to preserve tranquillity, compels him to rely much upon his personal influence. It gives me great satisfaction to say that under these circumstances a body of public officers has been trained, equally respected by the people and the Government. The miner looks upon the departure of the magistrate for his legislative duties with fully as much of happy confidence as he does on that of the men he has assisted in returning to the House.

28. I would propose in the new constitution to increase the number of these valuable legislators from five to nine. I would submit that the present discretionary power resident in the Governor of making his selection from the centres of population, for the time being, be not interfered with; nor would I withdraw the liberty granted to him by the Duke of Newcastle to appoint, should he see fit, unpaid in the place of paid magistrates. I venture to submit a plan for a distribution, in the first instance, of the nine seats:—

1. Victoria, V. I.
2. New Westminster, B.C.
3. Cariboo, B.C.
4. Kootenay or Columbia, B.C.
5. Douglas and Lillooet, B.C.
6. Osoyoos and Southern Frontier, B.C.
7. Nanaimo, V.I.
8. Yale and Lytton, B.C.
9. Comox or Cowitchen, V.I.

It will be said that this is not a fair distribution; six magistrates for British Columbia, three for Vancouver Island. I reply that the former Colony now supports nine paid justices of the peace, the latter only two. My plan would entail the exclusion of three Columbian magistrates and the creation of one, for legislative purposes, upon the island.

29. The Duke of Newcastle directed the Governor to consult the wishes of the people in the appointment of one-third of the Legislative Councillors. My predecessor divided the Colony into five electoral districts:

1. New Westminster.
2. Cariboo East.
3. Cariboo West.
4. Yale and Lytton.
5. Douglas and Lillooet.

The mode of ascertaining the popular desire is as follows:—A letter is written by command of the Governor to the paid magistrate of the district, directing him to call a meeting of the inhabitants to select a person for a seat in the Council. Due notice of the meeting is given in the Gazette, and locally by the magistrate. Seats in the Legislative Council are eagerly contended for. Electioneering addresses issue from the rival candidates, and sometimes very considerable expense is incurred. Great discretion is left with the magistrate and people of the district as to the votes which shall be accepted and reported to the Governor. In New Westminster, I believe, in consequence of a feeling to that effect, aliens have abstained from voting; but in Cariboo, and I think other inland districts, every man who comes forward may record a vote, unless he be an Indian or a Chinaman. Indeed, I believe there are cases where some Chinese have been allowed to vote. It meets with my approval that so long as a strong English Government exists in New Westminster, no disqualification on account of nationality should exist at the gold mines. I hold it as extremely desirable that we should know the real interests and feelings of our many alien immigrants. That we should attach them to our institutions, and that, as we govern by moral force alone, not costing the mother country a soldier or a shilling, we should have among our Legislators men responsible to alien as well as English constituents. I like to hear any grievance which the American miner may imagine he suffers from in Cariboo disposed of, as now, by the remark, "Wait for the "next election." In the agricultural districts likewise I wish aliens to take part in the elections. Lytton, probably, does not contain a dozen English unofficial inhabitants. The farmers on the Thompson and Upper Fraser are many of them French. The hotel keepers throughout the Colony mostly belong to that nation or to the Italian. The time has not yet arrived for me to consider whether the Chinaman or Indian should be

allowed to vote at the elections. I should be disposed to exclude both. Possibly an exception might be made in favour of those who took out their "free miner's certificates."

30. The election over, the magistrate reports to the Governor the number of votes each candidate has received. It is by no means incumbent on the Governor to appoint to the Council the elect of the people, but it would require very special circumstances, such as have not yet presented themselves, to justify his rejection of the man placed at the head of the poll. The Councillor must take the oath of allegiance before his seat. A purely English Legislature is thus secured.

31. Even if union is not to take place, I should wish to see the popular element increased in our Legislative Council. It is by gradual concessions, freely made by the Government, that the desire for institutions practically unsuited to British Columbia will be best kept under. It is in the gold mines that I should specially desire to see the representation increased. If the union of the Colonies should take place, I would suggest that about 12 members of the new Legislature should be appointed by the Governor on the recommendation of the people. If the Colonies remain separate I will address you at a future time respecting British Columbia. I must repeat the recommendation I ventured to make when treating of the magisterial element, that the discretionary power of the Governor, as to the districts to be represented, should remain unimpaired. I, however, submit a rough suggestion as to the first apportionment of seats.

Victoria, V. I. - - - -	2 members.
New Westminster, B. C. - -	1 ,,
Nanaimo, V. I. - - - -	1 ,,
Comox, V. I. - - - -	1 ,,
Cariboo, East, B. C. - - -	1 ,,
Cariboo, West, B. C. - - -	1 ,,
Kootenag, B. C. - - -	1 ,,
Yale and Lytton, B. C. - - -	1 ,,
Douglas and Lillooet, B. C. - -	1 ,,
Williams' Lake, B. C. - - -	1 ,,
Osoyoos and Columbia, B. C. - -	1 ,,

As regards the electoral franchise, in the first instance, I would propose to leave the question as it now rests in the several districts. It might be dealt with hereafter by the Council. A property qualification and English nationality would, I believe, be required in the electors of Vancouver Island.

32. I think it would be desirable that the Governor should have the power of appointing two unofficial members of the Legislative Council to the Executive Council.

33. Should union take place in the manner contemplated by the Act of the 21 & 22 Vict., two important changes would take place in the condition of Vancouver Island. Its present legislative constitution would be abolished. The partial exemption from import duties would cease. The loss of the House of Assembly would not, I think, be much regretted. The freedom of the port of Victoria has already been much impaired, duties being now levied on many articles of consumption. There is a certain charm in the idea of a free English port on the Pacific destined to compete with San Francisco, and, perhaps, ultimately to establish a commercial pre-eminence for Great Britain on the western coast of America. But in reality few of the advantages expected from the free port system have been secured, and the people of Victoria, having the issue fairly placed before them at the last elections, have, by a large majority, determined that the system shall cease, and a tariff take its place. Victoria does not lie on any of the great highways of commerce, and I do not suppose that a vessel ever entered the port which was not specially bound for it on the commencement of the voyage. Besides, if the freedom of the ports had realized the expectations of the people of Victoria, would they now be in so gloomy a state, or ready to make any sacrifice to secure union with British Columbia? The last statistical returns show that of the imports to Vancouver Island only one-twelfth is exported to countries other than the neighbouring British Colony. It may be said that smuggling is carried on to a great extent. Possibly so, but I doubt whether this advantage, of somewhat questionable propriety, counterbalances the inconvenience of the restrictions placed on British commerce in the western states of America. The compulsion on every vessel to or from Puget's Sound to enter or clear at Port Angelos, 40 (?) miles to windward, is I know found a serious evil in British Columbia. The ships entering the Columbia or Golden Gate from Victoria are examined, I believe, with a minuteness and suspicion not exercised on other traders. The collector of customs of California informed me that the commercial transactions of the British and American territories on the Pacific will never be conducted on an entirely satisfactory condition so

British Columbia and Vancouver Island.

long as we look to the evasion of the United States laws as one of our regular sources of profit. Reciprocity, such as that existing between the eastern Colonies and the States, would be most valuable to us; but we cannot hope to obtain it under a system which contemplates the flooding, if possible, of the neighbouring territories with smuggled goods. Finally, British Columbia cannot receive unto herself a community which declines to share equally in her taxation. Victoria might retain nearly all her advantages as a distributing port, by the establishment of bonded warehouses, and the allowing of a drawback on all merchandise, over a certain value, passing out of the Colony.

34. In the event of union taking place, a question which will locally excite some interest is as to the seat of Government. Victoria is the largest town of the two Colonies, and is, in many respects, the most agreeable place of residence. I think, however, that in seeking union with British Columbia, Vancouver Island relinquishes all claim to the possession within her limits of the seat of Government. New Westminster has been chosen as the capital of British Columbia, and it would not be fair to the reluctant Colony to deprive her of the Governor and staff of officers. Both these towns are inconveniently situated on an angle of the vast British territory; but New Westminster, on the mainland, has the advantage over the island town. It is already the centre of the telegraphic system, and is in constant communication with the upper country, whereas the steamers to Victoria only run twice a week. The seat of Government should be on the mainland; whether it might not, with advantage, be brought hereafter nearer to the gold mines, is a question for the future.

35. Unmixed advantages would accrue from the amalgamation of the Supreme Courts of the two Colonies. There would be abundance of work for the judges now presiding in each Colony.

36. It is premature for me to address you respecting the disposal of the public officers who might be thrown out of employment on the union of the two Colonies.

37. I have now endeavoured to lay before you a scheme for the consolidation of British power and interest on the Pacific, and for the suppression of the lamentable antagonism existing between some of our fellow-subjects on that ocean. I am well aware that there are conflicting interests which I cannot hope to reconcile. The way of pleasing all parties has not been discovered. The old system of union under a common Governor resident in Victoria broke down. The new one of entire separation seems intolerable to the politicians of Vancouver Island. Whether the arrangements I now suggest would be acceptable to the Colonists I am much inclined to doubt. Victoria would probably expect better terms, and British Columbia only wishes to be left alone.

38. In a consideration of any suggestion I now venture to lay before you, I beg for the indulgence which a letter written abroad, without access to official papers, may fairly claim.

I have, &c.
(Signed) FREDERICK SEYMOUR.

No. 15.

No. 15.

Copy of a DESPATCH from the Officer administering the Government to the Right Hon. Edward Cardwell, M.P.

(No. 16). New Westminster, March 3, 1866.

Sir, (Received May 14, 1866.)

I have the honour to forward a petition addressed to Her Majesty by certain merchants, miners, and others resident in British Columbia.

2. The petition to which the signatures are attached was drawn up in Victoria in February 1865. Printed copies were very freely distributed, placarded on every wall, and left for signature at every public house. After a lapse of more than twelve months the petition has been presented to me for transmission, bearing the signatures of 445 persons out of a white population estimated at 6,000, although every opportunity has been afforded, and I may say, some pressure has been brought to bear on the inhabitants as well as the migratory population, to swell the number of petitioners.

The result of this attempt to foster discontent has thus proved a complete failure.

3. The arguments used to arrive at a calculation of the taxation of the Colony in 1865 are so fallacious as hardly to require explanation at length, more especially as the gentlemen who formed the deputation, on presenting the petition, stated to me that they were satisfied the calculations were incorrect, and that their only object in now presenting the petition rested in their desire for the union of the two Colonies.

4. I regret I am unable to furnish accurate statistics to refute the statement that the Chinese and Indian population "contribute in a very small proportion to the general "revenue," but I fully agree with the remarks made by the Chief Magistrate of this district in a letter, copy of which I enclose, that a very large share of the taxation is borne by these two races.

British Columbia and Vancouver Island.

5. As regards the one object of the petition—the desire for union of this Colony and Vancouver Island,—I am convinced from the information I received during my recent tour in the interior, that the people of the upper country care little whether there be union of the Colonies, or continued separation, and a petition of opposite effect to the one now forwarded would be signed by at least an equal number of the resident population.

3d. March 1866.

I have, &c.

The Right Hon. Edward Cardwell, M.P., &c. &c. &c.

(Signed) ARTHUR N. BIRCH.

Enclosure 1 in No. 15.

Encl. 1 in No. 15.

To Her Most Gracious Majesty, Victoria, Queen of the United Kingdom of Great Britain and Ireland and the Colonies thereunto belonging, Defender of the Faith, &c., &c.

The humble Petition of the undersigned Merchants, Miners, Traders, Farmers, Packers, and others resident in British Columbia.

Humbly sheweth:

That your petitioners having expended a very large amount of capital and labour in exploring and developing the resources of the Colony, are deeply interested in its welfare and success.

That in the absence of any reasonable expectations of a commensurate increase in the population or in the wealth of the country, to justify new burdens, they view with alarm the great increase in the amount of taxation proposed to be raised this year.

That your petitioners estimate the resident population of British Columbia during the winter months, exclusive of the Chinese and Indian, who contribute in a very small prop rtion to the general revenue, at about 4,000 persons, and the summer population, leaving the Kootenay district out of calculation, regarding which they have no accurate information, at about 7,000 persons, and by averaging these figures, they arrive at 5,500 as the mean population of the country.

In making any calculation of revenue or population, they are led to look upon the prospects of Kootenay as too problematical to be taken into consideration in allotting the average share of the general revenue which will be required from each individual resident in the older districts. There may be, for a week or two, 3,000 or 4,000 persons at these mines, and there may not be as many hundreds a few weeks later. Again, the licence fees and duties collected at the boundary line may give a handsome surplus, or they may not exceed the expenses incurred in collection.

That the revenue of British Columbia from ordinary sources is estimated at 153,615*l.*, or 27*l.* 18*s.* 6*d.* per head, as against 110,877*l.* in 1863, when the mean population could not have been less than 6,500 persons, the number of licence fees issued to free miners in that year being 4,066, consequently the proportion of taxation falling upon each individual did not exceed 17*l.* 12*s.*

The total receipts for the present year, in aid of revenue, including balance of loan for making roads, bridges, and streets, are estimated at 230,255*l.*, and the expenditure for 1865 is estimated at 240,525*l.*, or 43*l.* 14*s.* 7½*d.*, while that of 1863 was only 147,598*l.*, and allowing for the more numerous population, was only at the rate of 22*l.* 14*s.* 1¾*d.*, or slightly more than one-half.

That this great increase in the burdens of a young country already heavily taxed, and with a reduced population, must necessarily fall injuriously on the miner, who has to labour in the most inhospitable region of the Colony. Further, the climate of Cariboo is such that general mining operations are confined to about four months in the year; and it is only from the profits of this short season that the miner can accumulate the means of living during the winter, and providing funds to meet the demands which the Government makes upon him in the forms of a tariff, road tolls, licence, recording, and other fees, and a heavy tax upon his gold.

That while your petitioners are fully aware of their obligation to contribute towards the support of the Government which affords them protection, and which they have hitherto done without complaint, they cannot help expressing their conviction that so large an increase of expenditure as is contemplated this year under the head of civil list, &c., is out of all proportion to the number of the producing population. The total amount of salaries, &c., voted in 1865 being 42,317*l.*, against 28,590*l.* in 1863, and with the further sum of 4,825*l.* for travelling expenses, the total for this year is over 47,000*l.*

That your petitioners believe that there are gold fields of vast wealth within the boundaries of British Columbia undiscovered, and which will employ a large population in their development, but these will require energy, industry, and enterprize to bring to light, and your petitioners believe that when added to the natural difficulties, there are fresh, unnecessary, and vexatious taxes imposed upon the miners who are the mainstay of the country, this industrious class will become discouraged and turn their steps to the neighbouring gold fields of Washington territory, Oregon, and California.

That your petitioners are fully convinced of the necessity of legislative union between British Columbia and Vancouver Island, on fair and equitable terms. That the accomplishment of this event as soon as practicable is an indispensable requisite for the progress and prosperity of both.

The following are some of the reasons which have lead your petitioners to take this view of the relative position of the two Colonies:—

The mean population of the Colony of Vancouver Island cannot be computed at less than 7,500

BRITISH COLUMBIA AND VANCOUVER ISLAND.

persons, and this number added to that of British Columbia gives 13,000 as the united population of the two Colonies. If the ordinary revenue of each were added together, and the taxation allotted fairly amongst the inhabitants of both Colonies, it would so far equalize the weight of the present burdens, as to reduce the share of the miners of British Columbia by at least 10*l.* a year.

There would be nothing unjust in such a redistribution of the burdens of the State, as the people of Vancouver Island partake of the prosperity of the miners of Cariboo quite as much as the inhabitants of British Columbia.

The union of the two Colonies would also reduce the civil lists, which are now bearing heavily on both countries. The staff of officials will be lessened, and only one central Government would be required.

The people of Vancouver Island have expressed their willingness to unite with the sister Colony, and when your petitioners consider the proximity of the two countries, and their mutual dependencies upon each other, they cannot but believe that protracted separation will militate against the best interests of both, and weaken British influence in this portion of the Empire.

Your petitioners therefore humbly pray that your most Gracious Majesty may be pleased to take such steps as are necessary for an immediate reduction of the expenditure for this Colony, and for an early union of British Columbia and Vancouver Island under one government.

And your petitioners as in duty bound will ever pray, &c.

Signed by 445 persons.

Encl. 2 in No. 15.

Enclosure 2 in No. 15.

The MAGISTRATE, NEW WESTMINSTER, to HIS HONOUR A. N. BIRCH.

MY DEAR MR. BIRCH, New Westminster, March 3, 1866.

I HAVE made many inquiries, but I find it almost impossible to ascertain with any approach to accuracy the proportion of exciseable articles used and consumed by the Indians in the Colony. There are I believe about 10,000 Indians on Fraser River, and all of them in greater or lesser quantities use and consume exciseable articles.

Many of the young men spend as much as £300 a year. The Indians now use almost everything used by white men but the chief commodities which they purchase are blankets, flour, tea, coffee, sugar, molasses, biscuits, dried apples, gunpowder, shot, muskets, axes, simple agricultural implements, vermillion, toys, cheap ornaments, and male and female wearing apparel.

In the best shops in this town I am informed that the Indian women buy more dresses and finery than the white people of the place.

A great number of the Indians from the United States territory come here to procure their supplies.

I am very sorry that I cannot afford you more precise information on this subject; but of this you may feel assured, that a very large proportion of the taxation is paid by the Indian and Chinese population of the Colony.

I have, &c.
(Signed) C. BREW.

LONDON:
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Printers to the Queen's most Excellent Majesty.
For Her Majesty's Stationery Office.

A FURTHER DESPATCH

RELATIVE TO

THE PROPOSED UNION

OF

BRITISH COLUMBIA AND VANCOUVER ISLAND.

(*In continuation of Papers presented* 31*st May* 1866.)

Presented to both Houses of Parliament by Command of Her Majesty.
25*th June* 1866.

LONDON:
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A FURTHER DESPATCH

RELATIVE TO

THE PROPOSED UNION

OF

BRITISH COLUMBIA AND VANCOUVER ISLAND.

(*In continuation of Papers presented* 31*st May* 1866.)

COPY of a DESPATCH from the OFFICER ADMINISTERING THE GOVERNMENT to the Right Hon. EDWARD CARDWELL, M.P.

(No. 41.)

SIR, New Westminster, British Columbia, April 28, 1866.

(Received June 14, 1866.)

I HAVE the honour to forward a memorial presented to me this day for transmission. The Municipal Council request me to forward their memorial by the mail steamer leaving within a few hours. I am consequently unable to comment on the several subjects brought forward. Mr. Seymour's presence in England will render this of little importance.

Memorial from Municipal Council of New Westminster, 26th April 1866, in original.

2. Rumours are continually reaching this Colony of secret sessions of the Assembly of Vancouver Island on the subject of union of these Colonies, and of resolutions and representations being constantly forwarded to Her Majesty's Government adverse to the interests of British Columbia. The Municipal Council of this city consider the silence of British Columbia may be taken as apathy, hence the origin of the memorial.

3. I cannot agree with the memorialists that the union of Vancouver Island with British Columbia will be "contrary to the well-understood wishes of the people."

I have already stated my conviction that the majority of the inhabitants in the upper country care little whether there is union of the Colonies or continued separation.

All classes are, however, united in the opinion that the present uncertainty as regards the future of these Colonies is seriously interfering with the progress of both.

Despatch to Secretary of State, No. 16, of 3rd March 1866. Vide Papers presented 31st May 1866, Page 42.

I have, &c.

(Signed) ARTHUR N. BIRCH.

The Right Hon. Edward Cardwell, M.P.,
&c. &c. &c.

Enclosure in No. 41.

COPY of a Resolution in relation to a Memorial to the Secretary of State for the Colonies respecting union with the Colony of Vancouver Island, adopted by the Municipal Council of the city of New Westminster, April 26th, 1866.

Resolved,—

That the report of the committee be adopted, and that a copy be prepared by the clerk, to be signed by the president and clerk of this Council, and to have the corporate seal attached thereto, and that the president appoint a special committee to wait upon his Honour the Administrator of the Government with the request that the contents of the memorial be sent home by telegraph; at the same time asking his Excellency to explain to the Secretary of State for the Colonies that, had time permitted, the memorial would have been signed by the colonists generally.

THOMAS MCMICKING,
Clerk.

BRITISH COLUMBIA AND VANCOUVER ISLAND.

To the Right Hon. Edward Cardwell, Her Majesty's Secretary of State for the Colonies, &c., &c., &c.

(L.S.)

THE Memorial of the Municipal Council of the city of New Westminster in council assembled,

Humbly sheweth—

That the people of British Columbia are and have always been strongly opposed to union with Vancouver Island.

That such opposition has been expressed by petition, through a delegate, and by resolutions unanimously passed during two different sessions of the Legislative Council.

That the people of this Colony have heard with regret that Her Majesty's Government has decided upon uniting the Colonies of British Columbia and Vancouver Island contrary to the well-understood wishes of the people of the former Colony.

That, should Her Majesty's Government persist in carrying out this determination, your memorialists would respectfully but earnestly submit the following:—

1st. That the capital of the united Colonies should be permanently fixed by an Act of the Imperial Parliament at New Westminster. The site of this city was, your memorialists believe, wisely selected by a commissioner sent out by Her Majesty's Government, and specially charged with that duty; received its name direct from Her Majesty, and was officially proclaimed as the permanent capital by a statute law of the Colony (*vide* the Proclamation of 14th February 1859). This fact induced large investments, which would not otherwise have been made. The capital could not now be disturbed without breaking faith with the people, and inflicting gross injustice upon large-vested rights; and it could not be transferred to Victoria—the extreme south-western limit of Vancouver Island—without entailing serious inconvenience upon the people of British Columbia, and reviving those feelings of dissatisfaction and discontent so painfully felt prior to the establishment of a distinct government in this Colony; while to leave the location of the capital an open question, to be dealt with by the united Legislature, would inevitably give rise to agitations and disputes calculated seriously to disturb the harmony, and jeopardize the peace, of both sections of the country, and which could only be ultimately settled by a direct reference home.

2nd. That in the event of union being forced upon British Columbia, the people feel that they have a right to expect that their interests and just claims will receive due consideration at the hands of Her Majesty's Government, and that the question of the capital will not be left open as a bone of contention, but that it will be finally and for ever set at rest by the establishment of New Westminster as the capital of the united Colonies.

3rd. That, in fixing the basis of representation, due regard should be had to the larger territory, resources, and revenue of British Columbia, and that in any representation which may be conferred, this Colony would be fairly entitled to enjoy at least two-thirds thereof.

4th. That a uniform fiscal system for the united Colonies is absolutely essential to the successful and harmonious administration of the government. To maintain free trade on Vancouver Island, and a customs tariff in British Columbia, would give rise to fiscal complications and local jealousies which would entail interminable difficulties here, and perpetual perplexity to Her Majesty's Government at home. Your memorialists, therefore, believe that a uniform customs tariff would form the safest and most satisfactory basis of revenue for the united Colonies.

All of which is respectfully submitted.

Signed by direction and on behalf of the Council.

W. J. ARMSTRONG,
President.

City of New Westminster, British Columbia,
April 26th, 1866.

THOMAS MCMICKING,
Clerk.

LONDON:
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For Her Majesty's Stationery Office.

QUEBEC FORTIFICATIONS.

RETURN to an Address of the Honourable The House of Commons, dated 19 April 1866 ;—*for*,

"RETURN showing the DIFFERENCE in COST of WORK performed respectively by MILITARY WORKING PARTIES and by CONTRACT, upon the Works of FORTIFICATION now in Progress at *Quebec*."

War Office, 14 May 1866.

HARTINGTON.

RETURN showing the DIFFERENCE in COST of WORK performed respectively by MILITARY WORKING PARTIES and by CONTRACT, upon the Works of FORTIFICATION now in Progress at *Quebec*.

DESCRIPTION OF WORK.	COST.		REMARKS.
	By Contract.	By Military Working Parties.	
Excavating ground for ditches, &c., removing the stuff, and forming earthworks.	1	·7	The cost by military parties is shown in decimals, that by contract being equal to 1.
Excavating, removing, and forming for roads.	1	·7	The relative cost of work by military labour, is given from the best information at present available; but strictly accurate returns of the saving thereby effected in the works of fortification at Quebec, cannot of course be given until those works are more nearly advanced towards completion.
Forming surface of roads, and covering with broken stone metalling.	1	·7	
Rubble masonry of stone found on the works.	1	·74	
Ditto, of stone purchased from quarries at a distance.	1	·86	
Ashlar masonry of stone found on the site.	1	·72	The cost of works executed by military parties varies, being dependent upon the extent and nature of the work, and the continuous employment of a sufficient number of men, with a due proportion of men of the different trades required.
Ditto of stone purchased - - -	1	·84	
Brickwork, the bricks being made on the works.	1	·78	
Ditto, the bricks purchased - -	1	·9	
Carpenters' work in floors, roofs, &c. -	1	·84	
Joiners' work in doors, sashes, &c. -	1	·76	
General cost of work by military labour, as compared with work by contract.	1	·8	

UNITED STATES.

Correspondence respecting the Termination of the Reciprocity Treaty of June 5, 1854, between the United States and Great Britain.

Presented to both Houses of Parliament by Command of Her Majesty. 1866.

LONDON:
PRINTED BY HARRISON AND SONS

520

CORRESPONDENCE

RESPECTING THE

TERMINATION OF THE RECIPROCITY TREATY

OF

JUNE 5, 1854,

BETWEEN THE

UNITED STATES AND GREAT BRITAIN.

Presented to both Houses of Parliament by Command of Her Majesty.
1866.

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Correspondence respecting the Termination of the Reciprocity Treaty of June 5, 1854, between the United States and Great Britain.

No. 1.

Mr. Adams to Earl Russell.—(*Received March* 17.)

My Lord, *Legation of the United States, London, March* 17, 1865.

UNDER instructions from the Government of the United States, I have the honour to transmit to your Lordship a certified copy of a joint Resolution of the Congress of the United States, approved by the President on the 18th of January, 1865, in regard to the termination of the Treaty concluded between the United States and Her Britannic Majesty on the 5th of June, 1854, commonly known as the Reciprocity Treaty.

I have the honour further to inform you that I am directed to notify Her Majesty's Government that, as it is consistent no longer for the interests of the United States to continue this Treaty in force, it will terminate and be of no further effect, as provided by the terms of the instrument, at the expiration of twelve months from the date of the reception by your Lordship of this notice.

I pray, &c.

(Signed) CHARLES FRANCIS ADAMS.

Inclosure in No. 1.

(Public Resolution No. 5.)

Joint Resolution providing for the Termination of the Reciprocity Treaty of June 5, 1854, *between the United States and Great Britain.*

WHEREAS it is provided in the Reciprocity Treaty concluded at Washington the 5th of June, 1854, between the United States, of the one part, and the United Kingdom of Great Britain and Ireland, of the other part, that this Treaty "shall remain in force for ten years from the date at which it may come into operation, and, further, until the expiration of twelve months after either of the High Contracting Parties shall give notice to the other of its wish to terminate the same;" and whereas it appears by a Proclamation of the President of the United States, bearing date 16th March, 1855, that the Treaty came into operation on that day; and whereas, further, it is no longer for the interests of the United States to continue the same in force; therefore—

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, that notice be given of the termination of the Reciprocity Treaty, according to the provision therein contained for the termination of the same; and the President of the United States is hereby charged with the communication of such notice to the Government of the United Kingdom of Great Britain and Ireland.

Approved, January 18, 1865.

No. 2.

Earl Russell to Mr. Adams.

Sir, *Foreign Office, March* 17, 1865.

I HAVE the honour to acknowledge the receipt of your letter of this day, containing a Resolution of the Congress of the United States, approved by the President, in regard to the termination of the Treaty of 1854, commonly known as the Reciprocity Treaty.

Her Majesty will instruct Sir Frederick Bruce on his proceeding to Washington as Her Majesty's Envoy Extraordinary, upon this subject.

I am, &c.

(Signed) RUSSELL.

No. 3.

Earl Russell to Sir F. Bruce.

(Extract.) *Foreign Office, March* 24, 1865.

THERE can be no doubt that the operation of the Reciprocity Treaty has been mutually beneficial to both the Contracting Parties.

Consulting first the statistical returns, we find that the Secretary of the Treasury of the United States reports that the total imports into the British Provinces from the United States were, in 1827, 445,118 dollars, and the exports from those provinces to the United States 2,830,674 dollars; total trade, 3,275,792 dollars.

It is stated by the Select Committee of the Chamber of Commerce of New York that the whole value of exports and imports between the United States and the British North American Provinces was in 1849, 6,000,000 dollars, and had grown slowly up to that amount. We find stated on the same authority—

1854.

	Dollars.
Imports into Canada	15,583,098
Exports from Canada to the United States	8,649,002

1855.

	Dollars.
Imports	20,828,676
Exports	16,737,277

1863.

	Dollars.
Imports	23,109,362
Exports	22,534,075

There cannot well be a greater proof of the benefits of this commerce to both parties.

It is true that the Committee states that the balance of trade in regard to goods duty free was in ten years upwards of 42,000,000 dollars against the United States, and in regard to manufactured goods, upwards of 88,000,000 dollars in favour of the United States.

But there is no necessity of discussing views founded on the theory of the balance of trade. If the United States took in ten years goods duty free to the value of 42,000,000 more than they sent to Canada, it was that the inhabitants of the United States wanted these goods for their own use and enjoyment. So, likewise, if Canada took in ten years 88,000,000 dollars worth of duty-paying manufactures, &c., more than they exported to the United States, it was because the inhabitants of Canada wanted these goods for their own use and enjoyment, and were willing to pay the price demanded for them. Both countries have profited by this intercourse.

But other very great advantages have been derived from the Reciprocity Treaty. Before the conclusion of that Treaty frequent disputes arose respecting the sea fisheries, and men-of-war, British and American, were employed to adjust those disputes. Those disputes will probably arise anew if the Treaty is abrogated.

The free navigation of the St. Lawrence by the Americans, and the use of the American railroads by the Canadians during winter, are also consequences of the Reciprocity Treaty.

Upon the whole, the States immediately interested and bordering on the British provinces have come to the conclusion that, as a Treaty of Friendship and of Commerce, the Reciprocity Treaty has been eminently beneficial to both countries.

Thus, the New York Committee of the Chamber of Commerce say: "On the whole, then, the Committee has come to the conclusion that the large majority of the people of British North America, as well as of the States most interested in the subject, are in favour of a renewal and modification of the Reciprocity Treaty, in order to retain its benefits."

The Boston Report of a Special Committee of the Boston Board of Trade contains the following passages:—

"In the place of barred and bolted ports, the people of the United States and of the Colonies now, and under the Reciprocity Treaty, deal with one another at will, exchange without Customs even the 'wealth of seas' and the principal raw staples of the soil; mingle as if of the same nation on all fishing grounds, and as if of the same nation, too, use the St. Lawrence and the canals which connect it with the most distant of the great lakes and with the ocean. True, in this happy condition of things there are some grave evils to lament and to correct; yet we are still to rejoice that the inhuman restrictions which existed for nearly half a century have been removed. And now! are the misunderstandings of the moment to be cherished, and to terminate at last in utter alienation and hatred? Is retaliatory legislation to be revived on both sides?"

* * * * *

"Finally, we are amazed at the efforts to abrogate the Reciprocity Treaty of June 5, 1854, without an overture for negotiation. We had supposed that in commercial freedom, and of consequence in the promotion of human brotherhod, there is no recession. Is the case before us to stand in history as an exception?"

Next we find in the Report of a debate at Detroit the following statements:—

"MICHIGAN.

"Detroit Board of Trade, December 7, says:—The only action necessary on the part of our Government is to allow the present Treaty to stand until Commissioners appointed by it and the British Colonies of North America agree on whatever alterations may be deemed advisable, and mutually just and beneficial."

"ILLINOIS.

"Chicago Board of Trade, February 10, 1862, states that the 'Treaty has been of great value to the producing interest of the whole north-west.' Says that 'we should not check the energy nor circumscribe the industry of our country; but take a broad national view of the question, and firmly advocate the principle of the greatest good to the greatest number. Cannot recommend any measure that will in the least cripple the energies of our people, but cheerfully advocate the revision of the Treaty if any of its parts are unjust or oppressive.' 'What we desire is to make our trade still more reciprocal, still more free with our Canadian neighbours.'"

"WISCONSIN.

"Chamber of Commerce at Milwaukie, January 13, 1864, desires 'such action as shall result in securing a new Treaty, fonnded upon the true principles of reciprocity between the two Governments and the people of both countries, and which shall obviate the objections and inequalities existing in the present Treaty, and be upon a more liberal and enlarged basis.'"

"MINNESOTA.

"Memorial of the Chamber of Commerce at St. Paul, referred to the Committee on Commerce, February 5, 1862, invokes the 'sober second thought' of the country on the subject of our continental policy; reiterates the uniform utterance of the authorities and citizens of Minnesota 'in anticipating an adjustment of the relations of the United States and all the British provinces on this Continent on a basis of mutual interest and goodwill;" does 'not deny the expediency of a revision of existing stipulations, but always in the interest of further freedom, not additional restriction of commercial intercourse.' . . . From these several expressions of sentiment touching our commercial relations with our neighbours, we look for an amended Treaty that shall correct any imperfections that time has shown to exist

in the present Treaty, and, at the same time, secure and extend the real benefits that have already accrued to both countries under the existing Treaty."

Her Majesty's Government are quite willing to reconsider the Reciprocity Treaty in conjunction with the Government of the United States, to negotiate for a renewal of it, and so to modify its terms as to render it, if possible, even more beneficial to both countries than it has hitherto been.

But before any modifications of that Treaty can be considered, Her Majesty's Government must be informed whether the notice given by Mr. Adams, in terms so peremptory, is intended to put an end to the Treaty, or whether it leaves open the door to negotiation.

In the former case Her Majesty's Government can only regret that relations which, by conciliatory communications, might be rendered more intimate, more friendly, and more beneficial, should be broken and interrupted by the Government of the United States.

In the latter case you will ask Mr. Seward to inform you in detail of the points upon which modification of the Treaty is desired. You will, in this case, communicate with the Governor-General of Canada, as well as report to Her Majesty's Government, before you express any opinion to Mr. Seward upon the suggestions he may make.

No. 4.

Mr Burnley to Earl Russell.—(Received March 25.)

(Extract.) *Washington, March 9, 1865.*

MR. SEWARD requested me to say to your Lordship that, with a view of still further inaugurating a more friendly policy with Her Majesty's Government, they were perfectly willing, as the season advanced, to enter into negotiations for a remodelling of the Reciprocity Treaty on terms which might prove, he hoped, advantageous and beneficial to both parties.

I communicated by to-day's mail with the Governor-General of Canada on the subject.

No. 5.

Sir F. Bruce to Earl Russell.—(Received June 23.)

(Extract.) *Washington, June 7, 1865.*

THE illness of Mr. Seward and the pressure of business thrown upon this Government by the assassination of the President and the sudden collapse of the Confederate Government, have made it impossible to execute hitherto your Lordship's instructions to obtain a statement of the points in the Treaty which the United States wish to submit to fresh negotiation.

No. 6.

Earl Russell to Sir F. Bruce.

Sir, *Foreign Office, July 8, 1865.*

I HAVE to acquaint you that the Secretary of State for the Colonies has suggested, and I have expressed my concurrence in the suggestion, that the Governors of the Lower Provinces of British North America should be placed in communication with you, in order that they may furnish you with such information as you may require when the negotiation for a renewal of the Reciprocity Treaty takes place.

I am, &c.

(Signed) RUSSELL.

No. 7.

Sir F. Bruce to Earl Russell.—(*Received October* 10.)

My Lord, *Washington, September* 23, 1865.

I HAVE the honour to inclose a copy of a valuable Report from Mr. Consul Wilkins on the proceedings of the Trade Convention at Detroit, and on the causes which have influenced this country in the course they have pursued with reference to the Reciprocity Treaty.

Your Lordship will see that they are mainly of a political character.

I have, &c.

(Signed) FREDERICK W. A. BRUCE.

Inclosure in No. 7.

Consul Wilkins to Sir F. Bruce.

(Extract.) *St. Louis, September* 7, 1865.

I HAVE endeavoured to ascertain the proper value to be attached to the Convention which met at Detroit in July last, and in which the deliberations regarding the Reciprocity Treaty with Canada assumed great prominence.

It has been my full intention to have reported, for your Excellency's information, the results of my observation, but I have been unable to do so because I have been disappointed in meeting those persons on whose information I thought I could rely in order to form a safe opinion.

Moreover, I had been promised copies of the proceedings of the Convention in a pamphlet form, which have not yet been issued. I therefore do not delay any longer in expressing to your Excellency my opinion that that Convention has assumed, both in the British and American press, an importance not due to it.

Your Excellency must clearly understand this last remark applies especially to those States west of Detroit, which, during the negotiations for, and ratification of the present Treaty, had little commercial influence, and whose representation in the Federal Congress was but small to what it is at present.

The present condition, therefore, of the valley of the Mississippi States is its normal condition as regards the present Treaty.

These States are composed of the cities which are the shipping points, and the agricultural districts tributary to them.

As regards either, I most confidently affirm that no opinion whatever has been formed on the merits of the question by the public.

A short time since I had a conversation with a member of Congress, and a remark which he made to me seems very pertinent, which was to this effect: "that people do not know what is good for their own interests until they have felt the want, and that it might be that the powerful interests in New York State might prevent a re-negotiation or a continuance of the Treaty, and that its abrogation would probably make the West think for themselves."

The best evidence I can give of the truth of this remark is that a member of the Chicago delegation complained to me of two things:—

1st. That he, for one, and he believed many of his colleagues, went to that Convention entirely unprepared to discuss the bearings of so important a question to the West as that presented by the abrogation of the Reciprocity Treaty; and,

2ndly. That if they had been prepared, no basis had been agreed upon on which the Representatives of the different sections of the country affected by the Treaty should vote. Therefore, it could scarcely be expected that national feeling should be correctly reflected by any resolutions which were then acceded to.

The Convention was originally called by the Board of Trade at Detroit, moved thereto partly, I am informed, by persons who had invested capital in Canada across the Detroit river, and who knew that the abrogation of the Treaty would affect their individual interests by probably causing the Canadian Legislature to impose a tax on the imported raw material used in the manufactories.

The mercantile and shipping interests at Buffalo and a portion of New York State believe that the existence of the Treaty is adverse to them.

Indeed, so strongly is this feeling marked, that for years past the cry of aboli-

tion of Treaty arrangements with Canada has been used by politicians for their own advancement.

It will therefore be perceived that whilst in the Detroit Convention the Chicago and Western Delegates went either indifferent or unprepared, those from New York State, made up of politicians and merchants, had been well educated in the school of opposition.

On behalf of the latter, it was argued that no Treaty should be made with unfriendly people, and hints were thrown out that annexation of Canada to the United States must follow the abrogation of the Treaty.

I found also that the merchants of New York State urged on the Chicago Delegates that even if the Treaty were a benefit to the West, the injury it inflicted on their best customers was of greater moment than the value it was to them.

But it must be understood that whilst I do not consider the proceedings of this Convention, as representing national views, are important, yet their value can scarcely be estimated as having had the effect of directing the public attention to the great importance of the question in the Western States.

I visited the Board of Trade several times and saw the merchants in the city. It was one general topic of discussion at that time, and although I was by no means surprised to find a bitterness against Canada very general, I certainly was surprised to hear the abrogation of the Treaty defended on the ground that it was disadvantageous to the West.

No. 8.

Sir F. Bruce to Earl Russell.—(*Received November* 20.)

My Lord. *Washington, November* 6, 1865.

ON seeing the inclosed notification in the newspapers, I thought it advisable to ask Mr. Seward whether it was merely an administrative measure called for by the approaching expiration of the Reciprocity Treaty, or was intended to be a declaration of the Government against the renewal of the Treaty.

Mr. Seward stated that he was glad I had asked him the question in order that the import of the notification might not be misapprehended. He said that the question of the Treaty remained exactly as it was, and that the notification was not based on any action of the Cabinet, but was issued by the Secretary of the Treasury as an administrative act which could not be legally deferred.

I have, &c.

(Signed) FREDERICK W. A. BRUCE.

Inclosure in No. 8.

Circular to Collectors of Customs and others.

Treasury Department, October 20, 1865.

I HAVE received information from the Secretary of State that official notice was delivered by our Minister at London, on the 17th of March, 1865, at 2 o'clock P.M., to the British Government, of the termination of the Reciprocity Treaty between the United States of America and Her Britannic Majesty, concluded the 5th of June, 1854, in conformity with the provisions of the said Treaty, and of the joint Resolution of Congress, approved January 18, 1865.

You are hereby instructed that the operation of the Treaty will cease on the expiration of twelve months from the time at which the notice was given.

(Signed) HUGH McCULLOCH,

Secretary of the Treasury.

No. 9.

Sir F. Bruce to the Earl of Clarendon.—(*Received December* 16.)

(Extract.) *Washington, December* 4, 1865.

MR. GALT arrived here from Canada, and passed three days at Washington, for the purpose of ascertaining the course it was best to pursue with reference to the Reciprocity Treaty.

It has been suggested, as this question would be brought before the Committee of Finance in connection with revenue arrangements, that the attempt should be made to obtain resolutions recommending the extension of the period allowed for the determination of the Treaty beyond the month of March, on the ground that the financial arrangements required by the new state of things would not be completed. These resolutions could be passed by a bare majority instead of a two-third vote; and as the subject would not be presented to Congress in a political shape by the Government, this course is thought more likely to be successful.

After mature consultation Mr. Galt and myself agreed that it would be advisable to try the course above suggested, and he will attend at Washington, if requested to do so by the Committee, in order to give explanations tending to prove the expediency of delay before determining the present arrangements.

We further agreed that it would be inexpedient to make any official overture on the Reciprocity Treaty until the experiment of obtaining an extension has been tried, or until there is reason to believe that the United States' Government would profess, in reply, a readiness to negotiate.

The Secretary of the Treasury appears to be hostile to the exemptions from duty secured by the Treaty. He argues that by mutual legislation the requirements of the trade beween the United States and the provinces could be met.

Mr. Galt observes, that if time were afforded to carry the Confederation, perhaps it might be effected; but that it was impossible, as long as the provinces had distinct Legislatures, to expect similarity of legislation.

No. 10.

The Earl of Clarendon to Sir F. Bruce.

(Extract.) *Foreign Office, January* 13, 1866.

I HAVE been in communication with the Secretary of State for the Colonial Department on the subject of your despatch of the 4th ultimo, regarding the course which it may be desirable for Her Majesty's Government to pursue in view of the termination of the Reciprocity Treaty of 1854 between this country and the United States.

Mr. Cardwell has expressed an opinion, in which I concur, that it is not advisable that you should be instructed to propose to the Government of the United States the Articles of a fresh Treaty at the present moment; but that it would be desirable that you should take any measures in your power to obtain the continuance for a time of the present Treaty; or, failing in that object, that you should receive, for the consideration of Her Majesty's Government, any proposals which the Government of the United States might wish to make.

I have accordingly to instruct you to take such steps as may appear most expedient to you for procuring a prolongation of the Treaty; and you will communicate with the Government of Canada on this subject, who will doubtless inform you of the nature of any suggestions which the Council appointed by the British North American provinces may submit to Her Majesty's Government in regard to it.

No. 11.

Sir F. Bruce to the Earl of Clarendon.—(*Received February* 26.)

My Lord, *Washington, February* 11, 1866.

YOUR Lordship is aware that in view of the opposition manifested in this country to the renewal of the Reciprocity Treaty, it was decided that an attempt

should be made, by conferences with the Revenue Commissioners and the members of the Finance Committee of the House of Representatives, to come to an understanding on the fiscal and commercial questions that would arise on its abrogation. By this course it was hoped that such a basis might be laid for reciprocal legislation as would prevent the commercial interests which have grown up under the Treaty from material injury, and as the Legislatures of the different provinces might be inclined to accept.

With this object Delegates from Canada, New Brunswick, and Nova Scotia proceeded to New York, and put themselves in communication with the Revenue Commission. The subject was discussed at considerable length, the Chairman, Mr. Welles, being in favour of the negotiation of a new Treaty, and of such equitable and mutual arrangements as would tend to discourage smuggling, and would place on an equality the producers of the same articles on the opposite sides of the frontier between the United States and the Provinces.

On arriving at Washington the Delegates met with a friendly reception from Mr. Mc Culloch, the Secretary of the Treasury, and by him were placed in communication with the Finance Committee, of which Mr. Morrill is Chairman. They were able to impart much valuable information on the magnitude of the commercial interests involved, and the impression produced by their statements led them to hope that the scale of duties to be imposed would be adopted with a view to revenue, and that the protection afforded to the American producer would not exceed what was required in order to place him on an equality with his provincial competitors. They considered that these objects would be attained by a scale of duties calculated at 10 per cent.

These hopes unfortunately were not realised, as your Lordship will gather from the inclosures to this despatch, and as the Delegates were of opinion that there was no immediate prospect of such an arrangement being made as they could expect to carry through their Legislatures, they preferred leaving the question to be dealt with by the Committee without coming under pledge as to the course that would be taken in the provinces.

I am inclined to think that, independently of the strong party in Congress which adopts the Protectionist theory, the desire to impose exorbitant duties may be attributed in part to a feeling that the extent of the operation of the Internal Revenue Law on the industry of the country is very imperfectly understood. The Report of the Revenue Commission shows that even the present high tariff does not place the American producer on a level with the foreign manufacturer. I judge from conversations I have had with some of the leading financiers that they feel the disadvantage under which their uncertainty on this point placed them, and I am not without hopes that further investigation will be called for by the Committee, and more equitable arrangements adopted, if it turns out that the duties proposed will be prohibitory.

The exclusion of the Southern Representatives, however, throws an exceptional power in such matters into the hands of the Protectionists of the north and centre of the country, and their ranks are swelled by the agriculturists of the North-Western States, who dread the competition of the wheat and barley growers of Canada.

I have, &c.
(Signed) FREDERICK W. A. BRUCE.

Inclosure 1 in No. 11.

The Provincial Delegation to Sir F. Bruce.

Sir, *Washington, February* 7, 1866.

WE have the honour to inform your Excellency that our negotiations for the renewal of a reciprocal trade with the United States have terminated unsuccessfully. You have been informed from time to time of our proceedings, but we propose briefly to recapitulate them.

On our arrival here, after consultation with your Excellency, we addressed ourselves, with your sanction, to the Secretary of the Treasury, and we were by him put in communication with the Committee of Ways and Means of the House of Representatives. After repeated interviews with them, and on ascertaining that no renewal or extension of the existing Treaty would be made by the American autho-

rities, but that whatever was done must be by legislation, we submitted, as the basis upon which we desired arrangements to be made, the inclosed paper, marked A.

In reply, we received the Memorandum from the Committee, of which a copy is inclosed (B). And finding, after discussion, that no important modifications in their views could be obtained, and that we were required to consider their proposition as a whole, we felt ourselves under the necessity of declining it, which was done by the Memorandum (also inclosed) C.

It is proper for us to explain the grounds of our final action.

It will be observed that the most important provisions of the expiring Treaty relating to the free interchange of the products of the two countries were entirely set aside, and that the duties proposed to be levied were almost prohibitory in their character. The principal object for our entering into negotiations was therefore unattainable, and we had only to consider whether the minor points were such as to make it desirable for us to enter into specific engagements.

These points are three in number. With regard to the first, the proposed mutual use of the waters of Lake Michigan and the St. Lawrence, we considered that the present arrangements were sufficient, and that the common interests of both countries would prevent their disturbance. We were not prepared to yield the right of interference in the imposition of tolls upon our canals. We believed, moreover, that the privilege allowed the United States of navigating the waters of the St. Lawrence was very much more than an equivalent for our use of Lake Michigan.

Upon the second point, providing for the free transit of goods under bond between the two countries, we believe that in this respect, as in the former case, the interests of both countries would secure the maintenance of existing regulations.

Connected with this point was the demand made for the abolition of the free ports existing in Canada, which we were not disposed to concede, especially in view of the extremely unsatisfactory position in which it was proposed to place the trade between the two countries.

On both the above points we do not desire to be understood as stating that the existing arrangements should not be extended and placed on a more permanent basis; but only that, taken apart from the more important interests involved, it did not appear to us at this time necessary to deal with them exceptionally.

With reference to the third and last point, the concession of the right of fishing in provincial waters, we considered the equivalent proposed for so very valuable a right to be utterly inadequate. The admission of a few unimportant articles free, with the establishment of a scale of high duties as proposed, would not, in our opinion, have justified us in yielding this point.

While we regret this unfavourable termination of the negotiations, we are not without hope that, at no distant day, they may be resumed with a better prospect of a satisfactory result.

We have, &c.

(Signed) W. GALT, *Minister of Finance, Canada.*
W. P. HOWLAND, *Postmaster-General, Canada.*
W. A. HENRY, *Attorney-General, Nova Scotia.*
A. J. SMITH, *Attorney-General, New Brunswick.*

Inclosure 2 in No. 11.

Memorandum A.

THE trade between the United States and the British provinces should, it is believed, under ordinary circumstances, be free in reference to their natural productions; but as internal taxes exceptionally exist in the United States, it is now proposed that the articles embraced in the Free List of the Reciprocity Treaty should continue to be exchanged, subject only to such duties as may be equivalent to that internal taxation. It is suggested that both parties may add certain articles to those now in the said list.

With reference to the fisheries and the navigation of the internal waters of the Continent, the British provinces are willing that the existing regulation should continue in effect; but Canada is willing to enter into engagements with the view of improving the means of access to the ocean, provided the assurance be given

that the trade of the Western States will not be diverted from its natural channel by legislation: and if the United States are not prepared at present to consider the general opening of their coasting trade, it would appear desirable that, as regards the internal waters of the Continent, no distinction should be made between the vessels of the two countries.

If the foregoing points be satisfactorily arranged, Canada is willing to adjust her excise duties upon spirits, beer, and tobacco, upon the best revenue standard which may be mutually adopted after full consideration of the subject; and if it be desired to treat any other articles in the same way, the disposition of the Canadian Government is to give every facility in their power to prevent illicit trade.

With regard to the transit trade, it is suggested that the same regulations should exist on both sides, and be defined by law. Canada is also prepared to make her patent laws similar to those of the United States.

Inclosure 3 in No. 11.

Memorandum B.

IN response to the Memorandum of the Honourable Mr. Galt and his associates, Honourable Mr. Smith, Honourable Mr. Henry, and the Honourable Mr. Howland, the Committee of Ways and Means, with the approval of the Secretary of the Treasury, are prepared to recommend to the House of Representatives, for their adoption, a law providing for the continuance of some of the measures embraced in the Reciprocity Treaty, soon to expire, viz.: For the use and privileges enjoyed now under the said Treaty in the waters of Lake Michigan, provided that the same rights and privileges are conceded to the citizens of the United States by Canada in the waters of St. Lawrence and its canals as are enjoyed by British subjects, without discrimination as to tolls, and charging rates proportional to canal distance; also for the free transit of goods, wares, and merchandize in bond, under proper regulations, by railroad across the territory of the United States to and from Portland and the Canada line; provided equal privileges shall be conceded to the United States from Windsor or Port Sarnia, or other Western points of departure to Buffalo or Ogdensburg, or any other points eastward, and that the free ports established in the provinces shall be abolished; also that the bounties now given to American fishermen shall be repealed, and duties not higher imposed upon fish than those mentioned in Schedule A, providing that all the right of fishing near the shores existing under the Treaty heretofore mentioned shall be granted and conceded by the United States to the provinces, and by the provinces to the United States.

It is also further proposed that the following list of articles shall be mutually free, viz.: Burr millstones, unwrought; cotton and linen rags, firewood, grindstones rough or finished; gypsum, or plaster, unground.

Schedule A. Fish—Mackerel, 1 dollar 50 cents per barrel; herring, pickled or salted, 1 dollar per barrel; salmon, 2 dollars 50 cents per barrel; shad, 2 dollars per barrel; all other fish, pickled, 1 dollar 50 cents per barrel; provided that any fish in packages other than barrels shall pay in proportion to the rates charged upon similar fish in barrels. All other fish $\frac{1}{2}$ cent per lb.

As to the duties which will be proposed upon the other articles included in the Treaty, the following are submitted, viz.: Animals living, of all sorts, 20 per cent. *ad valorem;* apples and garden fruit and vegetables, 10 per cent. *ad valorem;* barley, 15 cents per bushel; beans, except vanilla and castor oil, 30 cents per bushel; beef, 1 cent per lb.; buckwheat, 10 cents per bushel; butter, 4 cents per lb.; cheese, 4 cents per lb.; corn (Indian) and oats, 10 cents per bushel; cornmeal (Indian) and oatmeal, 15 cents per bushel; coal (bituminous), 50 cents per ton; all other coal, 25 cents per ton; flour, 25 per cent. *ad valorem;* hams, 2 cents per lb.; hay, 1 dollar per ton; hides, 10 per cent. *ad valorem;* lard, 3 cents per lb.; lumber (pine), round or log, 1 dollar 50 cents per 1,000 feet; pine, sawn or hewn, 2 dollars 50 cents per 1,000 feet; planed, tongued, and grooved or finished, 25 per cent. *ad valorem;* spruce and hemlock, sawed or hewn, 1 dollar per 1,000 feet; spruce planed, finished, or partly finished, 25 per cent. *ad valorem;* shingle bolts, 10 per cent. *ad valorem;* shingles, 20 per cent. *ad valorem;* all other lumber—of black walnut, chestnut, bass, white wood, ash, oak, round, hewn, or sawed, 20 per cent. *ad valorem;* if planed, tongued, and grooved, or finished, 25 per cent. *ad valorem*; ores, 10 per cent. *ad valorem;* peas, 25 cents per bushel; pork, 1 cent per lb.; seed (timothy and clover),

20 per cent. *ad valorem;* trees (plant and shrub), ornamental and fruit, 15 per cent. *ad valorem;* tallow, 2 cents per lb.; wheat, 20 cents per bushel.

Inclosure 4 in No. 11.

Memorandum C.

Washington, February 6, 1866.

IN reference to the Memorandum received from the Committee of Ways and Means, the Provincial Delegates regret to be obliged to state that the proposals therein contained in regard to the commercial relations between the two countries are not such as they can recommend for the adoption of the respective Legislatures. The imposts which it is proposed to lay upon the productions of the British provinces on their entry into the markets of the United States, are such as, in their opinion, will be in some cases prohibitory, and will certainly seriously interfere with the natural course of trade. These imposts are so much beyond what the delegates conceive to be an equivalent for the internal taxation of the United States, that they are reluctantly brought to the conclusion that the Committee no longer desire the trade between the two countries to be carried on upon the principles of reciprocity. With the concurrence of the British Minister at Washington, they are therefore obliged respectfully to decline to enter into the engagement suggested in the Memorandum; but the present views of the United States may soon be so modified as to permit of the interchange of the productions of the two countries upon a more liberal basis.

No. 12.

Mr. Elliot to Mr. Hammond.—(Received March 7.)

Sir, *Downing Street, March* 6, 1866.

I AM directed by Mr. Secretary Cardwell to transmit to you, for the consideration of the Earl of Clarendon, the accompanying copy of a despatch from the Governor of Canada, inclosing a copy of a Proclamation warning all citizens of the United States that their right to fish in the inshore waters of Canada will cease with the termination of the Reciprocity Treaty on the 17th of March.

I am, &c.

(Signed) T. FREDK. ELLIOT.

Inclosure 1 in No. 12.

Viscount Monck to Mr. Cardwell.

Sir, *Government House, Montreal, February* 19, 1866.

I HAVE the honour to transmit, for your information, a copy of a Proclamation warning all citizens of the United States that their right to fish in the inshore waters of Canada will cease with the termination of the Reciprocity Treaty on the 17th of March.

I have, &c.

(Signed) MONCK.

Inclosure 2 in No. 12.

Proclamation.

Province of Canada.

VICTORIA, by the grace of God, of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith, &c.

To all to whom these presents shall come, or whom the same may concern, greeting.

Whereas a certain Treaty was made between Her Majesty and the United States of America on the 5th of June, 1854, providing for reciprocal trade:

And whereas the United States of America have, in accordance with the terms of the said Treaty, given notice for the termination thereof; and whereas in consequence of such notice the said Treaty will expire on the 17th day of March, 1866:

And whereas under the said Treaty many persons, citizens of the United States of America, have invested moneys and fitted out ships for the purpose of carrying on the (inshore) fisheries within the territory of Canada under the said Treaty:

And whereas they may be unaware that their right to carry on such inshore fisheries will end on the said 17th day of March:

We, therefore, in our great desire to prevent injury or loss to our loving subjects, or to the citizens of a State with which we are happily in amity, do in this our Royal Proclamation caution and warn all persons not subjects of our realm, that after the said 17th day of March next no vessels owned and manned in the United States of America can pursue the inshore fisheries without rendering themselves liable to the confiscation of their vessels, and such other penalties, pecuniary and personal, as are by law imposed.

No. 13.

Sir F. Bruce to the Earl of Clarendon.—(Received March 9.)

My Lord, *Washington, February* 22, 1866.

I HAVE the honour to inclose copy of a note I addressed to Mr. Seward, stating the course Her Majesty's Government would be prepared to take if the Government of the United States were disposed to negotiate a fresh Reciprocity Treaty in the place of the one which expires on the 17th of next March.

Also a copy of Mr. Seward's reply, in which he dwells on the sentiment of Congress, and the constitutional objections to Treaties of this nature as the reasons which induce the United States' Government to decline negotiating, and to leave the question of reciprocal trade with the provinces to be dealt with as Congress may decide.

I have informed Lord Monck of the result of my communications with this Government on the subject.

I have, &c.

(Signed) FREDERICK W. A. BRUCE.

Inclosure 1 in No. 13.

Sir F. Bruce to Mr. Seward.

Sir, *Washington, February* 16, 1866.

AS the Reciprocity Treaty is about to expire, I am anxious to report in a formal shape the disposition of the Government of the United States with reference to the important question of its renewal, and I therefore submit for consideration the following proposals, which embody the views of Her Majesty's Government with respect to it.

Her Majesty's Government have seen with much satisfaction the increase of the trading relations between the United States and the British provinces which has grown up under the Treaty, and the beneficial results of the stipulations it contains, by virtue of which each Contracting Party enjoys the uninterrupted use of the facilities of transport to the seaboard possessed by the other, and participates side by side in the fisheries, without restriction or interference.

Her Majesty's Government would be well content to renew the Treaty in its present form.

At the same time they are ready to reconsider the Treaty in conjunction with the Government of the United States, if such a course would be agreeable to them, and so to modify its terms as to render it, if possible, more beneficial to both countries than it has hitherto been.

If the Government of the United States should feel disposed to adopt the latter course, an arrangement of a provisional character might be entered into with a view to afford time for fresh negotiations, and I should take pleasure in submitting

to the consideration of my Government any proposal to that effect which you might do me the honour to communicate to me.

I have, &c.
(Signed) FREDERICK W. A. BRUCE.

Inclosure 2 in No. 13.

Mr. Seward to Sir F. Bruce.

Sir, *Department of State, Washington, February* 17, 1866.

I HAVE the honour to acknowledge the receipt of a note which you addressed to me on the 16th instant, concerning a proposed extension of the Reciprocity Treaty. Perhaps I could not reply in any other manner more satisfactorily than I shall now do by stating anew the verbal explanations which I have had heretofore occasion to make to you upon that subject.

The character of the constitutional distribution of public affairs among the different Departments of the Government is well known. It confides commerce and national finance expressly to the Legislature.

The now expiring Reciprocity Treaty constitutes almost the only case in which the Executive Department has, by negotiation, assumed a supervision of any question of either commerce or finance. Even in that case the Executive Department did little more than to make a Treaty, the details of which had been virtually matured beforehand in the Congress of the United States, and sanction was given to the Treaty afterwards by express legislation.

The question of continuing that Treaty involves mainly subjects of the special character which I have before described.

Careful inquiry made during the recess of Congress induced the President to believe that there was then no such harmony of public sentiment in favour of the extension of the Treaty as would encourage him in directing negotiations to be opened. Inquiries made since the re-assembling of Congress confirmed the belief then adopted that Congress prefers to treat the subject directly, and not to approach it through the forms of diplomatic agreement.

In accordance with this conviction, all communications, verbal and written, upon the subject, have been submitted to the consideration of the proper Committees of Congress, and the question of extending a system of reciprocal trade with the British Provinces on our frontier awaits their decision.

I have, &c.
(Signed) WILLIAM H. SEWARD.

No. 14.

The Earl of Clarendon to Sir F. Bruce.

Sir, *Foreign Office, March* 12, 1866.

HER Majesty's Government approve the note of which a copy is inclosed in your despatch of the 22nd of February, and which you addressed to Mr. Seward, stating the course Her Majesty's Government would be prepared to take if the Government of the United States were disposed to negotiate a fresh Reciprocity Treaty.

I am, &c.
(Signed) CLARENDON.

No. 15.

The Earl of Clarendon to Sir F. Bruce.

(Extract.) *Foreign Office, March* 17, 1866.

IT may be necessary for me to recapitulate very shortly the steps which have been taken by Her Majesty's Government with respect to the Reciprocity Treaty between this country and the United States, which ceases to be in operation this day.

That Treaty was entered into by the two countries in order to avoid further misunderstanding between their respective subjects and citizens in regard to the extent of the right of fishing on the coasts of British North America, and in order to regulate and extend the commerce and navigation between their respective territories and peoples. The misunderstandings to which the Treaty alluded were of a grave character, and had more than once threatened to interrupt the friendly relations which it has ever been the desire of the British Government to maintain with that of the United States. They were happily put an end to by the Treaty, and for a period of nearly eleven years during its existence the subjects and citizens of the two countries have carried on their respective occupations, and have enjoyed the privileges which they have obtained under it, without any question having arisen to disturb the good understanding which had thus been established between the two Governments.

Her Majesty's Government had hoped that a state of things so advantageous to the political relations and to the commerce between the United States and Great Britain and her North American Colonies would have been allowed to continue, and that the Government of the United States would not have availed themselves of their right of terminating a Treaty which, in the opinion of Her Majesty's Government, has so well fulfilled the object for which it was entered into and has been so eminently beneficial to both the Contracting Parties. In this hope, however, Her Majesty's Government have been disappointed. On the 17th of March of last year Mr. Adams transmitted to Lord Russell a certified copy of a joint Resolution of the Congress of the United States, approved by the President, giving notice of the termination of the Treaty at the expiration of twelve months from that date, as it was considered no longer for the interests of the United States to continue the Treaty in force.

Mr. Seward, however, had informed Mr. Burnley, that with a view of inaugurating a more friendly policy with Her Majesty's Government, he was willing, as the season advanced, to enter into negotiations for a remodelling of the Treaty on terms which might prove, he hoped, advantageous and beneficial to both parties.

Her Majesty's Government, whilst deeply regretting the step which the United States had considered it advisable to take, instructed you on your arrival at Washington to state to Mr. Seward their willingness to reconsider the Treaty in conjunction with the Government of the United States, to negotiate for a renewal of it, or so to modify its terms as to render it, if possible, even more beneficial to both countries than it had hitherto been. You were further instructed to invite Mr. Seward to inform you in detail of the points upon which a modification of the Treaty was desired.

Owing to events of urgent importance, which occupied the attention of the Government of the United States, and to the serious illness of Mr. Seward, you were unable to execute Earl Russell's instructions on your arrival at Washington, and you subsequently deemed it more prudent, and thought that we should be more likely to obtain the object we had in view, if you were to defer entering into official communication with Mr. Seward on the subject.

The Governors of the British North American Colonies were not less impressed than Her Majesty's Government with the grave consequences that were to be expected from the termination of the Reciprocity Treaty, and were equally desirous either that it should be renewed or that some fresh arrangement should be made having the same objects. Mr. Galt, a member of the Canadian Government, with a view to assisting you in any negotiations which might take place for this purpose, proceeded to Washington at the end of last year, for the purpose of ascertaining the course it might be most advisable for Her Majesty's Government to pursue with reference to the Treaty. Mr. Seward then declared that there were insurmountable objections to the renewal of the Treaty, which could only be effected by a vote of two-thirds from the Senate, which it was hopeless to reckon upon. He expressed himself at the same time not unfavourable to the negotiation of a Treaty, and he suggested that as the question would be brought before the Committee of Finance in connection with revenue arrangements, an attempt should be made to obtain resolutions recommending the extension of the period allowed for the determination of the Treaty. Mr. Seward appears to have subsequently expressed the same opinion to you.

It appeared to Mr. Galt and yourself that it would be advisable to take the course suggested by Mr. Seward, and you agreed that it would be inexpedient to make any official overture on the subject of the Treaty until the experiment of

obtaining an extension had been tried, or until there would be reason to believe that the United States' Government would manifest in reply a readiness to negotiate.

You were accordingly instructed by me to take such steps as might appear most expedient for procuring a prolongation of the Treaty, and you were directed to communicate on the subject with the Governor of Canada.

Mr. Galt and Mr. Howland, the Postmaster-General of the Province of Canada, proceeded to Washington for the purpose of conferring with you, and of urging through you on the Government of the United States the importance of postponing the termination of the Reciprocity Treaty, so as to afford time for negotiation.

The delegates from the British North American Colonies, after repeated interviews with the Committees of Ways and Means, of which Mr. Morrill was the chairman, in which they ascertained that no renewal or extension of the existing Treaty would be made by the American authorities, but that whatever was done must be done by legislation, submitted a Memorandum to the Committee as the basis upon which they desired arrangements to be made.

This Memorandum was not accepted by the Committee, which drafted a counter-Memorandum declaring its readiness to recommend to the House of Representatives for their adoption a law providing for the continuance of some of the measures embraced in the Treaty. The delegates considered that the proposals of the Committee were unacceptable; and finding, after discussion, that no important modifications in the views of the Committee could be obtained, declined to accede to the counter-proposal, and the negotiations terminated.

As you considered, from the terms of this counter-proposal, that the Committee desired to break off negotiations and not to entertain any proposal for the continuation of the Treaty, you deemed it advisable to address a note to Mr. Seward, expressing the readiness of Her Majesty's Government to renew the existing Treaty or to reconsider the Treaty in conjunction with the Government of the United States, if such a course would be agreeable to them, and so to modify its terms as to render it, if possible, more beneficial to both countries than it had previously been. You suggested at the same time to Mr. Seward, that if the Government of the United States felt disposed to adopt the latter course an arrangement of a provisional character might be entered into with a view to afford time for fresh negotiations, and expressed your readiness to submit to the consideration of Her Majesty's Government any proposal to that effect which Mr. Seward might communicate to you. In reply, Mr. Seward stated that careful inquiry during the recess induced the President to believe that there was no such harmony of public interest in favour of the extension of the Treaty as would encourage him in directing negotiations to be opened, and that inquiries made since the re-assembling of Congress confirmed the belief that Congress preferred to treat the subject directly, and not to approach it through the forms of diplomatic agreement. All communications had accordingly been submitted to the consideration of the proper Committees of Congress, and the question of extending a system of reciprocal trade with the British provinces on the United States' frontier awaited their decision.

The attempts thus made, whether to renew the Treaty, to conclude a new one, or to extend the time for its expiration, in order to admit of negotiations, having failed, and the Treaty having now expired, it becomes the duty of Her Majesty's Government to consider what course they should pursue. By the termination of the Treaty of 1854, two important and undoubted rights of this country, the enjoyment of which, through the operation of the Treaty, were temporarily ceded to citizens of the United States, revert absolutely to the British Crown. Those rights are, first, the exclusive right of fishing by its subjects on the sea-coasts and shores, and in the bays, harbours, and creeks, of the British possessions of North America, except in so much as certain restricted privileges may have been conceded by the Convention of 1818 to American citizens; and, secondly, the exclusive right of navigation by its subjects of the River St. Lawrence, and the canals communicating between the great lakes and the canals in Canada.

With regard to the navigation of the St. Lawrence and the canals, it is not the intention of Her Majesty's Government to interfere for the present with the privileges which the citizens of the United States have enjoyed during the time the Treaty has been in operation. As regards the privileges of fishing and of landing upon the shores and coasts of Her Majesty's possessions for the purpose of drying their nets and curing their fish, which have been enjoyed by citizens of the United States under the Treaty, Her Majesty's Government are very desirous to

prevent the injury and loss which may be inflicted upon the citizens of the United States by the sudden withdrawal of their privileges. They are, however (now that the Treaty has come to an end), bound by the Act 59 George III, cap. 38, as well as by the Acts of the Legislatures of New Brunswick and Nova Scotia, which have obtained the Imperial sanction. By those Acts, which were only suspended during the existence of the Treaty, severe penalties, extending to confiscation of their vessels, with the cargoes, tackle, stores, &c., are inflicted upon all persons, not British subjects, who shall be found fishing or to have been fishing or preparing to fish within the distance of three miles of the coast of Her Majesty's possessions in North America.

It becomes the duty of Her Majesty's Government and of the Governments of the respective provinces to enforce the law, and until those Acts are modified or repealed, citizens of the United States will be prohibited from fishing in British waters, from landing on British territory for the purpose of drying their nets and curing their fish, and will be subject to all the penalties which the violation of the law entails.

Under these circumstances, it has been the duty of Lord Monck to issue a Proclamation informing all persons who may be concerned of the state of the law, and warning them of the penalties that they incur by its violation.

Her Majesty's Government are not insensible to the great inconvenience and losses to which the exclusion of American citizens from privileges so long enjoyed by them, and in which capital to a considerable amount has been invested, and labour to a large extent has been employed, must unavoidably subject a great number of persons.

They fear that so long an enjoyment of those privileges may induce those who have been engaged in fishing ventures on the coasts of the British possessions to defy the law and carry on their operations, thus exposing their property to seizure and confiscation. A feeling of irritation may thus be engendered in the North-eastern States of America against the British Government and nation which Her Majesty's Government would deeply regret, and which might lead to serious misunderstandings between the two Governments.

Her Majesty's Government have the satisfaction of feeling that they have done their utmost to prevent these consequences. They have declared their readiness, and they are still prepared, to come to any arrangement with the United States, either by a continuation or a renewal of the Reciprocity Treaty, or by entering into new engagements by which the privileges hitherto enjoyed by American citizens might be still secured to them. The Government of Washington has declined to accede to these proposals.

Her Majesty's Government cannot therefore accept any responsibility for the results which they fear may arise from the termination of the Reciprocity Treaty by the act of the United States' Government themselves—results which they have done their utmost to avoid, and which, if they do occur, Her Majesty's Government will most sincerely deplore.

No. 16.

Sir F. Bruce to the Earl of Clarendon.—(*Received March* 28.)

(Extract.) *Washington, March* 9, 1866.

YOUR Lordship is aware that a Bill has been introduced into Congress by Mr. Morrill, the Chairman of the Ways and Means Committee, which aims at imposing an exceptional scale of duties on provincial productions, with provisoes making the duration of this scale contingent on the continuance of the privileges accorded by the Reciprocity Treaty to the inhabitants of the United States, and empowering the President, if enjoyment of them is withdrawn, to put an end to the special duties in whole or in part.

There is a strong opposition to this Bill, on the ground, among others, that a power of this kind should not be confided to the Executive, and I think it will probably not pass in its present shape.

No. 17.

Sir F. Bruce to the Earl of Clarendon.—(*Received April* 1.)

(Extract.) *Washington, March* 14, 1866.

THE Bill introduced by Mr. Morrill into the House of Representatives for regulating trade with the British provinces has been thrown out. The amendments introduced into it while under under discussion showed that the Committee had proposed a lower scale of duties than the Houses were willing accept. The tone of debate was in favour of protection to every branch of production, and opposed to any special tariff arrangements on the northern frontier.

The failure of this Bill is not be regretted. The duties imposed on fish and on the principal productions of Canada would not have been considered in the provinces as reasonable when compared with the advantages secured to American interests. The proviso, moreover, which empowered the President to suspend, in whole or in part, these exceptional duties, and to leave the articles to be dealt with under the provisions of the general Tariff, in the event of the provinces not continuing to the Americans the enjoyment of the rights conferred by the Reciprocity Treaty, coupled with the fact that the arrangement, being made by Bill, is capable at any moment of being altered or put an end to, introduced an element of uncertainty which would have operated prejudicially on the commercial interests affected by it.

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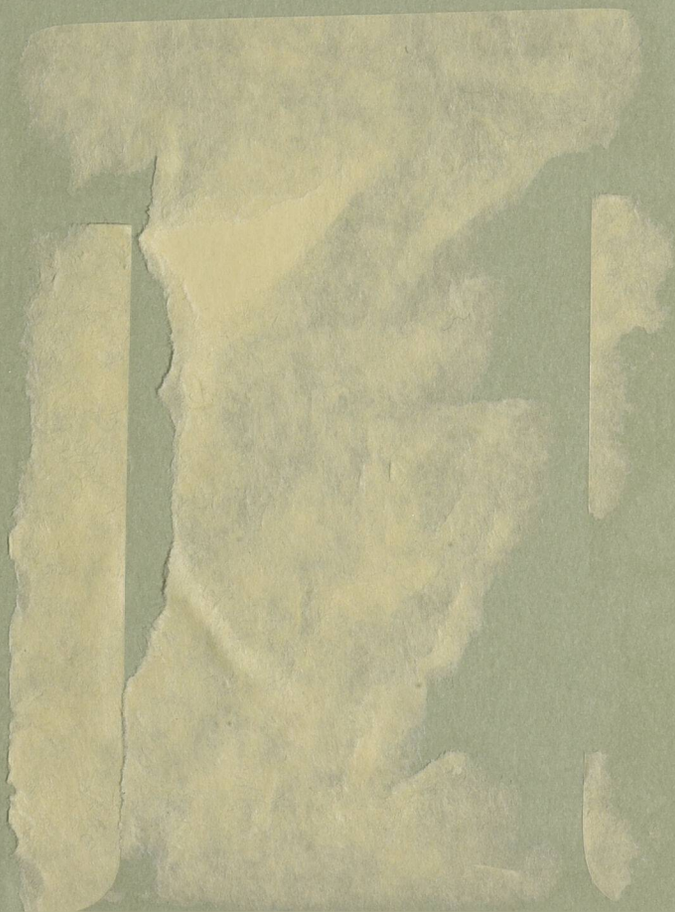
(*Mr. Watkin.*)

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